

Virginia Soil and Water Conservation Board
Wednesday, December 11, 2024
Hotel Roanoke
Roanoke, Virginia

TIME AND PLACE

The meeting of the Virginia Soil and Water Conservation Board took place at 09:30 a.m. on Wednesday, December 11, 2024, at the Hotel Roanoke in Roanoke, Virginia.

VIRGINIA SOIL AND WATER CONSERVATION BOARD MEMBERS PRESENT

Charles Newton, Chair	Adam Wilson, Vice Chair
Charles Arnason	Robert Mills
John Schick	Leigh Pemberton
Stephanie Cornnell	Matthew S. Wells, DCR, Ex Officio
Nick Thomas	
Dr. Dan Goerlich, VCE, Invitee	

VIRGINIA SOIL AND WATER CONSERVATION BOARD MEMBERS NOT PRESENT

Dr. Edwin Martinez, NRCS, Ex Officio
Jason De La Cruz

VIRGINIA DEPARTMENT OF CONSERVATION AND RECREATION STAFF PRESENT

Darryl Glover, Deputy Director, Soil and Water Conservation, Dam Safety and Floodplain Management
James Martin, Director, Division of Soil and Water Conservation
Blair Gordon, SWCD Liaison
Christine Watlington Jones, Policy and District Services Manager
Angela Ball, Western Area Manager
Lorie Stevens, Conservation District Coordinator
Paul Saunders, Senior Policy Analyst
Marissa Roland, Eastern Area Manager
Tad Williams, Conservation District Coordinator
Olivia Leatherwood, Conservation District Coordinator
Denney Collins, Conservation District Coordinator
Barbara McGarry, DCR RMP Coordinator
Dave Neudeck, Communications Director
Sara Bottenfield, Agricultural Incentives Program Manager
Stacey Horton, Conservation District Coordinator

OTHERS PRESENT

Darrell Marshall, Agricultural Stewardship Program Coordinator, VDACS
Bob Lund, Colonial SWCD
Donna Kirby, Tazewell SWCD
Amy Walker, Colonial SWCD
Carolyn Daughters, Thomas Jefferson SWCD
Martha Moore, Virginia Farm Bureau
Kevin Dunn, Piedmont SWCD
Donna McRae June
Anne Coates, Thomas Jefferson SWCD

Terri Bollinger, Peaks of Otter SWCD
Sheri Barringer, Peaks of Otter SWCD
John Price, Prince William SWCD
Matt Kowalski, CBF

ESTABLISHMENT OF A QUORUM

With eight (8) members of the Virginia Soil and Water Conservation Board present a quorum was established.

CALL TO ORDER AND INTRODUCTIONS

Chairman Newton called the meeting to order at 9:30 a.m. and asked for introductions.

DRAFT

APPROVAL OF THE MINUTES FROM SEPTEMBER 18, 2024

BOARD ACTION

Mr. Mills moved that the minutes from the September 18, 2024, meeting of the Virginia Soil and Water Conservation Board be approved as submitted. Mr. Wilson seconded, and the motion carried.

DIRECTOR'S REPORT – *Matthew S. Wells, Director, Virginia Department of Conservation and Recreation*

Director Wells provided the Board with the following updates for DCR:

- **VACS Highlights from FY2024**
 - Chesapeake Bay Districts obligated nearly \$72 million or 82%
 - Including funds that are returned back to the Department or transferred to other Districts, the percentage is nearly 94%.
 - Southern River Districts (outside the Chesapeake Bay) obligated nearly \$40 million.
 - Including funds that are returned back to the Department or transferred to other Districts, the percentage is nearly 97%.
 - There were 589 new participants in FY2024. There were 2,408 unique participants that year.
- **Funding**
 - The agricultural needs assessment is fully funded for FY2026. Districts should expect similar allocations to what they received this year for FY2026.
 - Governor's budget will be released on December 18, 2024.
- **Updates from other programs**
 - The environmental literacy plan has been drafted and will hopefully be available for public comment in the next several months.

REPORT FROM AUDIT SUBCOMMITTEE – *Adam Wilson, Vice Chairman*

Vice Chair Wilson provided a report on the audit subcommittee meeting which took place earlier in the morning.

