

**Delaware State Technical Advisory Committee Meeting (STAC)**  
**September 1, 2022**

**Acting State Conservationist, Karri Honaker**

- Karri began with giving a big shout out and thank you to the National Association of Conservation Districts, specifically to Jen Nelson and her team in Maryland. They provided an awesome meeting in Cambridge, MD. The theme of the meeting was strength through connection and there were some very relevant and important topics on that agenda.
  
- *Delaware Strategic Plan*
  - We adopted this strategic plan in 2020 and runs through 2025; we have two goals in that plan.
  - At our May STAC meeting, we focused on Strategic Goal #2, to support resilience of agriculture through addressing priority resource concerns and we talked about several objectives under that goal.
  - Focusing today on Strategic Goal #1, supporting our valued external and internal stakeholders and service to Delaware's natural resources.
    - To support this goal, our objectives are:
      - focusing on our customers, identifying local resource needs,
      - making sure we have a healthy environment for our employees to include diversity training opportunities to make sure that we can recruit and retain the best employees, here in Delaware and,
      - collaborating with our partners to meet common conservation goals.
    - To achieve this goal, to recenter ourselves around some of the things that we have coming to us in the future and how we're going to move ourselves forward in the state as partners, to be able to meet these goals, it's increasingly important for us to stay constantly connected at the local level. Over the past year, we have been prioritizing the local work group sessions. We are going to continue this, to move ourselves forward to make sure that we're informed on what the local needs are so we can tailor our programs and services to help address those local needs.
    - NRCS Chief, Mr. Terry Cosby has highlighted that employee training is a very high priority for us along with the recruitment and retention. With this, Delaware is focusing on process improvement and analyzing internal training needs to make sure that we're providing our employees with quality training to have the needed tools to do the work to get the conservation on the ground.
  
- *Chesapeake Bay*
  - We are continuing to invest in our Chesapeake Bay conservation efforts.
  - Over the past ten years we've invested about \$1.1B towards helping producers in the Bay. The funding is supporting priority practices, climate change and resiliency practices, nutrient reduction, sediment, livestock waste management and more.
  - There are some concerns on how the modeling is impacting improvements and what our progress looks like making sure that we can use solid scientific data to prove that we are making strides and working towards those goals that we have set in the plan for 2025.
  - We're using GIS information prioritizing 303 impairment stream maps and local recommendations to continue to make progress.
  - We announced this past year, that there will continue to be increased collaboration with EPA and the formation of the new federal task force, as well as an ag working group that is that is being formed.

- Leon Tillman, Chesapeake Bay Coordinator, MD added that,
  - Bay wide obligations are ongoing.
  - As of early August, we obligated approximately \$9M of the \$20M and states are still continuing to obligate those funds.
  - Delaware has done a great job obligating \$100,099.
  - Things are rolling and we're continuing to progress at work and working with the jurisdictions as well.
- *Financial Assistance*
  - We are currently working to finish out FY22 and looking forward to FY23. In FY23 we will look forward to our annual allocations, mandatory funding and spending on an annual basis, the Chesapeake Bay initiative, and regional equity funding and, the most recently passed inflation Reduction Act (IRA).
    - President Biden signed an act into law on August 18<sup>th</sup>, relating to conservation funding and investment providing an opportunity to invest dollars on climate and clean energy. The agency continues to work through specifics.
    - The law provides \$3.1 billion for USDA to provide relief for distressed borrowers with at risk agricultural operations, \$2.2 billion in financial assistance for farmers who have experienced discrimination in USDA's farm lending programs, and approximately \$20 billion to support USDA's conservation programs that yield climate-related benefits while building resilience in agricultural operations. We will look to receive additional technical assistance (TA) dollars, which will help us strategically leverage those partnerships.
- *Urban Agriculture*
  - We have formed our Urban Agriculture Subcommittee of the State Technical Advisory Committee. We've had one meeting completed and our next meeting has been scheduled. We look forward to continuing the work on that subcommittee and looking at creative ways to increase the participation of our urban ag producers and making sure that we can look at the flexibilities that are afforded to us to bring folks to the table and providing them the assistance they need to succeed.
  - Additional flexibilities as we work through the end of the year, our payment schedule. The team has been hard at work updating our payment schedule and exploring opportunities for adding urban practices as well as other practices to increase and widen our opportunity for additional conservation practices.

