

**Virginia Soil and Water Conservation Board**  
**Wednesday, April 16, 2025 – 10:00 a.m.**  
**Drury Plaza Hotel, Glen Allen, Virginia**

---

**MEMBERS PRESENT**

Charles Newton, Chair  
Charles Arnason  
Jason De La Cruz  
Leigh Pemberton  
Robert Mills  
John Schick  
Dr. Edwin Martinez, NRCS, Ex Officio  
Matthew S. Wells, DCR, Ex Officio  
Dr. Dan Goerlich, VCE, Invitee

**MEMBERS NOT PRESENT**

Adam Wilson, Vice Chair  
Stephanie Cornell  
Nick Thomas

**DCR STAFF PRESENT**

Andrew Smith, Chief Deputy Director  
Darryl Glover, Deputy Director, Soil and Water Conservation, Dam Safety and Floodplain Management  
James Martin, Director, Division of Soil and Water Conservation  
Christine Watlington Jones, Policy and District Services Manager  
Lisa McGee, Policy Director  
Blair Gordon, District Operations Coordinator

**OTHERS PRESENT**

Amy Walker, Colonial SWCD  
Sharon Conner, HCSWCD  
Suzanne Brown, LSWCD  
Steven Meeks VASWCD  
Brad Copenhagen, Virginia Agribusiness Council  
Kendall Tyree, VASWCD  
Ann Coates, TJSWCD  
Katelyn Jordan, Virginia Farm Bureau

**CALL TO ORDER AND QUORUM**

Chairman Newton called the meeting to order at 10:01 a.m. A quorum was established with six members present.

**APPROVAL OF MINUTES – MARCH 19, 2025**

Amendment noted to include Andrew Smith, Chief Deputy, DCR, as attending.

**BOARD ACTION:** Motion by Mr. Pemberton to approve the minutes as amended. Seconded by Mr. Mills.  
Motion carried.

## DIRECTOR'S REPORT

---

*Matthew S. Wells, Director, Virginia Department of Conservation and Recreation*

Budget Update: The reenrolled budget is currently on the Governor's desk. The Governor is required to take action by May 2, 2025, which could include line item vetoes. The final budget signed by the Governor will go into effect on July 1, 2025.

The Stakeholder Advisory Group, established pursuant to Chapters 735 and 736 of the 2023 Session Acts of Assembly, met on Monday, April 14, 2025. This group is charged with reviewing the annual progress and making recommendations toward implementing the Commonwealth's agricultural commitments in the Chesapeake Bay Total Maximum Daily Load Phase III Watershed Implementation Plan. The Group is required to submit a progress report by July 1, 2025 for review by the Secretary of Natural and Historic Resources and the Secretary of Agriculture and Forestry to determine if the progress, planning and resources are sufficient to reach the allocated goals by July 1, 2028. We will continue to update you as they move forward.

## DAM SAFETY AND FLOODPLAIN MANAGEMENT DIVISION REPORT

---

*Darryl Glover, Deputy Director, Soil and Water Conservation, Dam Safety and Floodplain Management*

### **Status of Dam Safety Act and Review of Impounding Structure Regulations:**

Governor Younkin signed the Dam Safety Act amendments into law. They will take effect on July 1. The Department will then discontinue issuing certificates to all low hazard dams and will instead issue general permits.

Proposed amendments to the Impounding Structure Regulations have been approved by the administration to move forward for public comment. That public comment period will run from May 5 through July 4. A public hearing is required and will be held on June 12, at 1:30 pm. The preferred location for the hearing is the Department of Forestry office in Charlottesville at the University of Virginia. An alternative location is available if needed.

In order to align the Impoundment Regulations with the approved amendments to the Dam Safety Act, the Department intends to propose a fast-tracked round of minor regulatory amendments at the Board's meeting this September. These amendments will primarily establish three tiers of low hazard dams and enable reduced spillway capacity, from the 100-year to the 50-year storm without an incremental damage analysis (IDA) only for those low hazard dams that would not interrupt access to critical public infrastructure in the event of a dam failure (i.e. Tier 2).

