

**State Soil Conservation Committee (SSCC)  
December 19, 2024 (In-Person)  
3358 Davidsonville Road, Davidsonville, MD 21035  
Minutes**

Van Funk, Chair, called the meeting to order at 9:34 a.m.

The minutes of November 2024 were approved. (Posey/Swaine)

**SSCC ADMINISTRATION**

The following appointments were made upon proper motion, second, and vote:

Allegany SCD (FB) – Carl E. Robinette (Swaine/Feldt)  
Prince George’s SCD (UME) – Denise Daniels (Posey/Freeman)  
Queen Anne’s SCD (UME) – Richard Weaver (Freeman/Jarboe)

**MACS Flat Rates Discussion**

Guest Speaker: Jason Keppler\*

Jason returned to address concerns regarding changes to MACS flat rate schedules for 2025. There are currently 1400 individual flat rates that need to be regularly reevaluated. MDA is looking toward a system to simplify application submission and review of claims for payment. The intent of the component-based system is to simplify flat rate project estimates by rolling itemized cost estimates up into larger composite estimates. In 2022 Regional Workgroups were set up through the SSCC. New regionalized flat rates were established in 2023. Western MD opted to pilot a component-based system for their practices with positive outcomes. In 2024, MACS began a process to move more practices to component-based system throughout Maryland. Western and Central MD have submitted conservation practice flat rates using the component system for 2025. Upper Shore, Lower Shore, and Southern MD have not submitted any flat rates using the component system to date. To assist in this process and address other pertinent topics, a MACS Technical Advisory Committee (TAC) will be re-established in February 2025. Participation will be one rep for each region. Intent is to be mostly migrated over to new component-based system by 2026.

*\*Presentation distributed to SSCC listserv post-meeting.*

**Select Post-Presentation Discussion and Q & A:**

*Q: NRCS is hitting practice caps. Looking at a 16% increase in rates for waste storage structures this year. There is often nothing left for MACS to contribute* A: There is an overall cap that is limiting MACS payments. This is something to discuss in the MACS TAC.

*Q: How will you select regional reps at the MACS TAC?* A: We will leave that up to the Districts. One representative from each region.

*Q: Where do we put something like mobilization, where we may need to move equipment multiple times due to weather or other unforeseen logistics? Where would that fit in this component-based system?* A: There is a generic category for excavation and equipment. Mobilization can be included there.

*Q: Would this new system generate questions about where the money is going? A: We are continuing to work at refining definitions of components to address potential concerns.*

*Q: Does BPW legally have to see the individual components? A: We go to BPW for bond/capital money. The law is silent regarding flat rates. The only requirement is that farmer has to submit a certified bill.*

General Comments:

*SHA produces quarterly reports on all line items paid in that quarter. You can filter and sort specifications to get specific information. That may be a tracking system to look at.*

*Concern that component-based system won't cover costs with fluctuating prices. Contractors may leverage component system to upcharge project costs. Itemized flat-rates address potential questions that could potentially be hidden in a component-based system.*

**MEMBER REPORTS** – None

**WORKPLAN DISCUSSION**

List of ALL items discussed and notes on following pages. A draft 2025 Workplan based on this information will be reviewed at January SSCC meeting.

The meeting was adjourned at 2:30 PM (Freeman/Jarboe).

Respectfully Submitted,



Loretta Collins  
Executive Secretary

**Attendance: December 19, 2024 (in-person)**

<b>SSCC Member</b>	<b>Name</b>	<b>Present</b>	<b>Absent</b>
Area 1- Western	Diane Flickinger	X	
Area 2- Southern	Amy Posey	X	
Area 3 - Upper Shore	Steve Freeman	X	
Area 4 - Central	Van Funk (Chair)	X	
Area 5 - Lower Shore	Terry Nuwer		x
MDA	Hans Schmidt	X	
DNR	Rob Feldt	X	
MDE	Jim George		x
UMD	Darren Jarboe	X	
MASCD President	John Swaine	X	
Ag Commission	Gordon Kretser	X	
USDA-NRCS (non-voting)	Suzu Daubert	X	
FSA (non-voting)	John Sullivan		x

**Soil Conservation Districts**

Anne Arundel: David Scheler

Caroline: John Shepherd (through MACS presentation)

**MDA Staff:**

Alisha Mulkey

Loretta Collins

Byron Petraukas

Jason Keppler (through MACS presentation)

Thomas Bagamsah (through MACS presentation)

Yvonne Roe (through MACS presentation)

Patrick Felch (through MACS presentation)