**State Resource Conservationist – Jayme Arthurs**

- Poultry Pilot New and Expected Resource Concerns
  - We are working in a designated area in Sussex, the southwest corner of Sussex County, to allow new poultry producers that don't have livestock yet to apply for financial assistance through EQIP to get a contract to build composters, heavy use area pads, and windbreaks. If they don't have livestock on the farm, they don't have a resource for concern so going through this poultry pilot, environmental assessment (EA) will give us the ability to provide financial assistance to those farmers earlier in the process.
  - We had our first stakeholder and public meetings in early June and they were pretty well attended. The stakeholder meeting was held through a Teams meeting and the public meeting was held at the Sussex Conservation Districts Office on Shortly Road.

- The point of those meetings was to introduce the process, why we were doing this, the time frame, and all the steps to get to an approved EA document.
    - There has been a lot of positive feedback on the process as far as the EA is concerned and we were able to identify some hypothetical sites where these poultry operations might go in that designated area.
    - We met with Conservation Works on some of those sites in June to start building the inventory on those hypothetical sites and the potential existing resource concerns on poultry operations.
      - ❖ They've collected all that data and are starting to analyze that and are beginning to work on environmental evaluations for each site.
      - ❖ Jayme's team and several others meet with the contractor on a regular basis, typically every three to four weeks to discuss where we are in the process.
      - ❖ Our anticipated completion date is July of 2023.
  - We are looking at scheduling additional stakeholder and public meetings in November.
- FY23 Source Water Protection Areas
  - The 2018 Farm Bill charged us with working with landowners and farmers to protect water quality, water quantity, and to protect drinking water sources.
    - The first charge was identifying local priority areas.
    - The second charge was providing an increased payment rate for practices that benefit water quality and water quantity.
      - ❖ We've done that as well as developed an extensive list of practices identifying source water protection.
    - We are also charged to make sure we're dedicating at least 10% of funds through our farm bill programs, excluding CRP. Over the last few years, we have been doing 10% plus some here in Delaware, as well as at the national level.
  - Delaware has developed a small subcommittee with representatives from DNREC, Delaware Rural Waters, and the Conservation Districts. They've met and discussed modifying the FY23 areas along with the following guidelines for establishing those areas for each program year.
    - It can't exceed 20% of the total land area for the state, forcing you to focus in on those HUC12s here in the state and figure out the best place to prioritize these areas, the funding and where they'll have the most impact, not only for source border protection, but areas where landowners or farmers have an opportunity to implement conservation practices on that land. Part of that process includes looking at information provided by EPA on density areas.
  - The subcommittee will focus on where the priority areas need to be and where we can do the most work to get the most bang for our buck with the conservation practices in those areas.
  - The source water protection areas for FY21 and 22 were spread out predominantly in Sussex County focused on the inland bays. For FY23, we want to look at opportunities to take advantage of and see where we can move these around to spread them out throughout the state.
  - On the source water protection practices that were identified, the only one not included is, underground outlet. We have a good spread of practices eligible for the source water protection and increased payment rate to implement those practices here in the state. We have another meeting scheduled next week to finalize this.
    - We are also looking at the Bohemia and Appoquinimink Rivers in Newcastle County, continuing to focus on the Brown Branch and Middle Misspillion in Kent County, and focusing on areas that are identified above the Butler Mill Branch, Betts, Pond, Cow Bridge

branch areas in Sussex County while ensuring we're identifying the HUC12 level and not go over that 20% of the land area for the state.