DAM SAFETY DIVISION REPORT – *Darryl Glover, Deputy Director, Soil and Water Conservation, Dam Safety and Floodplain Management*

Mr. Glover provided the following division report:

Status of Review of Impounding Structure Regulations:

As previously reported, the Department initiated the simultaneous review of both the Impounding Structure Regulations and the Dam Safety Act, using separate stakeholder groups, on July 23. Both groups met monthly through October. The Regulatory Advisory Panel (RAP) had one additional meeting on November 12. A report on the proposed changes to the regulations will be presented later in this meeting. The Department wishes to express our sincere appreciation to all of the members of both stakeholder groups for their time and contributions to the recommendations that are ready to move forward.

The Statutory Stakeholder group concluded their work on October 29. Virginia Commonwealth University (VCU), which provided administrative assistance with both stakeholder groups, drafted legislative amendments, which were edited by the Department, then submitted to the Administration. The draft bill has been reviewed by agency leadership, the SNHR, and the Governor's Policy Office, and we have been authorized to recruit bill patrons. Pending any possible changes before filing for the 2025 Virginia General Assembly session, the following is a summary of what the "draft" bill will do:

Bill Summary:

1. This bill will revise multiple sections of the Dam Safety Act (Act), Code of Virginia §§ 10.1-604 et. seq. as well as §10.1-603.19 related to the Dam Safety, Flood Prevention and Protection Assistance Fund (Fund).
2. Reduces the statutorily- established financial match for the development of required engineering studies and for developing engineering plans of structural improvements if a dam is identified in a safety report generated pursuant to §§ 10.1-607 or 10.1-609.
3. Reduces match requirements for the Fund will make those funds more accessible for dam owners and allow dam owners to more readily comply with the Act requirements and regulations.
4. Does not change the Fund hold back of 50% of prior year's grant funding until the next year.
5. Clarifies local government authority to work with DCR to avert an impending dam failure and standardizes reference to "local emergency management coordinator" in multiple sections as all localities have designated this role.
6. Establishes a tiered approach for low hazard dams under the general permit requirements in §10.1-605.3 and eliminates certificates for all low hazard dams:
 - a. Low hazard dams that are not expected to cause loss of human life or economic damage to any property except property owned by the owner if a failure occurs require minimal actions by the owner in accordance with existing regulatory requirements (Special Low Hazard or Tier I).
 - b. Low hazard dams that have no critical infrastructure, public highway, or any access to a public utility within the dam break inundation zone will only be required to have a 50-year design flood requirement, rather than a 100-year spillway design flood requirement (Tier II).
 - c. All other low hazard dams must meet a 100-year spillway design flood requirement unless the owner chooses to conduct an incremental damage analysis to reduce the spillway design flood requirement (Tier III).
7. Requires a safety inspection, by an engineer, for any low hazard dam the first time the owner applies for general permit coverage.
8. Allows the submittal of the limits of a dam break inundation zone analysis to be submitted digitally to a locality or the Department instead of a dam break inundation zone map to meet existing requirements.
9. Requires the dam owner to present a plan to the Board to address any findings and correcting any deficiencies found at the dam in response to any actions taken pursuant to §§10.1-608 or 10.1-609. Under existing law, the Board must submit a plan and recommendations to the dam owner about what should be done to address deficiencies at the dam.
10. Simplifies and streamlines the enforcement process. Reduces appeals to both the Soil and Water Conservation Board, and court, from two apiece to one apiece.

Dam Related Incidents

Mattawan Dam, (Hanover): The Department continues to work closely with the Office of the Attorney General (OAG) to identify which property owners are willing to repair this dam. Representatives from the OAG and the Department met with many of the residents of the three communities that own this dam

on October 6, 2024. Their options to either repair or remove this dam were explained. Some of the residents have paid to have a traffic study conducted in order to determine the dam's hazard classification. Related to the hazard classification, residents have also paid for an engineering study to design and cost estimate needed repairs. That engineering study was not completed as originally scheduled. Once that study is received, based on the meeting in October, it is anticipated that many of the residents will decide to contribute to dam repairs.

The final application for the FEMA High Hazard Potential Dam Grant was recently submitted. This application included a specific list of dam rehabilitation projects, including Natural Bridge Dam #5. If approved, \$5.6 million, at a 65% federal/35% recipient match will be awarded to Virginia.

