

Virginia Soil and Water Conservation Board
Wednesday, May 28, 2025 – 10:00 a.m.
Virginia Farm Bureau Federation, Glen Allen, Virginia

MEMBERS PRESENT

Charles Newton, Chair
Adam Wilson, Vice Chair
Charles Arnason
Stephanie Cornell
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

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
Paul Saunders, Senior Policy Analyst
Blair Gordon, District Operations Coordinator
Denney Collins, CDC
Olivia Leatherwood, CDC

OTHERS PRESENT

Trey Davis, Virginia Agribusiness Council
Kember Marable, Hanover-Caroline SWCD
Steven Meeks, VASWCD
Katelyn Jordan, Virginia Farm Bureau

CALL TO ORDER AND QUORUM

Chairman Newton called the meeting to order at 10:04 a.m. A quorum was established with eight members present.

APPROVAL OF MINUTES – MARCH 19, 2025

BOARD ACTION: Motion by Mr. Wilson to approve the minutes as presented. Seconded by Mr. Mills.
Motion carried.

DIRECTOR'S REPORT

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

Director Wells provided the Board with a brief update to include information on the signing of the budget.

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:

Proposed amendments to the Impounding Structure Regulations have been approved by the administration to move forward for public comment. That public comment period for proposed amendments to the Impounding Structure Regulations will continue through July 4. The public hearing, on June 12, at 1:30pm has been moved to the Monacan Soil and Water Conservation District office in Goochland County.

Dam Related Incidents

Greene Mountain Lake (Greene County): An “Informal Fact-Finding Conference” was held on May 8, 2025, at the Department of Forestry office in Charlottesville. The three Hearing Officers for the Board were Charles Newton, Chuck Arnason, and Stephanie Cornell. The dam owner did not dispute the Department’s records or recollections.

Afton Drive/Chappel Creek Dam (Prince George County): A Fact-Finding Conference has been scheduled for June 17 at the Petersburg Public Library.

Mattawan Dam, (Hanover): No reported change since the Board’s last meeting.

Gardy Millpond Dam (Northumberland/Westmoreland): This dam is owned by the Department of Wildlife Resources. It is classified as low hazard. There is a VDOT road over the dam, which had to be closed. A Stage 3 emergency (dam failure underway) was declared due to ongoing water flowing through this dam and severe erosion, affecting the dam’s structural integrity. The upstream watershed is very large making drawdown of the water level impractical. Consequently, staff recommend deregulating this dam as soon as possible, via an emergency action under Section 4VAC50-20-60 of the Impounding Structure Regulations, by cutting the embankment open to adequately reduce the water level, and establishing 3:1 side slope, along with a 20-foot or greater flat cut across the base, or risk expanding the dam failure. DCR Dam Safety staff met with a DWR representative on site on May 15.

APPROVAL OF PROJECTS FUNDED BY THE DAM SAFETY, FLOOD PREVENTION, AND PROTECTION ASSISTANCE FUND – ATTACHMENT A

Ms. Watlington Jones provided an overview of grant projects and a recommended motion.

BOARD ACTION

Mr. Arnason made the following motion:

The Virginia Soil and Water Conservation Board approves the 63 grant applications, with an approval amount of \$4,353,483.03, as recommended by the Department.

Approval of these grants is conditioned on the following:

1. All grants are made on a reimbursement basis and will be governed by a Grant Agreement developed in consultation with the Virginia Resources Authority. All applicants will be given a period of 90 days to enter into a Grant Agreement following the Agreement being sent. The

Department of Conservation and Recreation (Department) is authorized to further extend this date in its discretion and following consultation with VRA.

2. All grant agreements will require that projects be completed within 24 months of the date of execution of the Agreement. Upon receipt of a written request for a project extension with a specified completion date by the Grantee to the Department with a copy to VRA, the Department is authorized to consider such request and may amend the terms of the Agreement and allow a specified extension upon the Department's and the Authority's written approval. Extension requests must be received by the Department not later than 90 days prior to the expiration of the original agreement or grant funds are subject to rescission at the Department's discretion. No extensions shall exceed an additional year without specific Board approval.

3. In the event that any of the above applicants fail to execute a Grant Agreement with VRA within 90 days of such an Agreement being sent to the applicant, the Department, in consultation with VRA, is authorized to rescind those grant funds and allocate in subsequent grant rounds.

The Department is authorized to communicate this approval to the Virginia Resources Authority (VRA) so that VRA's review of applications may proceed. The Department is also authorized to take any action necessary to proceed with the closing and administration of grants subsequent to VRA's approval of the application.