- In addition, we went back through our list of practices eligible to be included in source water protection areas and identified additional practices that we would like to add for FY23; Critical Area Planning, Fuel Border, Tree and Shrub Establishment, practices that would have an impact.
  - We're still working on analyzing some of the historical data for applications and contracts in the state and how they were turned into contracts and while prioritizing watersheds based on that data.
  - Oftentimes, we get questions about tracking source water protection funding and practices. The funding and practice are tracked at the national level to make sure that we're meeting the mandate of the farm bill and spending 10% of our funds on source water protection.
- Conservation Reserve Program (CRP)
    - We spend a lot of time working with the Farm Service Agency (FSA) on CRP. It is FSA's program so they are the primary contact but we do have technical responsibility for the program. Patti Webb is our CREP Coordinator to implement CREP in the state.
      - On a regular basis, we are required to do look at our CRP, air, water and habitat zones for rural new enrollments and re-enrollments for general CRP only. If a producer is enrolling a practice through CRP in one of these zones, they get additional points in their ranking, helping them compete at the national level.
      - These zones can be independent of each other but can only constitute 25% of the cropland acreage and can earn additional Environmental Benefit Index (EBI) points. The general CRP process or sign up is a competitive process.
    - We were looking at establishing CRP Wildlife Zones based on wildlife priorities we already have in the state working with our partners, DNREC and Ducks Unlimited focusing on the Bobwhite Quail initiative in Newcastle County as well as, priority areas for Black Ducks.
      - We are using our source water protection (SWP) areas as the basis for prioritizing water quality zones. We are looking to modify those SWP areas for FY23 while putting a hold on any additional water quality zone work until we finalize that SWP area.
      - Once that has been resolved, we will meet again to account for the SWP areas and identify where we want that water quality zone.
    - FSA and NRCS were recently charged with reviewing and updating our CRP grassland zone. It is part of the CRP program and focuses primarily on conservation of grasslands in the state similar to regular CRP.
      - FSA provides participants with rental payments for either 10- or 15-year contracts and provides available cost share assistance with the program. The idea is to help protect grasslands from conversion in the state supporting grazing operations, plant, and antibody diversity.
      - Rental payments for the grassland reserve program are somewhere around \$40.00 an acre per year.
      - They charged us with looking at our current grassland zones to see if we're happy with it or want to make any changes.
      - Similar to regular CRP, individuals applying for grassland CRP receive additional points making them more competitive at the national level as well and can't exceed 25% of the total acreage in the state.
      - Delaware already had Kent County identified as the grassland zone for state established since 2015.

- In discussion with FSA, we're looking at maintaining our existing grassland zones.
      - ❖ We are focusing on keeping it as Kent County because it's also a priority area or highest priority areas for bobwhite quail.
  - As we did in years past, once we get things drafted, we will share it out with the State Technical Committee for review and to let us know if you have any questions or concerns before moving forward with submitting them for FY23.
- CRP/CREP Required Management Activities
  - We are required to look at the management activities for CRP and CRP practices on an annual basis to consider anything that might be impacting the establishment and maintaining the practices in the state.
  - In years past, we established what practices require maintenance in the initial contract phase and then what management is required from the enrollment phase.
  - Practices established to grant native grasses and forbs typically do not benefit from that initial contract because it takes time for that habitat to get established.
  - Our most popular CRP/CREP practices in the state are tree planting, primitive wildlife habitat, grass planting, shallow water areas, and filter strips.
  - When the notes for the STAC meeting go out, Jayme will also include a PowerPoint for this discussion and if you have any questions, please reach out to him.
  - We've established that we are not proposing any changes for FY23 and the plan is to keep it the same as we've had in the past.

**Acting Assistant State Conservationist, Programs and Field Operations – Thelton Savage (Ziggy)**

- Our FY22 Farm Bill programs funding sources, we started EQIP, then received regional equity money. We always started with AMA money and we received additional AMA/RMA money. We also received some Chesapeake Bay funds.
- Nationally mandated funds
  - 5% of our overall funds have to go to beginning farmers/limited resource farmers. 57% of Delaware's allocation this year went to beginning farmers.
  - 5% normally goes to socially disadvantaged producers and we ended up allocating 26% to that group.
  - 50% of our funds have to go to livestock practices. Delaware always exceeds that and we allocated 69% this year.
  - 10% of our funds have to go to wildlife. Delaware spent 4% of our funds but were able to fully every application that came through the door.
- Our FY22 EQIP ranking pools are:
  - Beginning Farmer, we can sign them up in the energy fund code
  - Chesapeake Bay for cropland
  - We have a lot of our fund codes that definitely overlap and gives the participants more opportunities to get pre-approved for a contract.
- Overall applications, 159 applications statewide; 53 in Kent, 14 in New Castle, and 92 in Sussex. We only had three high priority applications that did not receive funding.