Conversely, low hazard dams that would interrupt such assessment (Tier 3) would still require an IDA in order to reduce spillway capacity below a 100-year storm event. These amendments will not change IDA requirements to reduce spillway capacity for either significant or high hazard dams.

### **Incremental Damage Analysis Study**

Schnabel Engineering has submitted a contract proposal to the Department for review. Their work to evaluate selected alternative methods for Incremental Damage Analysis (IDA), namely those used by Montana and South Carolina, as well as two options developed by Department staff, should begin shortly and be completed before the December 2025 Board meeting.

Because the IDA recommendations are likely to be of considerable interest to dam owners and other interested parties, the Department will likely recommend that they be addressed via a full public regulatory revision process during calendar year 2026.

### **Dam Related Incidents**

Greene Mountain Lake (Greene County): An “Informal Fact-Finding Conference” is scheduled for May 8, 2025, at 10 am. The location will be the Department of Forestry office in Charlottesville at the University of Virginia. The three Hearing Officers for the Board will be Charles Newton, Chuck Arnason, and Stephanie Cornell.

Afton Drive/Chappel Creek Dam (Prince George County): The dam owner did not provide a safety inspection by April 3, 2025, as required by the Department. A Fact-Finding Conference will be scheduled for this dam soon.

Mattawan Dam, (Hanover): The dam owners’ engineer has provided an amended report to the Department. They estimate the cost of repairs for this dam to be around \$500,000. An application to the Dam Safety Fund has been received that would cover 50% of this cost.

Recommendations for this and other grant awards are on schedule to be presented to this Board at your May 2025 meeting.

### **Additional Activities:**

- **DCR Office of Resilience Planning:** continues to work, with the assistance of four contractors, and several sub-contractors, on the development of both the Coastal Resilience Master Plan, Phase II, and the statewide Virginia Flood Protection Master Plan.
- **DCR Floodplain Management Division:** Division staff continue to rotate in and out of Southwest Virginia following the additional flooding during Presidents’ Day Weekend. Since your last meeting, a federal disaster declaration has been issued in Virginia. As a result of the recurrent flooding in Southwest Virginia, the Department is seeking office space for a newly created Senior Floodplain Planner who we shall permanently station in Southwest Virginia.
- **Office of Environmental Education:** A draft Environmental Literacy Strategic Plan, for K-12 aged children, completed a public comment period on April 9. Staff will now review comments received and suggest any appropriate changes to the plan. The plan remains on schedule for completion before the next school year. FY26 Meaningful Watershed Education Experiences (MWEE) grants will be awarded for the beginning of the state fiscal year. The Department launched the EnviroLearn Professional Development Series for K-12 educators in Virginia, focused on conservation instruction on April 13 – 15 at Natural Tunnel State Park. This event will take place twice per year, in various locations, and cover various conservation topics.

## **SOIL AND WATER CONSERVATION DIVISION REPORT**

---

*James Martin, Division Director, Soil and Water Conservation*

### **Budget Template Year and Program Updates**

This year is a budget template year for Soil and Water Conservation Districts, with the template due to the Department by July 15. The budget template is a critical component in determining funding allocations for both administrative and operations funding and base technical assistance funding (TA).

A training session on completing the budget template will be held on June 6th, in partnership with the Association. The morning session will provide an opportunity to ask questions related to the budget templates and addressing issues found during this year's financial audits; the afternoon session will focus on how to apply successfully for grant funding.

The templates submitted this year will influence allocations for Program Years 2027 and 2028.

### **Nonpoint Source Assessment**

A new Nonpoint Source (NPS) Assessment will be used for Program Year 27. This assessment provides the scientific basis for setting the Conservation Efficiency Factor, which affects cost-share dollar distribution and TA.

### **Technical Assistance (TA) Discussions**

Initial discussions are being held by several Districts regarding changes to TA allocation approaches, including differentiated TA rates for Structural practices and agronomic practices. Further stakeholder discussions are encouraged, possibly facilitated by the Association, to occur before the March 2026 board meeting.