Ms. Cornell seconded, and the motion carried.

UPDATE ON CONSULTING COMMITTEE EVALUATING LAKE ACCOTINK DAM

Ms. Watlington Jones provided an update on the committee. There will be a final update for the Board at its September meeting.

SOIL AND WATER CONSERVATION DIVISION REPORT

James Martin, Division Director, Soil and Water Conservation

Mr. Martin presented the Board with the soil and water conservation division report to include an update on staffing and recruitment in the soil and water conservation division.

APPROVAL OF BOARD POLICY ON SOIL AND WATER CONSERVATION DISTRICT ADMINISTRATION AND OPERATIONS FUNDING ALLOCATIONS FOR FISCAL YEAR 2026 – ATTACHMENT B

Ms. Watlington Jones presented the revised policy on soil and water conservation district administration and operations funding allocations for fiscal year 2026 and a recommended motion.

BOARD ACTION

Mr. Mills moved that the Virginia Soil and Water Conservation Board approve the policy on Soil and Water Conservation District Administration and Operations Funding Allocations for Fiscal Year 2026.

Mr. Wilson seconded, and the motion carried.

APPROVAL OF ADMINISTRATION AND OPERATIONS SUPPORT GRANT AGREEMENT FOR FISCAL YEAR 2026 – ATTACHMENT C

Ms. Watlington Jones presented the revised administration and operations support grant agreement for fiscal year 2026 and a recommended motion.

BOARD ACTION

Motion by Mr. Wilson to approve the Department of Conservation and Recreation and Virginia Soil and Water Conservation District Administration and Operational Support Grant Agreement. Mr. De La Cruz seconded, and the motion carried.

APPROVAL OF BOARD POLICY ON SOIL AND WATER CONSERVATION DISTRICT COST-SHARE AND TECHNICAL ASSISTANCE FUNDING ALLOCATIONS FOR FISCAL YEAR 2026 – ATTACHMENT D

Ms. Watlington Jones presented the revised policy on soil and water conservation district cost share and technical assistance funding allocations for fiscal year 2026. Revisions were made to the policy to reflect budget references and language.

BOARD ACTION

Motion by Mr. Schick to approve the Policy and Procedures on Soil and Water Conservation District Cost-Share and Technical Assistance Funding Allocations (Fiscal Year 2026). Additionally, the Culpeper Soil and Water Conservation District is authorized to utilize up to \$500,000 of the District's "FY26 Cost-Share Total (VACS)" allocation to incentivize the implementation of the soil health pilot best management practice (SL-10E) as it was approved by this Board.

Mr. Wilson seconded, and the motion carried.

APPROVAL OF COST SHARE AND TECHNICAL ASSISTANCE GRANT AGREEMENT FOR FISCAL YEAR 2026 – ATTACHMENT E

Ms. Watlington Jones presented the cost share and technical assistance grant agreement for fiscal year 2026.

BOARD ACTION

Motion by Mr. Wilson to approve the Department of Conservation and Recreation and Virginia Soil and Water Conservation District Cost-Share and Technical Assistance Grant Agreement (Fiscal Year 2026) and approve the Cost-Share Administrative Audit Form, as revised and presented, to be utilized during FY2026.

Mr. Pemberton seconded, and the motion carried.

APPROVAL OF DISTRICT DIRECTOR APPOINTMENTS AND RESIGNATIONS

Patrick

- Resignation of Ms. Melanie Barrow, of Patrick County, effective 5/9/2025, Extension Agent appointed director (term of office expires 12/31/2028).
- Resignation of Mr. George Stovall, of Patrick County, effective 5/9/2025, At-Lare appointed Director (term of office expires 12/31/2026).

- Appointment of Mr. George Stovall, of Patrick County, effective 5/28/2025, to fill the vacant Extension Agent appointed director (term of office expires 12/31/2028).

Three Rivers

- Resignation of Mr. Benjamin Ellis, Jr, of Essex County, effective 5/20/2025, elected director (term of office expires 12/31/2027).
- Appointment of Mr. James H. Hudley, III, of Essex County, effective 5/28/2025, to fill the vacant elected director (term of office expires 12/31/2027)

Tri-County/City

- Resignation of Mr. Devin Schwers, of the City of Fredericksburg, effective 5/26/2025, elected director (term of office expires 12/31/2027).

BOARD ACTION

Motion by Mr. Wilson to recognize the resignations and approve the appointments of the individuals being recommended as presented. Seconded by Mr. Arnason. Motion carried.