- Our initial spending plan, we had \$6.5 million and to split amongst our fund codes. Ziggy provided a spreadsheet showing our FY22 initial spending plan alongside of what was actually obligated, \$7.5 million.
  - When we receive additional funds, we start with a plan and then go through the application list. If we exhaust all the dollars, then we move money to other fund pools and put it where we have the applications.
- Fund pools that were fully ranked for FY22, Beginning Farmer applications, Chesapeake Bay Cropland, Conservation Activity Plans. All fund pools were fully funded with funds received into the state this year.
- As a comparison from FY21 versus FY22 a slide represents what was obligated and spent in FY21 and 22. In FY 22, we received a lot more funding and it enabled us to approve and obligate a lot more applications.
- Agricultural Management Assistance (AMA)
  - AMA practices that we are allowed to fund, composters, high tunnel systems, cover crops, roofs and covers, pipeline irrigation, irrigation management systems, pumping, plant waste, roof runoff structures, and water wells. We call this our AMA High Tunnel Fund code.
  - Agricultural Management Assistance/Risk Management Agency (AMA/RMA) fund. Once we receive RMA funds, we're able to expand our list of eligible practices that we can pick up through.
  - FY22 AMA applications, we funded 13 applications, Sussex funded all of their applications, and Newcastle funded 2. Those that didn't get funded may be because we ran out of funds.
  - AMA/RMA funding levels, statewide we received \$147,290.00 for RMA and \$71,540.00 for AMA.
- Conservation Stewardship Program (CSP)
  - For FY22 CSP renewals, contracts that were expiring or due to expire. A participant can re-enroll that contract and can pick a few more practices to achieve a higher stewardship level.
  - CSP Renewals, we had two contracts totaling \$149,037 and CSP Classic, new enrollments, we had four contracts totaling \$365,466.

#### **Local Work Group Reports - Ziggy**

- In response to questions that came in from the local work group reports, Program Improvements:
  - The lifespan of the composter is prohibitive to organic product operations with the requirement of utilizing treated wood.
    - We would treat it as normally required for the post and plants in order to resist rotting so that it will last for the 15-year lifespan of that practice.
    - Organic participants can substitute either locust or cedar wood.
    - Another consideration, instead of using 6 x 6 treated posts they could utilize 8 x 8 posts and also double planking for urban composters and not for animal mortality to help organic operations.
  - Why is NRCS phasing out cover crop? Where's the funding being allocated? From our vantage point, cover crop was the “most bang for the buck” and conservation practices.
    - NRCS, is not phasing out of cover crops. Under our current policy, cover crops once a person has adopted it, are considered or utilized.

- Producers can sign up and be paid for cover crop for three years but could also do a five-year contract.
- Producers that can't fully commit to where they're planting cover crop can sign up their acres for a one-time five-year contract.
- Participants that are only doing single species cover crop, are allowed to come back in and sign up for cover crop but, we want them to go to a higher level or different level than what they have been traditionally doing and do a multi species cover crop.
  - ❖ Debbie Absher, Sussex Conservation District, Georgetown, DE asked about the maximum of five years in a contract, what is the minimum?
  - ❖ Ziggy replied that you can do an annual contract or a single year. But for those individuals that understand where they want to go can tie into a five-year contract at the current rate.
  - ❖ Debbie asked if it's only taking into account those applicants that have gone through EQIP, does it count whether they've gone through the District or RCPP or any other funding source?
  - ❖ Ziggy replied that if the participant hasn't signed up under EQIP, if we pay for practices under EQIP then NRCS will not come back unless that participant is doing multi species if they previously did a single species.
- Kosher amounts for fencing in urban agricultural settings is far below market average for these fences and the expenses are a necessary component for ensuring safety and security. Chain link fencing should not be an option. Historic perception of certain types of fencing materials and communities of color result in a negative connotation which are detrimental to our community relationship efforts.
  - NRCS has been working on this and right now we currently don't have a funding option for a different type of fence.
  - We're going to try to develop a national scenario because urban ag is becoming the forefront. We'll have to develop a different means, a different funding scenario that will include different types of fencing in our urban settings.
- Why are there no cost share opportunities for alternative energy projects in Delaware, i.e., methane digesters?
  - We appreciate that recommendation and for FY23, we will consider adding this practice to our list of practices that producer or participant can sign up for.
- Roofs on HUAP's. This practice is also being implemented in Maryland, but not in Delaware.
  - NRCS is considering adding that to this year's practice list. There's a lot of things that we still need to iron out to try to implement some of these practices and get everything in order to be able to try and do this for FY23.
- Why are gutters and underground outlets not associated practices for structures.
  - These practices can be cost shared if a resource concern exists. We also have to keep in mind with gutters and outlets is the topography if we can't find the adequate outlet to discharge the clean water then a lot of the times, gutters will it be put on the building because we're just still on the ground.
  - The main resource concern is to keep the clean water clean. We could put gutters and outlets but if we're still outletting it on the ground and we don't have a discharge area