**Others:**

Jen Nelson, MASCD

<b>Timing/Priority</b>	<b>Topic</b>	<b>Lead/Speaker</b>	<b>Notes</b>
Monthly	<b>Supervisor Training: Short trainings as standing agenda item (5-15 min)?</b>	SSCC admin	Possible Topics: Open Meetings Act, Conflict of Interest, Supervisor Power, Recruitment (Supervisors and Associates), Meeting Procedures. Community Engagement, BY-LAWS!
Monthly	<b>"Good News" stories from SCDs</b>	Area Reps	Success story about an activity or event that your SCD is most proud of from this past year? What new partnerships are working for you?
On-going	<b>Farm Bill/USDA Updates</b>	NRCS, FSA	Farm Bill payment cap reset each time renewed. Ex: \$450K cap each bill. Now each year it can be extended. New year-new \$450K! (adds pressure for Congress to act)
On-going	<b>Budget shortfall: Impacts on agricultural programs</b>	MDA, NRCS	Upfront info on state and fed (admin change) needed for planning. Continuing resolution coming: IRA funding in question. NRCS is trying to obligate as much as possible, perhaps maybe roll into Farm Bill conservation program funding. IRA is not annual therefore not impacted by shutdowns). Discretionary funding (i.e. EQIP) is held until budget settled. DCs are getting monthly reports to share with SCD Boards.
January	<b>SSCC administrative housekeeping (closed)</b>	SSCC	Continue discussions from Nov 2024
January	<b>2025 Workplan Approval</b>	SSCC	
February	<b>Legislative Update (During-session) - 10 min</b>	Rachel Jones - MDA	If a CRITICAL issue for SSCC (i.e. cover crop...) Rachel VERY busy during session– also reports to Ag Commission. Maybe 10 min in Feb- What do we WANT to know

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			(submit questions to Rachel) MASCD is keeping track os session.
Feb/Mar	<b>LEEF and BFF updates and opportunities</b>	MDA - Alisha Mulkey, MASCD- Chelsea Gerber	SSCC weigh in on how the programs can compliment each other
Mar-Apr	<b>PFAS update</b>	MDA-State Chemist, MDE	Status of MDA's efforts to test the inert ingredients in pesticides for PFAS? Status of PFAS active ingredient testing, biosolid testing and limits for biosolids application? MDA's plan for communicating about this issue with the agricultural community?Resource for updates: <a href="https://www.ecos.org/news-and-updates/mde-to-develop-pfas-action-levels-and-plans-under-new-maryland-law/">https://www.ecos.org/news-and-updates/mde-to-develop-pfas-action-levels-and-plans-under-new-maryland-law/</a>
Mar-Apr	<b>Food Processing Residuals</b>	MDE	What does SSCC want to know?

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Mar-Apr	<b>Pesticide labeling and conservation requirements</b>	NRCS-Dana Rushovich, UME	Some pesticides (e.g. Round-up, 2,4-D, Liberty) have added labels indicating required concurrent conservation practices (i.e. buffers). Anticipated influx of questions/requests to the SCDs as producers try to comply with the new requirements. SCDs need to know how to deal with these inquiries and be consistent in messaging. NRCS and label buffer sizing is different. NRCS has stated that they will not recommend what buffers are needed, but will provide information, cost share, planning if a producer would come requesting help with a buffer as long as it meets the standards and specs for its practices. SSCC role is program contacts and educational opportunities. MASCD will address as well
March (1st update)	<b>Forest Clearing Workgroup (updates and resolution)</b>	Van Funk	Initial meeting of group in January. (See Mar 2023 SSCC minutes for initial discussion) Participants: DMs, DNR, MDE, NRCS Need understanding of who regulates what and when.
May	<b>Bay Program Updates: 2024 Progress, WIP 2025, and Beyond 2025. What next? New goals? Update on model “re-run” and impact to the agricultural baseline</b>	MDA- Elizabeth Hoffman?	The agreement is being revised throughout 2025. EPA has final say.
June	<b>Legislative Update (Post-session)</b>	MDA- Rachel Jones	Talk to Rachel to flag issues for SSCC (maybe through MASCD)

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June	<b>Agrivoltaics- Overview of solar implementation on preserved farmland</b>	?	<p>An overview of solar implementation on preserved farmland. Do counties have any control over this? What measures are being taken to ensure that solar projects on ag lands are done in a way that allows for agriculture to co-exist? What incentives are being applied to make alternative sites (Brownfields, landfills, parking lots, warehouses, buildings) more attractive for solar installations? New legislation is coming. Ag Commission Discussions: Watershed strategies committee → Solar on Ag. We should at least be vegetating sites to nurture soil. Power Plant Research Program (PPRP) → solar sites have to have [X] species. Who will enforce this? Maintenance is not happening. Conditions are check boxes (no monitoring/enforcement). E&amp;S review is submitted and approved before vegetative (pollinator) plan finished. Contractor has to do what is in E&amp;S plan. Can SCD flag solar projects? Currently SCDs are not aware of vegetative requirements.</p>

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June/July	<b>MDE Updates: CAFO regulations and issues like on-farm incinerators (to satisfy CAFO permits)</b>	MDE- Stephanie Cobb Williams	<p>Permissible practices changing.                      New CAFO permitting coming up - permit due in July.                      State of program- where is it going?                      Definition of CAFO changing                      Improving communication to CAFOs and would-be CAFOs...                      Communication breakdown resulting in high fines for farms. Not good...                      Timing and funding complicated particularly in dairy.                      How can agencies work together better towards the same end?                      Air quality requirements- questions to be answered.                      Complaints and compliance MOU</p>
June	<b>Property tax increases on equine facilities and other agricultural businesses that are being considered "commercial"</b>	MDA- Rachel Jones	<p>Property tax increases on equine facilities and other agricultural businesses that are being considered "commercial" (i.e. wineries, breweries, wedding venues, and equine facilities)What is considered production vs. entertainment vs. green space?SDAT conversions→ uniformity across the state</p>