ACCEPTANCE OF INDIVIDUALS NOMINATED TO SERVE ON THE VIRGINIA SOIL AND WATER CONSERVATION BOARD – ATTACHMENT F

Ms. Watlington Jones presented the names and backgrounds of those having been nominated by the Virginia Association of Soil and Water Conservation Districts.

BOARD ACTION

Motion by Mr. Mills to accept the nominations of the Virginia Association of Soil and Water Conservation Districts and direct staff to forward these nominations to the Secretary of the Commonwealth for consideration for appointment. Mr. Wilson seconded the motion, and the motion carried.

Ms. Cornell abstained.

INITIATION OF PERIODIC REVIEW OF NUTRIENT MANAGEMENT TRAINING AND CERTIFICATION REGULATIONS (4VAC50-85) – ATTACHMENT G

BOARD ACTION: Motion by Mr. Arnason to initiate a periodic review of 4VAC50-85 in accordance with applicable procedures. Seconded by Mr. Schick. Motion carried.

EXPANSION OF OPTIONS AND FUNDING PROVIDED FOR PRODUCERS IMPACTED BY FEBRUARY STORMS – ATTACHMENT H

BOARD ACTION:

Ms. Cornell made the following motion:

The Virginia Soil and Water Conservation Board directs the Department to:

1. Expand the use of the funding in the reserve account initially established solely for the repair and replacement of best management practices (practices) damaged or destroyed during Tropical Storm Helene to include the repair and replacement of practices damaged or destroyed during the storms occurring from February 10, 2025 through February 18, 2025.

2. Allow producers that had practices damaged or destroyed by storms occurring from February 10, 2025 through February 18, 2025 to utilize the three financial assistance options that were provided to producers that had practices damaged or destroyed by Tropical Storm Helene.
3. Expand the localities where these financial assistance options and the mobilization payment are available to producers from only those localities designated during Tropical Storm Helene to include all localities on the attached FEMA map that are designated as “public assistance” localities.
4. Extend the availability of the three financial assistance options and the mobilization payment to producers that had practices damaged or destroyed by either Tropical Storm Helene or storms occurring from February 10, 2025 through February 18, 2025 until November 1, 2025.

Mr. Wilson seconded, and the motion carried.

REALLOCATION OF FUNDS FOR IMPLEMENTATION OF BMPS IN THE SOUTHERN RIVERS – ATTACHMENT

I

Ms. Watlington Jones presented staff’s recommendation for the reallocation of cost-share funding.

BOARD ACTION

Mr. Arnason made the following motion:

The Virginia Soil and Water Conservation Board (Board) directs the Department to redistribute a portion of the cost-share funds that were recovered by the Department via the reallocation procedures established for FY2024. There was \$20,508,570 in cost-share funds returned from Districts within the Chesapeake Bay watershed at the close of FY2024.

The Virginia Soil and Water Conservation Board directs the Department to redistribute up to \$4,087,418 of cost-share funding returned from the Districts within the Chesapeake Bay watershed for the implementation of best management practices in the Southern Rivers (Outside the Chesapeake Bay watershed). Additionally, the Board authorizes the use of up to \$613,113 of returned and unobligated cost share funds to be utilized as technical assistance (15%) for the Districts receiving additional cost-share funding.

Ms. Cornell seconded, and the motion carried. Mr. Wilson abstained.

OLD BUSINESS

BOARD ACTION

Mr. Pemberton moved to open further discussion on the cover crop verification date approved at the April meeting of the Board. Mr. Mills seconded, and the motion carried.

Mr. Kember Marable addressed the Board on behalf of Hanover Caroline SWCD. There was discussion regarding extension of the verification date.

BOARD ACTION

Mr. Pemberton moved to extend the cover crop verification date from January 31st to February 28th and stipulated that the extension be reviewed annually with technological improvements.

Mr. Mills seconded, and the motion carried.

PARTNER REPORTS

Natural Resources Conservation Service – Dr. Martinez presented the Board with his report (**Attachment J**).

Virginia Department of Agriculture and Consumer Services – Not Represented

Virginia Cooperative Extension – Dr. Goerlich provided the Board with a brief report.

Virginia Association of Soil and Water Conservation Districts – Steven Meeks addressed the Board.

Chesapeake Bay Commission – Not Represented

Virginia Agribusiness Council – Trey Davis provided an update.

Virginia Farm Bureau Federation – Katelyn Jordan addressed the Board.

PUBLIC COMMENT

There was no public comment.

NEXT MEETINGS

September in Abingdon, Virginia

December 10, 2025 in Williamsburg, VA

ADJOURNMENT

With no further business, the meeting adjourned at 11:27 a.m.