- where we have adequate fall and it can leave the site then it's not to anybody's advantage to do that, we haven't solved a problem.
- Concerns for high tunnels, the no container planning rule for high tunnels needs to change for multiple reasons.
    - It doesn't accommodate propagation.
    - Second and third season floriculture could benefit from small growers, i.e., forcing chrysanthemums does not accommodate raised bed.
    - Culture, a crucial component to developing urban production on derelict sites.
    - In most urban settings, we are dealing with limited resources, resources, and space. We should be able to maximize the profitability of where we can grow.
      - ❖ Per our guidance, the practice applies to land capable of producing crops in the ground where sun or wind intensity may damage crops or where an extension of the growing season is needed due to climatic conditions.
      - ❖ We have to follow our guidance and if there was a way that we could change some of these things but, per our guidance this is what we have to follow when we're talking about the high tunnel practice.
      - ❖ Crops may be grown in natural soil profile and not on benches and tables or hydroponically. Permanent raised beds, we can do up to a maximum of 12 inches deep in soil installed to improve soil condition for fertility and access. NRCS can provide this cost share for 812, raised beds under certain conditions, i.e., when the soils aren't suitable for growing in native soil due to obstructions or contamination.
      - ❖ If the soil is suitable for growing crops, then we would cost share on the high tunnel and the participant can install their own raised beds according to our 325 standard.
      - ❖ This practice does not include greenhouses or low tunnel systems that may cover a single crop row and can't be used for housing poultry or storing equipment.
    - Karri highlighted a few things specific to the high tunnel.
      - ❖ We received information internal to Delaware as well as other states in the region that we're having some challenges specific to the availability of being able to grow in raised beds, which is where this opportunity came from. For folks that need it, it is situation dependent and would have to be specific to the site. If someone might need those raised beds versus not, this is a good opportunity to highlight.
      - ❖ We didn't have this available in our standard for high tunnels and after getting the feedback, we're able to kind look at how that was impacting our urban growers, especially as it relates to the contaminants.
      - ❖ We are making progress towards being able to incorporate some of these items that we know are needed, especially in the urban settings and will continue to appreciate the feedback that you all have for us as we move forward to see what flexibilities we can incorporate.
  - Ziggy thanked the districts for holding their local work group meetings and submitting their minutes from those meetings and bringing the concerns of your local groups and participants to our attention. We do try to incorporate those ideas and try to address them so we can change things as we go.

- Ben Coverdale, DNREC asked if there is any kind of NRCS cost share program where a farmer could have some kind of cost share ability to purchase vertical tillage, implementation equipment, vertical tillage equipment for those that are new till growing irrigated crops or trying to manage residue to go along with the soil health?
  - Ziggy replied that currently, we don't have any type of cost share when it relates to the purchase of equipment. Through the State Revolving Fund (SRF) might possibly allow you to purchase vertical tillage equipment. Most of the times it's related to the resource concern but, we don't have any option for purchasing equipment.
  - Ben responded that there is a possibility that it could be incorporated in the SRF.

### **State Resource Conservationist – Jayme Arthurs**

- New Practice and Payment Scenarios for FY23
  - To build on what we've been talking about pretty much this whole meeting, about the work that we've done in the past and start looking at things that we can do to address additional resource concerns and our landscape change for applications and changes in the amount of funding that we're getting. As well as reiterate some of the things that we were adding for this year.
  - Ziggy spoke about raised beds; it is an interim conservation practice standard that has been adopted in several states across the country. We've been working with New Jersey primarily on the technical side of things as far as adopting this practice for FY23.
    - *Internal Conservation Practice Standard (ICPS) 812, Raised Beds* is going to be available for fiscal year 23.
    - *Conservation Practice Standard (CPS) 362, Waste Separation Facilities*, will be coming next year to help out some of our remaining dairies in the state.
    - *CPS 570, Stormwater Runoff Control*, one of the scenarios that we looked at, adopting rain gardens for urban ag as more opportunities for folks in the urban ag sector.
    - *CPS 396, Aquatic Organism Passage*, from a wildlife standpoint, we're looking at adopting for FY23. We did have folks reach out that are interested in implementing this practice in the future.
    - *CPS 366, Anaerobic Digester*, we talked about adopting for FY23 once again. That application in our dairy farms.
- Small Farm Scenarios for FY23
  - Recently, we received an opportunity from a national headquarters. They've identified national and regional payment scenarios that are available for addressing small acreage, urban type operations throughout the country. There were already some practice scenarios in our payment schedule that already lend themselves to our small farmers and urban ag type operators but, there was also an additional 20 new small acreage payment scenarios that were made available for FY23 here in the state and we took that list and really looked through it to see what practices and scenarios in that list would work here in Delaware. Some of those practices and scenarios we already had in place and adopted.
  - There were also several new ones in there that we are going to take the opportunity to adopt for FY23. The big difference between traditional payment scenarios and the ones we've labeled as small farm scenarios is what is considered the typical size. For each payment scenario, there's a typical size that is used to determine how it would be applied, where, and what size would be applied for how the payment rate is developed.
  - Most of these scenarios are typically somewhere between less than an acre of up to five acres. Some of the scenarios are actually down to paying per square foot depending on the practice.

