

From: Plummer, David C.

Sent: Friday, March 07, 2014 5:25 PM

To: Rice, Craig; Andrews, Phil; Berliner, Roger; Branson's Office, Councilmember; Elrich, Marc; Floreen, Nancy; Leventhal, George; Navarro, Nancy; Riemer, Hans

Cc: 'thelecksfarm@aol.com'; 'Robert Butz'; 'butlerbery@msn.com'; 'Pam Saul'; 'pvfgrain@aol.com'; 'robert@waredaca.com'; 'Timothy I. McGrath'; 'Mabelt2@aol.com'; Criss, Jeremy

Subject: Montgomery Soil Conservation District funding partnership with Department of Environmental Protection

Good Afternoon Council President Rice and Council members,
The Montgomery Soil Conservation District (MSCD) has been working with the Montgomery County Department of Environmental Protection for the past two years on a funding proposal that would allow Water Quality Protection Charge (WQPC) funds collected in the rural areas of the County to be used to enhance conservation efforts on farms. The MSCD Board of Supervisors wrote a letter to County Executive Leggett to inquire about the next steps necessary to insure this important support is available to the agricultural community. I have attached a copy of the letter we sent along with a timeline summarizing the combined efforts of both agencies to coordinate this important initiative over the last two years. I have also included the original strategy developed in Spring 2012 as a reference.

With the upcoming discussion of the FAME Report next Tuesday, March 11, the MSCD Board of Supervisors felt this was an opportune time to bring this partnership to your attention. One of the recurring themes of the FAME conference was that farmers need more access to technical assistance from agricultural agencies. Since 1946 the MSCD has provided the agricultural community with support and guidance to help them protect our valuable soil, water, and other natural resources. With the current emphasis on restoring the Chesapeake Bay and our local watersheds, the need for assistance for conservation projects and best management practice implementation has never been greater. The funding support from the WQPC is a critical component of our future opportunities to provide conservation expertise to the agricultural community in Montgomery County.

Several of our Board members will be at the meeting on Tuesday and would appreciate the opportunity to discuss this initiative with you in more detail. We look forward to working with you to provide more support for the farmers in Montgomery County.

Thank you on behalf of the MSCD Board of Supervisors.

David C. Plummer
District Manager
Montgomery Soil Conservation District

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Montgomery Soil Conservation District

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February 11, 2014

Honorable Isiah Leggett
Montgomery County Executive
Executive Office Building
101 Monroe Street, 2nd Floor
Rockville, MD 20850

Dear County Executive Leggett,

You have always supported the agricultural community and our conservation efforts in Montgomery County. As the Chair of the Montgomery Soil Conservation District (MSCD) Board of Supervisors, I need your help to ensure that we have the resources necessary to assist our farmers in meeting the ambitious conservation goals established under the Chesapeake Bay restoration agreement. The need for funding and technical assistance for the agricultural community represented a recurring theme at last year's Farming at Metro's Edge symposium, and we have been working with the Department of Environmental Protection (DEP) to address this issue.

As you know, MSCD has been coordinating with Bob Hoyt, Director of DEP, for over 2 years on a funding partnership using Water Quality Protection Charge (WQPC) revenues collected from rural residents. We believed this partnership had broad support from you and DEP. However, we now understand that this initiative will be considered as an FY15 Competition List Item. This raises concerns that this assistance for the agricultural community will once again be overlooked for another year.

Currently, WQPC funds are collected from farmers and other rural residents to be used for down-county urban water quality projects. These rural residents deserve to have these funds allocated to assist with agricultural BMPs within their own communities. Our meetings with Mr. Hoyt and other DEP staff on this issue have been very positive; and on numerous occasions they have indicated their willingness to support the County's rural and agricultural constituents through assistance to MSCD. However, we believe DEP needs a clear and direct acknowledgement of your support for this initiative to ensure that it happens.

I have attached a timeline to demonstrate how long we have been working on this project and why we desperately need your strong endorsement to help the agricultural community reach our watershed restoration goals. We look forward to your response and your continued support for agriculture and conservation in Montgomery County.

Sincerely,

A handwritten signature in cursive script that reads "George Lechlida".