Additional Activities:

- **The 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. These plans are scheduled to be delivered by the end of December 2024 and December 2025, respectively.
- **The DCR Floodplain Management Division:** due to the impacts of Hurricane Helene in Southwest Virginia, this division has rotated staff into the region on a weekly basis since the storm, at both the Area Field Office in Bristol, as well as the Joint Field Office in Chesterfield County, and will continue to do so through at least early January. These staff have collaborated with FEMA, VDEM, NRCS, and other agencies assisting with post storm recovery. Staff has also provided technical assistance and training to local governments throughout the storm impacted region, with damage assessments, and applications for FEMA assistance. Dam Safety Division staff were also deployed to southwest Virginia shortly after the storm. No regulated dams failed as a result of Helene.
- The assistance noted above was in addition to assistance provided to the agricultural community by the Division of Soil and Water Conservation and local Soil and Water Conservation District staffs, in collaboration with FSA, VCE, VDACS, NRCS, FEMA, and VDEM, at four Agricultural Recovery Resource Days, and through their own offices. The Department continues to encourage impacted agricultural producers to first apply at a USDA-FSA office for their Emergency Conservation Program, then seek supplemental financial assistance at their local Soil and Water Conservation District. NRCS can also offer some assistance with certain stream debris removal via the Emergency Watershed Protection (EWP) Program, working with local sponsors (e.g. municipalities). NRCS also may offer EQIP emergency assistance under certain circumstances working with individual landowners.

Mr. Glover then provided an update on a situation in Greene County which was not outlined in his report.

- Significant damage to Greene Mountain Lake Dam.
- Significant hazard dam that would impact two secondary roads.
- Department has issued a letter ordering the dam owner to conduct a safety inspection and submit it to the Department within 30 days.

APPROVAL OF 2025 DAM SAFETY, FLOOD PREVENTION AND PROTECTION ASSISTANCE GRANT MANUAL - *Christine Watlington Jones, Policy and District Services Manager*

Ms. Watlington Jones presented the following background and highlights of the 2025 Grant Manual:

- The grant manual is a guidance document as defined by §2.2-4002.1 of the Code of Virginia.
- As a guidance document, there must be a 30-day public comment opportunity.
- The draft grant manual was published in the Virginia Register of Regulations on August 26, 2024.
- The public comment period ended on September 25, 2024. No comments were received.

There are very few differences from last year's manual:

1. Only \$5 million is available this year; last year there was \$10 million available. For project types 2 and 3, \$4 million is available; last year \$9.6 million was available.
2. Applicants for project type 3 must submit an alteration permit (and associated plans and specifications) to the Department by January 15, rather than have the permit approved by January 15.
3. The caps (maximum amount of cost-share allowed) for project type 3 have been simplified. The caps have been revised to be dependent on the hazard potential classification of the structure and the owner type; the type of certificate the dam would be eligible for is no longer part of the formula to establish the cap.

BOARD ACTION

Mr. Arnason moved that the Virginia Soil and Water Conservation Board approve the 2025 Dam Safety, Flood Prevention, and Protection Assistance Grant Manual as presented.

Ms. Cornell seconded, and the motion carried.

APPROVAL OF PROPOSED REVISIONS TO THE IMPOUNDING STRUCTURE REGULATIONS (4VAC50-20 ET SEQ.) - *Christine Watlington Jones, Policy and District Services Manager*

Ms. Watlington Jones provided the following as background and an update on changes to the Impounding Structure Regulations:

- On March 27, 2024, the Board authorized the initiation of a Notice of Intended Regulatory Action (NOIRA) in response to public comments during a periodic review and with an understanding that there were areas in the regulations that revisions were needed.
- The NOIRA was issued to address four main concerns: (i) roadways on or below an impounding structure for hazard potential classifications; (ii) the incremental damage analysis process; (iii) the potential expansion of special criteria low hazard dams; and (iv) simplifying the emergency preparedness plan requirements.
- Public comment period open on June 3, 2024 (with publication in the Virginia Register) and closed on July 3, 2024. Two comments were received, although both referenced septic systems and are outside the scope of this action.
- The Department convened a Regulatory Advisory Panel (RAP) of engineers, local governments, state agencies, and dam owners. The RAP met 5 times over 5 months.