All that is designed to account for implementing that practice on smaller acreage helping offset the cost of implementing that practice in a small acreage scenario.

- Examples of some of the scenarios that we're looking to adopt this year,
  - *Standard 329, Residue and Tillage Management, No Till* specifically focused on small scale no till paying 1000 square foot.
  - *Standard 340, Cover Crops*, this could be adopted on a small scale. The traditional payment rate doesn't necessarily lend itself to small farm or urban ag scenarios. They looked at planting cover crops on a small scale or looking at it at a rate of per 1000 square feet, looking at planning multi species as opposed to just single species.
  - *Standard 420, Wildlife Habitat Planning*, for very small acreage less than 1/2 acre with seedlings on the square foot. Another opportunity for those small farms/urbanite producers to actually introduce wildlife habitat into their operation on a small scale and adjusting that rate to make it feasible for them.
- Small Farm Scenarios for FY23 – continued by Ann Baldwin
  - We continue to fund *Standard 317, Composting Facility*. This differs from our animal mortality facility. This is a composting facility intended for small urban and organic farms to compost their vegetable waste for reuse for soil amendment or to create those soil amendments by composting leaves or other things available on the farm. It's a series of bins sized as needed for that operation and available to those participants.
  - *Standard 441, Micro Irrigation* would be something that is scaled to the smaller type setting paid for by the square foot rather than the acre.
  - We also have micro irrigation targeted for high tunnel applications for smaller plots. We're adopting those practices that we've traditionally funded, but on a smaller scale with the payment rates adjusted to accommodate that smaller area.
  - *Standard 436, Irrigation Reservoir*, would be a good potential for a small farm that wants to collect rainwater and/or reuse some of their irrigation water and is available in terms of 1000 gallon tank or somewhere in that in that ballpark. From the offered scenarios, we design for the need and then picked a scenario that closely matches that design and that planning need.
  - *Standard 570, Storm Water Runoff Control*, there are a few other scenarios available nationally and regionally under this particular standard that would deal with sediment, sediment control on construction site situations. In this case, we've adopted the rain garden as a scenario in Delaware to offer that opportunity in the urban settings.
    - Kate Rohrer put a question in the chat, are there relationships in place, in particular with potential urban ag participants to push out new funding?
    - Karri replied that, we have formed our Urban Ag subcommittee, an interdisciplinary team here that includes some of our producers and partners to have some of these conversations and make sure that we continue to strengthen those relationships. We are also in the process of hiring an outreach coordinator that will help us to target a specific priority group, particularly our historically underserved participants, which include our urban ag participants. We also have those long-standing relationships already in place with some of our urban ag participants that we have worked with in the past. We will continue working with them and then bringing new folks to the table as well.

#### **State Engineer, Ann Baldwin**

- Watershed Program Updates
  - Upper Nanticoke watershed plan that is underway, the contractor has been collecting field data and have collected a tremendous amount of data. This information is being used to develop

their hydrologic model in preparation for determining what alternatives need improvement for an accurate model of storm events and how the watershed is impacted.