George Lechlida, Chairman
Montgomery Soil Conservation District

Cc: Bob Hoyt, Director DEP
Jeremy Criss, Agricultural Services Manager

WATER QUALITY PROTECTION CHARGE (WQPC)

Funding for Conservation in the Agricultural Community

Timeline of Events

- May 2010 County terminates long standing (25+ years) Montgomery Soil Conservation District (MSCD) Resource Conservationist position; reducing county support to the District by 25%. *The loss of this position represents a critical need for the District to help farmers achieve Chesapeake Bay goals for Montgomery County.*
- Summer 2011 Local farmers and agency staff meet to help develop the Watershed Implementation Plan (WIP) goals for Montgomery County. Final goals developed by MDA are considerably more ambitious than those outlined by the local workgroup.
- December 21, 2011 MSCD sends letter to DEP Director Bob Hoyt outlining the need for additional county resources to enable the agricultural sector to meet the WIP goals developed by the state through the TMDL process. MSCD recommends using WQPC funds from rural areas of the county to help restore county support for MSCD conservation efforts.
- February 10, 2012 Director Hoyt and Watershed Management Division Chief, Steve Shofar attend the MSCD Board meeting to discuss the initiative with Board Supervisors (George Lechlinder, Wade Butler, Robert Butz, Pam Saul and Robert Stabler).
- March 2012 MSCD develops a strategy proposal which provides justification for using WQPC funds collected from the rural areas of the county to assist MSCD in installing conservation practices instead of using WQPC funds from the agricultural community for down-county water quality benefits.
- March 7, 2012 DEP notifies MSCD via e-mail that they have forwarded our partnership proposal to OMB for consideration by the County Executive. However, no mention of the initiative makes it into DEP Operating Budget packet or the FY13 Budget.
- December 19, 2012 DEP invites MSCD and Ag Services to meeting in reference to Nutrient Trading between the Agricultural and Urban sectors. MSCD indicates willingness to assist, but has insufficient staff since the elimination of the County funded Resource Conservationist position.
- January 15, 2013 MSCD submits letter to Council President Nancy Navarro requesting funding assistance from WQPC funds. Council considers increasing the WQPC based on State Law passed in 2012 – Stormwater Management – Watershed Protection and Restoration Program.
- January 2013 Farming at Metro’s Edge (FAME) conference is held in Montgomery County and one of the resounding themes is the need for more technical and financial assistance for implementing agricultural Best Management Practices (BMPs). This support represents a critical need for farmers, and with the appropriate resources, MSCD can meet this demand and county bay restoration goals.

- April 9, 2013 County Executive meets with Ag Advisory Committee (AAC) and Ag Preservation Board (APAB), and they both express the need for additional county support for MSCD and their conservation efforts. AAC sends a letter to the County Executive recommending the use of WQPC funding to assist MSCD.
- April 15, 2013 MSCD Board of Supervisors writes a letter to County Executive Leggett requesting his assistance in directing WQPC funds to MSCD in order to help the agricultural community reach the conservation goals established in the WIP.
- May 14, 2013 Letter from the County Executive to AAC recommending that AAC and APAB both consult with DEP regarding WQPC funding for MSCD.
- May 2013 DEP Budget for FY 2014 again omits funding for MSCD or mention of partnership proposal for WQPC funding. All increases proposed by DEP in order to comply with state law are supported by Council, but no assistance is directed toward the agricultural community.
- June 11, 2013 MSCD receives e-mail response from County Executive Leggett indicating that he has directed DEP to continue its discussion with MSCD and develop strategies for partnerships between the two agencies.
- July 25, 2013 Robert Butz (Vice Chair MSCD Board of Supervisors), Jeremy Criss (DED Agricultural Services Manager) and David Plummer (MSCD District Manager) meet with Steve Shofar of DEP to discuss next steps and opportunities for collaboration, including evaluation of nutrient trading potential and, benefits of conservation practices on farms within the MS4 area.
- July 31, 2013 MSCD forwards a Future Fiscal Impact Statement to DEP to be included as part of DED's budget submittal which indicates DED's intention to request funding from the WQPC for MSCD.
- August 20, 2013 Bob Hoyt and Steve Shofar attend the Ag Advisory Committee Meeting to discuss the use of WQPC funding to assist MSCD with conservation in the Agricultural Reserve. Bob Hoyt apologizes for not getting the WQPC funding to the MSCD sooner. His comments leave many farmers in the room with the impression that a funding partnership between MSCD and DEP is forthcoming.
- November 2013 MSCD learns that the funding request has been moved to the DEP FY 2015 Competition List. MSCD is concerned that this will end up being another budget cycle that the funding for Montgomery County's agricultural community will be overlooked.
- November 25, 2013 MSCD Chairman, George Lechliger writes letter to DEP Director Hoyt reiterating the need for County assistance to the agricultural community and the importance of using WQPC funds generated from rural areas to help the District increase conservation in the Ag Reserve. As of February, MSCD has not received a response from DEP.
- February 11, 2014 MSCD Chairman, George Lechliger sends letter to County Executive Leggett seeking his support to insure this funding partnership will not get overlooked for another year.