### **USDA Program Update – AMP Program**

On Monday, May 14, 2025, USDA announced updates to the former Partnership for Climate-Smart Commodities Program, now renamed Advancing Markets for Producers (AMP). This is a \$3.1 billion program originally launched by the Biden administration.

USDA has imposed new criteria for program continuation:

- At least 65% of federal funding must be passed through to producers.
- Projects must enroll at least one producer by December 2024.
- Projects must have paid one producer for a practice by December 31, 2024.

While full national data is not yet available, Virginia had 31 grants under the original program. The Virginia Tech Alliance for Climate-Smart Agriculture Project, where DCR is a subrecipient, has been approved to proceed. Over 200 producers have signed contracts. Initial payments have been made; second and third payments are pending.

## **FUNDING APPROVAL – SOIL AND WATER CONSERVATION DISTRICT DAM MAINTENANCE, REPAIR, AND REHABILITATION FUND FOR JOHN'S CREEK #2 PROJECT**

---

Ms. Watlington Jones provided an update on the emergency repair funding and requested authorization for additional funds.

### **Board action taken on March 19, 2025**

The Virginia Soil and Water Conservation Board (Board) affirmed the use of \$100,000 of emergency funds and \$4,281.33 of funds returned from completed projects for emergency repairs to the emergency spillway at Johns Creek #2 (Craig County).

The Board authorized the Department to utilize previously approved contingency funds (\$196,258.35) or additional funds that are returned from completed projects for emergency projects needed during calendar year 2025. If additional emergency projects are undertaken, the Board must be informed about the project at the next Board meeting.

**BOARD ACTION:** Motion by Mr. Pemberton to authorize \$50,000 from contingency funds to be used for an engineering design project for Johns Creek #2 (Craig County). The project will provide the design to further stabilize the access road that was damaged during the February 2025 rain events. Seconded by Mr. Mills. Motion carried.

**APPROVAL – FY2026 VIRGINIA AGRICULTURAL COST-SHARE (VACS) BMP MANUAL**

---

Revisions were made based on public comments received and to provide additional clarifications. The only public comments received on the Manual presented at the last meeting were related to Appendix A of the VACS contract.

**BOARD ACTION:** Motion by Mr. Arnason to approve the 2026 VACS BMP Manual as presented, with authority for the Department to make nonsubstantive edits to include formatting and stylistic changes as necessary to all approved sections of the Manual. Seconded by Mr. Pemberton. Motion carried.

**REVIEW – BOARD POLICY ON SOIL AND WATER CONSERVATION DISTRICT ADMINISTRATION AND OPERATIONS FUNDING FOR FISCAL YEAR 2026**

---

Key Revisions

- Updated budget language (further updates pending Governor’s actions due May 2)
- Increased audit amounts
- Removed disbursement table (payments will continue to be issued at the beginning of the 1st and 3rd quarter)
- Refined grant accountability language to reflect the possible actions of the Audit Subcommittee
- No change in allocation amounts from the current fiscal year

**REVIEW – FY2026 ADMINISTRATION AND OPERATIONS SUPPORT GRANT AGREEMENT**

---

Key Revisions:

- Updated budget language (further updates pending Governor’s action due May 2)
- Updated scope of service to reflect the actions of the Audit Subcommittee
- Updated table in report section
- Added compliance section (state/federal laws)
- Revised grant deliverables as presented to the Audit Subcommittee
  - The Department recommends that the current A, B, and C scale be retained. This scale offers flexibility and maintains consistency in the grading used across the state.
  - The Department developed B options for the vast majority of the deliverables; there is only one deliverable that does not have a B option in these recommendations.
  - The Department prioritized the deliverables, with half of the deliverables recommended to be stricken. The remaining deliverables related to cost-share and technical assistance are representative of District implementation of the VACS program following Board-adopted guidance, policies, and procedures. The remaining deliverables related to administration and operations reflect the minimum administrative and financial responsibilities of the District.