- Their models and techniques have been reviewed by us and DNREC engineers from the drainage section.
  - We've received samples in terms of what the output will look like and what the model has computed as well as a report on how they built the model using various software available and how they verified it using USGS data. When this is all said and done, the state of Delaware will have some tremendous data to use for future work in these ditch systems.
  - Ann provided maps with various storm events portrayed that show the different flooding levels for the different storm events of that particular area, as well as the profiles through the surface adjacent to the ditches and the water levels.
  - She also provided a movie depiction of the data they've collected in the model for the 2-year storm event. The movie was showing in a time lapse where ponding occurs and then the water as it moves over land and into and filling the ditches.
  - Ann will continue to keep you informed as we get more information. The next big thing is their report with the presentation of the alternatives in terms of improvements.
- Watershed Funding
    - We are continuing to receive funds for the watershed program on a national level. The recent bipartisan infrastructure law as well as the most recent Inflation Reduction Act (IRA) have both specifically targeted the funding at the Watershed program.
    - They provided almost \$1B. Almost half of that has been appropriated to certain projects. We don't have any within the state under that particular funding but, not saying we can't.
    - There is additional funding coming through the IRA that the agency is seeing this coming and is diligently working on a plan of work as to how we can best use this funding towards projects and getting the work completed.
    - In 2017 when funding was starting to be put back into the program around the \$450M level and now we're at \$1.4B for BIL and IRA funding. We're looking at getting our staff back up to those levels to help get this funding spent while continuing to look towards partners and contractors to help us with our work.
    - In Delaware, we do see a potential for increased watershed projects but don't know if we will be at the level of having another watershed team in terms of planning and design but, there's been discussion among states to share staff.
- Future Watershed Projects in Delaware
    - The purposes of the program and potential projects. There are multiple purposes and it doesn't have to be just one, it can be a combination.
    - We are still under the statute for this funding, 20% of the benefits need to be directed towards ag land or rural communities.
    - Eligible sponsor is required in this program.
      - An eligible sponsor should be a local sponsor and a subdivision of the state which can be a nonprofit if it's part of the state government.
      - Conservation districts are local sponsor eligible as well as, cities, towns, and local municipalities.
      - The sponsor does have to have an interest in the project and ensure that operation and maintenance is carried upon completion of the project.
        - ❖ Catherine Owens asked if there is a definition of a rural community?

- ❖ Ann replied that there is not a specific answer and dig a little more into that as they are looking at a couple potential projects here in the state. She will provide an update at the next meeting.
  - ❖ Anita added to the chat, that rural development defines it as 10,000 people.
  - ❖ Ann followed up later that rural is defined in the National Watershed Program Manual as communities with less than 50,000.
- On the Horizon
    - The City of New Castle has a sea level rise task force and are concerned with sea level rise in the Delaware River.
      - They have submitted a formal request to us to consider the watershed program to help address the potential flooding. We will have to explore whether they can meet all the requirements to be in the program.
      - The next step is, NRCS will request funds for a preliminary investigation feasibility report. Ann has submitted that request and due to the end of the FY, it will likely be after October 1<sup>st</sup> before we would begin to develop an agreement for this report.
    - The Kent Conservation District has aging stormwater management facilities and asked to start the conversation of what a project will look like.
      - They have staff available to help with getting this project going so, we'll continue that conversation and looking dividing the county up or pick certain sites that would make a good project in terms of addressing aging stormwater management facilities.

### **Committee Reports**

#### *Farm Service Agency – Maryann Reed*

- FSA is actively working with NRCS right now to get through CREP reenrollment and new sign-ups for CRP and CREP.

#### *Delaware Department of Agriculture – Chris Brosch*

- Chris provided a brief update of a conversation he had with Jayme and some of the stakeholders from the nutrient management program.
  - They are going to be updating the nutrient management law in a very brief and specific way, as well as regulations to update the use and function of the phosphorus site index in plan writing.
  - There was inconsistency between the law and the regulation about when to use the phosphorus site index. The outcome of that index could lead to illegal implementation so, they are going to shore both those things up so that they come into agreement and hope that the phosphorus site index use continues to drive a reduction in phosphorus loss from agriculture and Delaware.

#### *Depart of Natural Resources and Environmental Control (DNREC) – Marcia Fox*

- DNREC is preparing for the FY24 budget. They are looking forward to seeing where they can expand conservation cost share and offering funds to tax ditches for maintenance similar to what was done this past year in the FY23 budget with the \$500,000 extra funding.
- they are also holding the first meeting of the Riparian Forest Buffer Coordinating Committee on September 14<sup>th</sup>.
  - They will be reviewing the strategy that was developed back in June and discuss future goals and outreach opportunities hopefully getting a little bit closer to meeting their whip promises.
  - They hired a Community Conservation Specialist. That offer was extended last week and the person will begin working at the end of this month. This position will focus primarily on backyard

BMPs, particularly in the urban setting focusing on native landscaping, rain barrels, rain gardens and trees.