Partnership for Water Quality in Montgomery County
Montgomery County Department of Environmental Protection
Montgomery Soil Conservation District
Cooperative Strategy for Addressing Montgomery County
TMDL Goals for the Agricultural and Urban Sectors

BACKGROUND

The Montgomery County Department of Environmental Protection (DEP) and the Montgomery Soil Conservation District (MSCD) both share responsibilities for protecting soil, water, and other natural resources and habitats in Montgomery County. While DEP operates county-wide, their efforts to improve water quality are often focused on the urban and suburban areas of the county. This is particularly true as it relates to the County's Municipal Separate Storm Sewer System (MS4) Permit and the Watershed Implementation Plan (WIP) II for meeting TMDL requirements for the developed areas of the County. Operating predominately in the rural portions of the county, MSCD is the conduit by which agricultural landowners may receive technical assistance and project design for water quality best management practices. While DEP's primary focus may be in more urban environments and MSCD's in more rural, a unique opportunity presents itself for collaborative effort between our two agencies.

There are approximately 500 parcels with over 10,000 acres of Ag Assessed property within the County's designated MS4 permit area. In addition, there are also agricultural properties that are assessed residential within the MS4 area. We believe a real need exists to provide outreach and technical assistance to "Agriculturally" assessed properties located outside the Agricultural Reserve. Unfortunately, the MSCD's ability to reach these landowners and provide an effective level of assistance is compromised by reduced funding at the Federal, State, and County level. It is for these reasons that the MSCD is requesting financial support from the Water Quality Protection Charge (WQPC) through a partnership with DEP, that will provide resources necessary to explore the potential for stormwater control practices on these agricultural parcels and further augment our existing outreach to agricultural landowners in the agricultural reserve.

JUSTIFICATION

The three main objectives of this proposal are:

- I. Focus soil conservation and water quality planning on the agricultural properties within the County's MS4 permit area to explore opportunities for installing best management practices (BMPs) to reduce stormwater and nutrients, and develop a database and map layer of these potential restoration sites.
- II. Provide WQPC resources to MSCD for conservation planning and BMP implementation in the Ag Reserve areas to demonstrate to the agricultural sector that their WQPC funds

are benefiting rural communities. Estimates indicate over 4,000 improved properties within the Ag Reserve that are assessed the WQPC, for a total of \$286,000 per year.

- III. Develop a goal oriented, implementation focused outreach initiative to inventory and document installation of BMPs on Agricultural Preservation parcels that drain into County MS4 watersheds, and catalog the potential for additional BMP implementation.

Based on the TMDL Goals and the strategy outlined in the proposed WIP II, challenges exist for both the agricultural sector and the urban/suburban portions of the County to meet many of the nutrient reduction targets. Compounding the situation is the 50% reduction in MSCD Conservation Planning staff funded by the County through the Department of Economic Development. This dramatic reduction involved the elimination of an experienced Soil Conservation Planner position in FY2010, and has negatively impacted the MSCD's ability to reach TMDL goals for the agricultural sector.

Urban stormwater retrofits are very expensive, so the County can realize substantial cost savings by identifying additional sites on agricultural properties within the MS4 area where BMP implementation will result in water quality improvements and stormwater mitigation. With both agencies working to protect our environment, there is considerable synergy in their approach to addressing Montgomery County's restoration challenges. This funding partnership will expand opportunities for the agencies to combine resources and expertise in tackling the County's TMDL Goals.

DESCRIPTION AND OBJECTIVES

MSCD works with landowners throughout the County to implement BMPs that improve water quality and reduce storm water impacts. Most conservation practices that farmers install have stormwater benefits in addition to the associated nutrient and sediment load reductions. (Please see the attached sheet of practice descriptions.) Through the development of Soil Conservation and Water Quality (SCWQ) Plans for landowners, MSCD makes recommendations on conservation techniques that improve soil health and increase infiltration capacity. By allowing more rain to permeate into the soil rather than running off into streams, these practices prevent soil erosion and control stormwater flows. Some examples of these practices include crop rotation, no-till farming, cover crops, rotational grazing, and pasture management. There are also a number of structural BMPs that provide stormwater control in addition to nutrient and sediment reductions.

Providing resources to MSCD through the WQPC will help DEP insure that the rural landowners that pay the WQPC will have tangible water quality benefits right in their own communities. Furthermore, the agencies will collaborate on an outreach campaign to assess the conservation potential on agricultural properties within the urban/suburban portions of the county. Working with the owners of this 10,000+ acre land base will create a catalog of potential conservation practices that could be applied to these farms to generate nutrient and stormwater reductions. Some of these practices may result in nutrient credits that could be used to help the county achieve their MS4 permit goals at a considerable discount to more expensive urban stormwater management practices.