- The proposed regulations are reflective of the conversations of the RAP and do reflect the consensus of the members.
- There were 2 concerns that the RAP was not able to reach consensus on: clarifying or amending the methodology related to conducting incremental damage analyses and how roadways over and downstream of a dam are considered in determining a dam’s hazard classification. There are no amendments that address these concerns.
- The amendments fully incorporate the use of a general permit for low hazard dams in the regulations, clarify the existing requirements for the general permit to ensure the requirements reflect the statutory conditions, and refine the processes related to administering the general permit.
- These proposed amendments will lead to significant cost-savings for the owners of low hazard dams, while maintaining the Board’s commitment to public safety.
- Additional amendments simplify the emergency preparedness plan criteria and reflect potential administrative efficiency savings for dam owners.

BOARD ACTION

Mr. Pemberton made the following motion: The Virginia Soil and Water Conservation Board (Board) authorizes the Department to submit proposed revisions to the Impounding Structure Regulations (4VAC50-20). The Board directs the Department to conduct these activities in accordance with the Administrative Process Act, Executive Order 19 (2022), and all other applicable laws, policies, and procedures. Additionally, the Board authorizes the Department to coordinate, as necessary, with the Department of Planning and Budget and the Office of Regulatory Management to develop additional documents needed to submit these proposed regulations including the Economic Review Form.

Further, the Board authorizes the Department, in consultation with the Office of the Attorney General, Department of Planning and Budget or the Office of Regulatory Management, to make non-substantive changes to include formatting and stylistic changes as necessary to the proposed regulations.

Mr. Schick seconded, and the motion carried.

APPROVAL OF CONSULTING COMMITTEE TO PROVIDE RECOMMENDATIONS RELATED TO THE MOST APPROPRIATE INCREMENTAL DAMAGE ANALYSIS MEHTOD FOR THE IMPOUNDING STRUCTURE REGULATIONS – *Christine Watlington Jones, Policy and District Services Manager*

Ms. Watlington Jones provided the board with the following background and information:

- As part of the NOIRA for the Impounding Structure Regulations, the Board wanted to clarify the existing methodology related to conducting incremental damage analyses.
- However, no consensus was reached on this issue.
- The Department’s recommendation is for a consulting committee to be established to examine the methods and procedures used to conduct incremental damage analyses to determine the most appropriate for use in the Commonwealth.
- The Board previously authorized a consulting committee to study HydroTurf – an overtopping protection system used by dams.
- This will be the consulting committee’s sole charge.

- The Committee must provide the Board with a final report, including its recommendations, no later than the Board’s December 2025 meeting.
- The Board would be able to initiate a regulatory action to incorporate the Committee’s recommendations into the Impounding Structure regulations.

BOARD ACTION

Mr. Schick made the following motion: The Virginia Soil and Water Conservation Board (Board) directs the Department to establish a Consulting Committee (Committee) in accordance with 4VAC50-20-210 to conduct an examination of the methods and procedures used to conduct incremental damage analyses to determine the most appropriate for use in the Commonwealth. The examination shall examine, at a minimum, the methodology used by South Carolina and the “Soil and Water Conservation method” discussed with the Regulatory Advisory Panel at their October 29, 2024 and November 12, 2024 meetings. Additional methods and procedures used by other states and federal agencies may be examined by the Consulting Committee.

Each method and procedure chosen for examination by the Committee should be fully evaluated. The Committee must provide the Board with a final report, including its recommendations, no later than the Board’s December 2025 meeting.

Mr. Wilson seconded, and the motion carried.

SOIL AND WATER CONSERVATION DIVISION REPORT – *James Martin, Director, Division of Soil and Water Conservation*

Mr. Martin provided a report for the Soil and Water Conservation Division. Mr. Martin gave the Board an update on efforts by the division in response to Tropical Storm Helene and spoke about five different agricultural recovery events held to inform producers of support available as a result of damage from the storm. Mr. Martin then introduced new staff.

ACTIONS TAKEN TO ADDRESS DAMAGE FROM TROPICAL STORM HELENE - *Christine Watlington Jones, Policy and District Services Manager*

OPTIONS FOR PRODUCERS WITH PRACTICES DAMAGED OR DESTROYED

Ms. Watlington Jones provided the Board with the following information on recommended options for producers:

- Motion provides 3 options for producers.
- Provides financial assistance for producers to repair or replace practices that were damaged by Tropical Storm Helene.
- Allows for the reimbursement of repairs or replacements that have already been implemented.
- Options are limited to those localities that were either included in the disaster designation or are eligible for assistance from the Federal Emergency Management Agency.
- Department will develop procedures to fully implement the options.