- The downside to this is that it is only going to be a pilot project right now in the Chesapeake Bay watershed and hopefully we can expand that to other parts of the state in the future.
- They are also going to be receiving infrastructure funds in October, so they're moving forward with some higher priority drainage and tax ditch projects that have been identified in some of the most effective basins as defined by EPA.
  - They're leveraging some of their RC&D funds and Chesapeake funds on their first priority project, which is going to fall within bay branch.
- Marcia returned from the Northeast meeting of the National Association of Conservation Districts. It was an excellent opportunity to network with other state agencies and learn about initiatives all across the Northeast.
  - They focused on grant opportunities, managing stress on the farm, especially with coming out of COVID, the changing markets, increasing diversity internally and within our programs and preparing for climate change.
  - They also had the opportunity to see a perennial grass being used for poultry bedding, called Miscanthus. The ornamental version is invasive but this one was not. It was interesting to see it applied in real life.

#### *National Ag Statistics Service (NASS) - Shareefah Williams*

- Ms. Williams reminded everyone that the 2022 Census of Agriculture is right around the corner. They plan the mail out the end of December so, please spread the word.
  - The census provides the only source of uniformed, comprehensive, and impartial agricultural data for every county in the nation so this is very important. They want to make sure that everyone and every farmer in Delaware is counted.

#### *Sussex Conservation District (SCD) - David Baird*

- David provided updates on their recent cost share sign up period and the awards that were made by the board at its meeting last week on the conservation cost share side, which is primarily the cover crop program.
  - They had 285 applications totaling 182,000 acres and that total is about 10,000 more acres of cover crop than they received during the enrollment period last year. Trends are moving in the right direction.
  - They also had 19 new applications, from folks who had not participated in the cover crop program in the past. That also is encouraging as they move forward.
  - The district board was able to budget an additional \$200,000 that was put it in a special project category but was really to cover a lot of other practices like wetland creation, stream stabilization, or wildlife ponds. Whatever came about from cooperators around the county throughout the year, would be considered on a case-by-case basis.
    - Some of those funds could also be used to leverage other funding sources, offer projects that the district and its cooperators were out there working on. they're very happy to have those additional resources available to work with and are confident that it's going to lead to additional practices being installed on the ground.
- On the tax ditch side, they had a total of 210 applications and those applications requested \$462,000 worth of work. Fortunately, due to the increased support from the General Assembly this year, along with the continued support from Sussex County Council, we were able to fund all of

those applications. We are anticipating a very robust construction season for the tax ditches in Sussex County, which is long overdue.

*New Castle Conservation District - Gwen Pierce*

- Ms. Pierce stated that she has really enjoyed this meeting and is encouraged by some of the new things she's learned and is looking forward to sharing it with the rest of the district.

*Delaware Cooperative Extension Service - Jenn Volk*

- Jenn reported that Jake Jones, Kent County Ag Agent, resigned early on in the summer. He went off to work with FMC. They have a committee together to work on a job description to get that position replaced. Hopefully that will be happening through the early fall and will have somebody hopefully starting before January, if not sooner.
- Gordon Johnson, Vegetable Specialist, is planning to retire this coming June, the end of May or in June of 2023 and that's a faculty position so that takes a little bit longer. There's a committee working on that job description also and they'll be having job applications and doing committee searches for that position, which is really important for them in Delaware. They're working to make sure that there's a seamless transition for Gordon's position once he retires.
- Jenn also wanted to share that they're excited to be planning in person educational events for this fall and winter.
  - Crop School, Ocean City, MD, November 15<sup>th</sup> through 17<sup>th</sup>. The registration should be coming very soon. They have all of the speakers lined up and are working on the final schedule.
  - Ag Week, January 9<sup>th</sup> through 12<sup>th</sup>.
  - Horticulture Expo, Modern Maturity Center, January 18<sup>th</sup> and 19<sup>th</sup>.

*Delaware Farm Bureau - Richard Wilkins*

- Richard stated that it's an honor to continue to represent the farmers and the private agricultural stakeholders on the state Technical Advisory Committee and anything that Farm Bureau can do to help increase a farmer/stakeholder participation in the local work groups, they're glad to be able to help in that aspect.
- Richard suggested that when talking with decision makers/legislators about funding, it would be really nice to be able to give them statistics about what's the return on investment/output so that when NRCS dollars are invested in private businesses and how much output is derived from that investment so that they can have a sense that the dollars they authorize and appropriate are getting more than adequate return on their investment.

**Next Meeting Dates:**

February 9, 2023

May 11, 2023

September 7, 2023