Funding from the WQPC will be used to restore the previously eliminated County Conservation Planner position, create a new Soil Conservation Technician position, and replace deficiencies in

MSCD's operating budget. A portion will also go toward salary reimbursements MSCD has been required to provide to DED to compensate for General Fund budget reductions. The new Conservation Planner will develop an outreach campaign and focus SCWQ Planning efforts on the agricultural properties within the MS4 permit sections of the county. In addition, a Soil Conservation Engineering Technician position is necessary to provide technical assistance, project design, and surveying for the increased level of BMP implementation required to meet the TMDL. It is anticipated that many of the operations in the MS4 sections of the county will be equestrian facilities, horticultural or nursery operations, small vegetable operations, and other niche agricultural producers. These operations have specialized needs and often require considerably more staff time than our traditional agricultural clients. MSCD has experienced an increase in requests from these new and emerging clients over the last couple years, and with adequate staff, will be well positioned to provide them with technical assistance and ideas for improving their operations. There are also a number of cost-share programs currently available to assist these clients with the implementation of conservation practices.

A portion of the proposed funding will also be used to establish a rental equipment program for conservation practices and encourage SCWQ planning among Cover Crop program participants. Many landowners are interested in a variety of conservation planting techniques, but may not have the equipment necessary to carry out these practices. This may include no-till planting practices for cover crop and pasture reseeding, as well other conservation equipment such as aerators, conservation tillage, and compost spreaders. Although Cover Crop program participants are not required to have an updated SCWQ Plan, many would benefit from knowing what other conservation opportunities exist on their farms. By establishing a County incentive linked to the MDA Cover Crop program, Montgomery County will increase participation in the program and promote the conservation planning needed to achieve enhanced levels of BMP implementation.

PROPOSED BUDGET EXPENDITURES

Funding received by MSCD will be used to cover the following current budget shortfalls:

Re-Instate Resource Conservationist Position		\$100,000
Soil Conservation Engineering Technician		
Including benefits, equipment, rent, etc		\$60,000
MSCD Reimbursement to DED		\$20,000
Operating Funds*		\$50,000
Conservation Matters Newsletter	\$5,000	
Communications, phones, copiers, etc.	\$5,000	
Office supplies, equipment, printing, etc.	\$3,000	
Conservation Equipment Rental Program	\$20,000	
IT Equipment	\$10,000	
Workshops, Seminars, Outreach to small Agricultural landowners	\$7,000	
County Cover Crop Incentive ^		\$50,000
TOTAL REQUEST		\$280,000

* MSCD receives the lowest operating budget of all Soil Conservation Districts in the state, and has deferred the purchase of equipment, tools, and IT hardware for years because of this shortfall. We cannot meet the rigorous goals outlined in the TMDL without proper resources.

^ An incentive payment of \$5/acre for parcels enrolled in the Cover Crop program that have a current SCWQ Plan will serve as a statewide model for encouraging conservation planning and greater participation in the Cover Crop program, which is one of the best mechanisms for reaching water quality goals.

STRATEGY HIGHLIGHTS

- WQPC funds collected from the Agricultural Reserve areas of the county will be used to fund water quality projects through DEP financial support provided to the MSCD.
- Focused outreach and technical assistance directed at agricultural property owners within sections of the County covered under the MS4 permit will demonstrate opportunities for stormwater control, sediment reduction, and nutrient credit trading potential to achieve TMDL goals.
- Design and construct conservation best management practices on agricultural parcels within the MS4 permit areas of the County.
- The cost of Ag BMPs are shared by private citizens – this represents a tremendous LEVERAGING opportunity, whereby WQPC funds would actually have greater impact by encouraging private investment in water quality improvements.
- MSCD, in cooperation with DEP, will develop a database and GIS layer for ag properties outside of the Ag Reserve as well as Ag Preservation parcels in watersheds that drain to the MS4 permit area, and target 20 SCWQ Plans on 1,000 new acres a year within the urban/suburban areas of the County.
- This partnership will help to demonstrate a united approach to addressing water quality challenges in Montgomery County, and provide collaboration between the agricultural and urban/suburban sectors.
- The “aggressive” nutrient reduction targets established for the ag sector under the WIP II process cannot be achieved without additional resources. All Montgomery County agencies must work together to insure that we do everything we can to meet the Bay goals.
- Establish a rental program to provide more farmers access to conservation equipment for no-till planting, pasture renovation, compost spreading, and other practices that reduce stormwater impacts and nutrient and sediment loads. Cover Crops, no-till farming, and establishing well maintained pastures are some of the most economical and effective methods of controlling runoff and reducing nutrient loss from agricultural fields.
- Create a Cover Crop incentive payment program that will encourage broader participation by County farmers and promote the development of SCWQ Plans, which are the genesis of BMP implementation on agricultural properties.