BOARD ACTION

Mr. Wilson made the following motion: For producers that had best management practices (practices) damaged or destroyed by Tropical Storm Helene in September 2024, the Virginia Soil and Water Conservation Board (Board) directs the Department to administer and Virginia Soil and Water Conservation Districts (District) to implement the following options for the repair and replacements of those practices; producers must choose one option:

Option 1

A producer will be eligible for up to 25% of the estimated cost of the repair or replacement of the practice calculated using the District's average cost list or the actual cost of the repair or replacement, whichever is less, if the producer provides documentation that financial assistance has been applied for from the U.S. Department of Agriculture Farm Services Agency (FSA) or the Natural Resources Conservation Service (NRCS) with the following conditions:

- The producer will not be required to either establish or extend the lifespan of the practice being repaired or replaced.
- The expenses associated with needed repairs or the replacement of a practice undertaken prior to the approval of a contract by the District Board are eligible for reimbursement. Documentation of the cost of the repair or replacement must be provided by the producer (i.e. invoices, receipts, pictures) to the District.
- The producer must sign the simplified contract and the District must verify that the repair or replacement has been adequately installed. After the District Board approves the contract, payment may be issued to the producer.

The Department will develop a simplified contract for this option.

Option 2

If a producer chooses to repair or replace a practice and the repairs or replacement do not meet the applicable Virginia Agricultural Cost-Share (VACS) Program standards or specifications, but the practice remains functional, the producer is eligible for a Continuing Conservation Initiative (CCI) practice with the following conditions:

- The producer will be eligible for current VACS Program CCI practice payments, even if the practice being repaired or replaced is under an existing VACS Program contract.
- The producer must agree to sign a new 5-year VACS Program contract for the CCI practice.
- The District must verify that the repair or replacement has been adequately installed to ensure the practice is functional. After the District Board approves the contract and the VACS contract is fully executed, payment may be issued to the producer.
- This option is not available for producers that receive payment for the same practice under any USDA emergency program.

Option 3

If a producer is willing to enter into a newly reset lifespan requirement for the practice in need of repair or replacement, the producer will be eligible for the VACS Program cost-share rate established for the equivalent VACS program practice specification with the following conditions:

- The expenses associated with needed repairs or the replacement of a practice undertaken prior to the approval of a contract by the District Board are eligible for reimbursement. Documentation of the cost of the repair or replacement must be provided by the producer (i.e. invoices, receipts, pictures) to the District.

- All repairs or the replacement of a practice must meet all applicable VACS Program standards and specifications and the District must verify that the repair or replacement has been appropriately installed.
- Any components that require Engineering Job Approval Authority (EJAA) and are in need of repair or replacement must meet all EJAA requirements including being appropriately designed, constructed, and approved in accordance with VACS Program guidelines and practice standards and specifications.
- Previously established buffers shall not receive a buffer payment.

The Board directs these options to be available to producers through June 1, 2025 and to only be available to producers in the following localities: Bedford, Bland, Buchanan, Carroll, Craig, Dickenson, Giles, Grayson, Lee, Montgomery, Pittsylvania, Pulaski, Russell, Scott, Smyth, Tazewell, Washington, Wise and Wythe Counties and the independent Cities of Bristol, Covington, Danville, Galax, Norton, and Radford.

It is the intent of the Board that cost-share payments to producers for the repair or replacement of practices that are jointly funded by the Virginia Agricultural Cost-Share (VACS) Program and U.S. Department of Agriculture Farm Services Agency (FSA) or the Natural Resources Conservation Service (NRCS) do not exceed 100% of the approved eligible costs of the repair or replacement.

Additionally, the Board directs the Department to develop procedures to fully and appropriately implement these options.

Further, the Board directs funding to be provided from the Commonwealth's match for participation in the Conservation Reserve Enhancement Program (CREP) for the repair and replacement of practices that were implemented in accordance with that program and were damaged or destroyed by Tropical Storm Helene. The repair or replacement of CREP practices must be completed in accordance with the procedures and processes established by the Farm Service Agency (FSA), Natural Resources Conservation Service (NRCS), the Board, and the Department.