## **REVIEW –BOARD POLICY ON SOIL AND WATER CONSERVATION COST-SHARE AND TECHNICAL ASSISTANCE FUNDING ALLOCATIONS FOR FISCAL YEAR 2026**

---

### **Key Revisions:**

- Updated budget language (further updates pending Governor’s action due May 2)
- Increased allocations:
  - \$169,446,237 for practice implementation
  - \$26,538,001 for technical assistance (includes \$4.55M base TA)
  - \$60,950,000 for WFA implementation (\$53M for practice implementation and \$6.89M for TA)
  - Total: \$256,431,218 (includes \$556,980 in central services adjustments - fees)
- Removed 6% TA return requirement for carried-over contracts issued pre-FY2026.

## **REVIEW – FY2026 COST-SHARE AND TECHNICAL ASSISTANCE GRANT AGREEMENT**

---

### **Key Revisions:**

- Updated budget language (further updates pending Governor’s action due May 2)
- Updated scope of service to reflect the actions of the Audit Subcommittee
- Added compliance section (state/federal laws)
- Removed 6% TA return requirement for carried-over contracts issued pre-FY2026.
- Revised grant deliverables as presented to the Audit Subcommittee

## **INITIATION – PERIODIC REVIEW OF PUBLIC PARTICIPATION REGULATIONS (4VAC50-11)**

---

**BOARD ACTION:** Motion by Mr. Arnason to initiate a periodic review of 4VAC50-11 in accordance with applicable procedures. Seconded by Mr. Schick. Motion carried.

## **APPROVAL – DISTRICT DIRECTOR RESIGNATIONS**

---

### **Mountain**

- Resignation of Mr. Xavier Storey, of City of Covington, effective 3/19/2025, elected director (term of office expires 12/31/2027).
- Resignation of Mr. Wes White, of Highland County, effective 4/1/2025, elected director (term of office expires 12/31/2027).

**BOARD ACTION:** Motion by Mr. De La Cruz to recognize the resignations as presented. Seconded by Mr. Pemberton. Motion carried.

## **PARTNER REPORTS**

---

### **Natural Resources Conservation Service - Dr. Edwin Martinez**

- Full Report – Attachment A

### **Virginia Cooperative Extension** – Dr. Dan Goerlich

Climate-Smart Commodities Project: \$80M multi-state initiative led by Virginia Tech with a strong Virginia component. 250 Virginia producers enrolled; partial payments made, full payments pending. Virginia's Soil and Water Conservation Districts have worked closely with project staff to meet USDA requirements. James Martin and his team were commended for their leadership and hard work, particularly under challenging administrative and implementation circumstances.

Strategic Planning and Leadership Structure: Strategic planning is underway to strengthen VCE's mission. Leadership reorganization to enhance focus on priority areas:

- Agricultural Production and Innovation
- Agriculture, Farm, and Community Business Management
- Small Farms and Local Food Systems
- Health and Wellbeing
- Community Development and Resilience
- Natural Resources and the Environment
- Positive Youth Development

Broadband Equity, Access, and Deployment (BEAD) Program: The Extension is involved in a statewide BEAD initiative led by DHCD. Noted the formation of a specialized extension team to support ag technology decision-making and return-on-investment analysis and a cost-share component to help producers acquire and implement new broadband-enabled technologies. Both proposals are advancing through the review process.

Natural Disaster Block Grant Program: Virginia among first states to submit for federal natural disaster relief funds. Recognized state leadership's proactive efforts, including work by Secretary Lohr.

Upcoming Survey & Marketing Plan: The Survey is nearly ready to launch. The survey will inform future marketing and outreach strategies over a 14-month planning window. Stakeholders can expect to see outreach and communications efforts roll out soon, followed by more in-depth discussions as the campaign unfolds.

### **Virginia Association Of Soil And Water Conservation Districts** – Dr. Kendall Tyree

Dr. Tyree expressed appreciation for the opportunity to reconnect with many in attendance since the last meeting and noted the benefit of feedback received from regional meetings, and emphasized the importance of continued collaboration.