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Jun/July	<b>Consistency in regulations across the state on Agri Tourism uses.</b>	MDA- Martin Proulx	Building permits, well and septic, electrical, plumbing, fire, use and occupancy permits etc. Normal E&S or ag requirement (>= 1 acre) Local law comes into play- education in ag needed in local govts. Area 2- there are different regs for commercial vs ag. Seeking consistency. Production vs. entertainment (Discussed at recent Ag Law conference--> Agriculture Lax Education Initiative) Example: wedding venues
September	<b>MDA updates: nutrient management (MDA) regulations.</b>	MDA- Dwight Dotterer	
Sept/Oct	<b>MACS Updates: Project cancellations (\$ reversion) &amp; possible solutions, progress on small farm/low animal unit cost share</b>	MACS Technical Advisory Committee	MACS funding reversions are being considered at legislature. \$ goes back to DBM. Cancellations need to be explained and reduced (avoid lost staff time when installation cancelled). Possible reason: MACS is used as back-up plan (insurance) for project funding. Guidance needed for DMs on managing btw fed and state. With continuous sign-up at fed level- should be easier to manage. When is it appropriate to apply? MACS TAC identify issues and report back to SSCC. Small farm/low animal unit cost share: How many applications have been received down the road (post technical meetings). SCDs have received many inquiries...

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October	<b>USDA Leasing Process (SCD offices) and Its Impact on Districts: Overview of timelines and requirements and how to navigate the process.</b>	FSA- Laura Eddy, GSA	FSA usually the lead: Lead defaults to NRCS when FSA is not present in office. USDA policies affect district. Limited space capacity w/ multiple agencies. SCDs have limited input- DMs feel left out of process. Keeping NRCS & SCD together is not prioritized. Works best when SCD owns building- but must meet fed requirements. Information sharing from SCDs that have navigated process successfully.
November	<b>Reserved for future issue</b>		
December	<b>Workplan 2026</b>		
TBD- MASCD?	<b>Erosion &amp; Sediment Plan Review Training</b>	MDE	Reviewers are retiring. SCD institutional knowledge being lost. No available training. All on-job learning. County/state regs have surpassed NRCS. SCD is the authority even if they have to hire a consultant. MDE wants to review 2011 specs in the coming year. Does SSCC have power to push for training or MASCD topic? CAFO issues, solar vegetation requirements, and forest clearing all related by E&S plan reviewing. Compliance and Inspections: What are the top violations over last decade (available on-line) - can training address those?
TBD	<b>Next steps for SCDs and their plan of operations to address the State's Watershed Implementation Plan (WIP) after the 2025 deadline.</b>		

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TBD- MASCD/ DM Roundtable	<b>Submerged gravel wetlands and appropriate use.</b>	MDE	Currently developers are using them to replace small ponds - but they are often still considered small ponds. The guidance says that they are to be used to mimic the natural environment as part of a system, but often they are the only stormwater control so the variety that is recommended is not present. There are other guidelines about soil classes where they can be used which is often ignored and recommendation that they should not be lined, however most are. How are Stormwater and Dam Safety at MDE working together?
TBD	<b>Urban Programs, and MD Envirothon.</b>		
Parking Lot	<b>Pay-for-Performance: Overview of existing programs in MD</b>	Participating Producer/Farmer	Conservation is difficult to quantify. Congress wants to quantify ROI. Are there existing programs that pay for outcomes for nutrient, sediment and carbon reductions for farmers? P4P marketed as cheaper conservation. There are efforts to put P4P in Farm Bill. MDE Clean Water Commerce Act (\$ per lb reduction) does not fit w/ RCCP (implement practice then pay). Cover Crop program is P4P (sort of). State carbon program is evolving. Difficult to monetize here. Who is monitoring?? Price discovery does not exist for buyers and sellers.
Parking Lot	<b>Coordinate goals and efforts more efficiently across federal &amp; state agencies.</b>		

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DM Roundtable	<b>Webpage ADA Compliance</b>		There is a new DOJ requirement that all government websites be compliant with DOJ WCAG 2.1 requirements- alerted to requirement by company selling services. Need more info on this as the cost to update and keep the website compliant has a cost.
DM Roundtable	<b>State Telework Policy: managing a productive office with variable staff expectations</b>		Cannot change state policy.
MASCD	<b>Continued support from the legislature for cover crop and soil health initiatives. Dependent on budget</b>		
MASCD Website	<b>Templates for SCDs to follow in creating and adopting various plans, i.e., long-term strategic planning, record retention, annual plan of operations, succession planning, etc., I think were discussed at the summer meeting.</b>		Resources available now
N/A	<b>Illegal Dumping on Farms (construction waste)</b>		MDA turns it over to MDE. Local/state compliance issue