Mr. Mills seconded, and the motion carried.

ADDITIONAL FUNDING FOR BMPS DAMAGED OR DESTROYED

Ms. Watlington Jones provided the Board with the following information on the funding provided for these repairs and replacements:

- *Designates specific reserve funding for producers to repair or replace practices that were damaged by Tropical Storm Helene*
 - *Districts may still chose to utilize their FY2025 VACS allocation*
- *Options are limited to those localities that were either included in the disaster designation or are eligible for assistance from the Federal Emergency Management Agency*
- *These are funds that were returned at the end of FY2024 from the Districts with area outside of the Chesapeake Bay watershed*
- *If additional funding is needed, there are additional funding sources that would be available, with Board action.*

BOARD ACTION

Mr. Wilson made the following motion: The Virginia Soil and Water Conservation Board (Board) directs the Department to hold in a reserve account both cost-share funds and technical assistance funds that were recovered by the Department from the Districts with areas located outside of the Chesapeake Bay via reallocation procedures established for FY2024 in the *Policy and Procedures on Soil and Water Conservation District Cost-Share and Technical Assistance Funding Allocations (Fiscal Year 2024)*. The amount provided for this reserve account shall be \$3,194,485, with \$2,777,813 available for the implementation of practices and \$416,672 in technical assistance funding (15%) available for Districts receiving cost-share funding.

The Board directs the funding in this reserve account to be used solely for the repair or replacement of best management practices damaged or destroyed by Tropical Storm Helene, in accordance with Board actions and guidance provided by the Department, in the following localities: Bedford, Bland, Buchanan, Carroll, Craig, Dickenson, Giles, Grayson, Lee, Montgomery, Pittsylvania, Pulaski, Russell, Scott, Smyth, Tazewell, Washington, Wise and Wythe Counties and the independent Cities of Bristol, Covington, Danville, Galax, Norton, and Radford.

Further, the Board directs funding to be provided from the Commonwealth's match for participation in the Conservation Reserve Enhancement Program (CREP) for the repair and replacement of practices that were implemented in accordance with CREP and were damaged or destroyed by Tropical Storm Helene.

Mr. Arnason seconded, and the motion carried.

APPROVAL OF FUNDING FOR DISTRICT DAM REPAIR PROJECTS FROM THE SOIL AND WATER CONSERVATION DISTRICT DAM MAINTENANCE, REPAIR, AND REHABILITATION FUND

Ms. Watlington Jones presented the Board with the following and recommended motion:

- These projects fall between routine maintenance and rehabilitation.
- Contingency fund recommendation - \$196,258.35.
- Emergency fund recommendations - \$100,000.
- Budget provides \$1,500,000 a year to this fund for these projects.
- Recommendations for this year:
 - 13 projects
 - \$1,113,656.85 in total funding
 - Projects are:
 - Culpeper (6)
 - Piedmont (2)
 - Mountain Castles (1)
 - Shenandoah Valley (4)

BOARD ACTION

Mr. Arnason made the following motion: The Virginia Soil and Water Conservation Board (Board) approves funding for thirteen (13) projects in the amount of \$1,113,656.85 as presented and recommended by the Department. For FY2025, the Board also approves allocating \$196,258.35 for

contingency funds and \$100,000 for emergency project funds.

Additionally, the Board authorizes the Department to procure remote monitoring equipment for all Soil and Water Conservation District-owned dams. The Department is authorized to pay for the installation of equipment that relies on satellites for communication. Further, the Board directs the Department to reimburse Soil and Water Conservation Districts for all eligible costs associated with the installation of certain remote monitoring equipment.

The funding for all reimbursements of equipment and eligible installation costs shall be provided from the Soil and Water Conservation District Dam Maintenance, Repair, and Rehabilitation Fund.

Mr. Wilson seconded, and the motion carried.

APPROVAL OF DISTRICT DIRECTOR APPOINTMENTS AND RESIGNATIONS

Action is needed to address a resignation at Robert E. Lee and appointments at Lord Fairfax, Monacan, and Virginia Dare.

BOARD ACTION

Mr. Wilson moved that the Board approve the appointments and resignations of individuals as presented.