Allocation processes: Dr. Tyree asked for clarification regarding the process to allocate unobligated and returned cost-share funding from the Chesapeake Bay watershed to the Southern Rivers. New budget language authorizes the Board to allocate funds in this manner.

*Ms. Watlington-Jones responded that it was anticipated that a motion would be brought before the Board at the May meeting. The motion would provide additional funding for the Southern Rivers Districts, based on data in the Conservation Application Suite. Those funds would be available to Districts as of July 1.*

Review of Grant Agreements: The association leadership had requested that grant agreements be included in upcoming meetings packets for additional review. Association leadership has requested that the grant deliverable revisions be discussed at the upcoming Association meeting.

Development of District Resource Checklist: The development of a checklist that includes many of the requirements that Districts must adhere to has been discussed by the association and the Department. A checklist would include items such as FOIA compliance, employee personnel procedures (Fair Labor Standards Act), and general best practices (ex. annual plan of work). This will be developed over the summer, and input from districts is encouraged.

Upcoming Events and Dates:

- **May 18–19, 2025**

Environmental education events (Envirothon) at the University of Mary Washington. Volunteers needed.

- **June 6, 2025**

Joint training by the Association and DCR at Randolph-Macon College from 9:00 AM to 3:30 PM. The morning session will include: Sarah Adams (Audit issues and lessons learned) and Blair Gordon (budget template products). The afternoon session will feature a grant writing expert to help districts develop compelling proposals and understand grant budgeting. Registration to be released the following week.

- **June 1, 2025**

Morning: Association Summer Board Meeting (Virtual) – 9:00 AM to ~12:00 PM.

Afternoon: Annual Meeting Planning Kickoff – in-person or virtual. Focus on planning for the Annual Meeting on December 9–11. Participation and input encouraged to ensure training tracks and content meet district needs.

Board Appointments: At the upcoming full board meeting, DCR will present and seek approval for recommended candidates to fill positions in Areas II and V on the Virginia Soil and Water Conservation Board. Candidates and documentation have already been shared with the Agribusiness Council and the Virginia Farm Bureau Federation.

**Virginia Agribusiness Council** – *Brad Copenhagen*

The President and CEO of the Virginia Agribusiness Council, Trey Davis, asked that we express his regrets for being unable to attend today's meeting. He is still making his way around the state, meeting with stakeholders.

Upcoming Event – Agribusiness Council Golf Tournament: Invitation for those interested in golf to save the date for the Council's annual golf tournament scheduled for June 17<sup>th</sup> in the Richmond Area. More details to come.

Mr. Copenhagen extended gratitude to Dr. Martinez for his leadership and to Dr. Goerlich and the Extension team for their recent collaborative efforts.

Acknowledged the meaningful discussions held during the SAG (Stakeholder Advisory Group) meeting and the Council meeting earlier in the week. These conversations have significantly helped to clarify and refocus priorities moving forward.

**Virginia Farm Bureau Federation** – *Katelyn Jordan*

Ms. Jordan greeted the Board and introduced herself as the Local and State Advocacy Specialist and Regulatory Coordinator for the Virginia Farm Bureau Federation. She conveyed greetings on behalf of President Mr. Scott Sink and Ms. Moore.

Expressed thanks to the group for their ongoing work and collaboration and shared appreciation for the opportunity to participate and listen during the meeting.

The Virginia Farm Bureau will host the upcoming May meeting at our West Creek Office. The Board of Directors will also be meeting that day. A joint lunch between the two boards is planned and highly anticipated.

Ms. Jordan encouraged attendees to reach out to her or Martha Moore at any time for assistance and reiterated the Farm Bureau’s commitment to continued partnership.

**Virginia Department Of Agriculture And Consumer Services** – *No Report Presented*

**Chesapeake Bay Commission** – *No Report Presented*

**PUBLIC COMMENT**

---

There was no public comment.

**NEXT MEETING**

---

May 28, 2025, Virginia Farm Bureau Federation

**ADJOURNMENT**

---

**BOARD ACTION:** With no further business, the meeting adjourned at 11:20 a.m.