Ms. Cornell seconded, and the motion carried.

OLD BUSINESS

There was no old business.

NEW BUSINESS

Mr. Pemberton made a motion to have the Board direct the Department to revise scoring criteria of the District grant deliverables to include more than two ratings. Mr. Mills seconded the motion.

The Board discussed the motion with Mr. Martin and other Department staff.

Mr. Pemberton withdrew the motion and Mr. Mills withdrew his second.

The Board requested that potential revisions for the FY2026 grant agreement deliverables be presented at the Audit Subcommittee in March. The draft recommendations will be presented to the full Board in April.

PARTNER REPORTS

NATURAL RESOURCES CONSERVATION SERVICE - Not represented

VIRGINIA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES – Not represented

VIRGINIA COOPERATIVE EXTENSION – Dr. Goerlich presented the Board with the following report on behalf of the Virginia Cooperative Extension:

Virginia Cooperative Extension Report to the Soil and Water Conservation Board
December 21, 2024

Virginia Cooperative Extension has three primary responsibilities related to emergency preparedness and response:

- **Critical Agricultural Conditions** - Inform local governing bodies whenever agricultural conditions are present which would warrant assistance, and provide farmers and local governing bodies information on federal and state disaster assistance. Conduct agricultural damage assessment.
- **Prevention and Recovery** - Provide information and educational materials to farmers, rural residents, and others on what they can do to protect themselves and their property against disasters; and provide information and advice on what can be done to recover from a disaster.
- **Radiation Contamination** - Provide advice to state and local officials and farmers on minimizing losses to agricultural resources from a radiation accident as well as information recovery actions following radiation contamination. Serves as a resource to help assess radiation impact on agricultural commodities.

These responsibilities were specifically charged to VCE in the Code of Virginia until 2016, when that section of the Code was rescinded. However, localities still look to VCE for resources and guidance in these areas and VCE still exercises duty of care to localities and citizens.

Hurricane Helene Predecessor rainfall events produced 10 to 15 inches of rain across the southern Appalachian region, saturating the ground and swelling the rivers. And then came Helene itself. By 11:00a.m. on Saturday, September 28, Busick NC had recorded over 30 inches of rain. Cresting at 22 feet, the New River in Galax had reached its second highest level in recorded history. The highest coming in 1940 in the form of the “Great Flood.”

Hurricane Helene is the third-deadliest hurricane of the modern era (behind Maria and Katrina) with a death toll of over 200 across the southeast. Early estimates suggested the economic losses of Helene could surpass \$50 billion dollars, putting the storm costs on the same scale as Hurricanes Katrina, Sandy, and Harvey.

Estimated rainfall totals from Helene across the southern Appalachians had an Annual Recurrence Interval greater than 1,000 years over a wide area; meaning there is less than a 0.1% chance (annual exceedance probability) of that happening in any given year, according to NOAA’s National Water Center. With regard to agricultural damage assessment, here is how Helene related agricultural damages compare to several recent past events:

- \$1.15M, Tropical Storm Isaias, August 2020 (12 localities reporting).
- \$5.00M, Tropical Storm Debby, August 2024 (3 localities reporting).
- \$13.98M, Ice Storms, Winter 2021 (11 localities reporting).
- \$164.13M, Hurricane Helene, September 2024 (21 localities reporting – 10-17-24 figures).

The ag and forestry damage assessment as of 10-17-24 by locality was as follows:

VCE Ag Damage Assessment Estimates Effective 10-17-24: Hurricane Helene		
County	Loss Estimate	Percent of Total
Grayson*	\$ 61,315,834	37.36%
Wythe*	\$ 22,792,360	13.89%
Smyth*	\$ 18,424,668	11.23%
Washington*	\$ 12,970,997	7.90%
Carroll*	\$ 12,191,100	7.43%
Tazewell*	\$ 10,669,474	6.50%
Russell*	\$ 7,897,000	4.81%
Lee*	\$ 7,064,700	4.30%
Scott*	\$ 3,656,478	2.23%
Wise*	\$ 3,418,548	2.08%
Giles*	\$ 1,794,000	1.09%
Bland*	\$ 732,565	0.45%
Pulaski*	\$ 459,400	0.28%
Montgomery	\$ 141,000	0.09%
Dickenson/Buchanan	\$ 133,500	0.08%
Patrick*	\$ 124,750	0.08%
City of Radford*	\$ 117,880	0.07%
Floyd	\$ 111,500	0.07%
Craig	\$ 85,000	0.05%
Pittsylvania*	\$ 35,000	0.02%
Total	\$ 164,135,755	100%

More specifically, broken down by category:

Est. # Farms Impacted:		3,672
Est. Total Vegetable and Crop Losses:		\$ 40,281,152
Est. Total Livestock / Aquaculture / Apiary Losses:		\$ 1,533,995
Est. Total Facilities / Land / Infrastructure Losses:		\$ 122,320,608
Top 3 Vegetable and Crop Loss Categories:		
	Timber	\$ 27,597,272
	Hay:	\$ 3,356,210
	Pumpkins	\$ 2,413,000
Top 3 Livestock / Aquaculture / Apiary Losses:		
	Beef cattle	\$ 1,223,950
	Trout	\$ 130,700
	Dairy cows	\$ 15,250
Top 3 Facilities / Land / Infrastructure Losses:		
	Fence	\$ 54,794,056
	Structural (load bearing)	\$ 28,369,319
	Land damages / Debris	\$ 26,378,583

VCE's damage assessment figures have historically been based on direct losses. We were subsequently asked by the Secretary of Agriculture and Forestry to include future income losses as part of these calculations.

The value of future income loss from Hurricane Helene is estimated at \$50.7 million. This is primarily due to land taken out of production. The value of future income loss is highest among Christmas trees, followed by blueberries, beef cattle, and apples. When combined, updated direct damages and the discounted stream of future years' income losses are at least \$224.9 million.

In addition to present and future losses experienced by farmers and landowners there are ripple effects throughout the regional economy when farmers lose income. For example, their input suppliers and buyers both lose income, and any reduced consumption (e.g., on food, gas, or other consumer goods) leads to less income for others in the region. The ripple effect of Hurricane Helene's impact on farm and forest landowners is estimated to be between \$191.1 and \$404.8 million.

Thus the comprehensive estimate of all ag and forestry losses attributable to Hurricane Helene on SWVA's agriculture and forestry economy is estimated at \$416 to \$629.7 million. The Virginia Economic Development Partnership has conducted an economic impact analysis following Hurricane Helene and found overall direct and indirect economic impacts of more than \$2.0 billion across the Southwest Virginia region.

Virginia Cooperative Extension agents and staff are part of the communities they serve. As a needs-based organization, our efforts go beyond agricultural damage assessments. Here is a non-exhaustive list of how VCE has served SW Virginia localities following Hurricane Helene.

- SWVA Agriculture Relief Program, matching those in need with donors and coordinating connections. Operated 10 collection / distribution sites throughout the region. Goal is 6,000 round bales of hay.
- SW 4-H Educational Center housed and fed 140 linemen working to restore power to the region.
- VCE Helene Resources webpage: <https://ext.vt.edu/hurricane-relief.html>
- At VCE Fall District Conferences, District Directors received donations of supplies from VCE faculty and staff across the state and arranged transportation to SWVA.
- Extension agents from other parts of the state deployed to assist with collection site operations and damage assessment.

VIRGINIA ASSOCIATION OF SOIL AND WATER CONSERVATION DISTRICTS – Mr. Davis addressed the Board and expressed thanks for those that participated and attended the conference.

CHESAPEAKE BAY COMMISSION – Not represented

VIRGINIA AGRIBUSINESS COUNCIL – Not represented

VIRGINIA FARM BUREAU FEDERATION - Ms. Martha Moore addressed the Board on behalf of the Virginia Farm Bureau Federation. Farm Bureau will be moving forward legislation to codify the WQIF reserve fund and make it more formal than just in the budget, focused on having future funding.

PUBLIC COMMENT

Matt Kowalski with the Chesapeake Bay Foundation addressed the Board and noted the availability of funding sources for BMPs.

NEXT MEETINGS

- March 2025, location to be determined.
- April 2025, location to be determined.
- May 2025, location to be determined.

ADJOURN

BOARD ACTION

As there was no further business, Mr. Arnason moved to adjourn the meeting.

Mr. Schick seconded, and the motion carried.

The meeting adjourned at 11:02 a.m.