



AGENDA
BOARD OF SUPERVISORS MEETING
February 27, 2024 @ 6:00 p.m.
23818 Shortly Road, Georgetown, DE

- I. Call to Order
- II. Agenda Modifications
- III. Approval of Agenda
- IV. Approval of Minutes of Last Meeting
- V. Recognition of Visitors
- VI. Correspondence
- VII. Reports
 - District Account's Report – Dan Lee (P 2)
 - Equipment Program Manager's Report – Stephen Gissy (P 5)
 - District Conservationist's Report – Ziggy Savage (P 6)
 - Sediment & Stormwater Manager's Report – Jessica Watson (P 8)
 - DNREC Conservation Program's Report – Tyler Brown (P 9)
 - DACD Executive Director's Report – Jen Nelson (P 12)
 - Agricultural Program Report – Debbie Absher (P 13)
 - District Coordinator's Report – David Baird (P 14)
- VIII. Items Requiring Board Action
 - 1) Cost Share Payments
 - a. Large Animal Mortality
 - b. Tax Ditch-Emergency Repairs
 - c. Conservation Cost Share Design-O'Boyle
 - 2) Stormwater Committee Recommendations
 - 3) Stormwater Bonding Agreement Revisions
 - 4) Capital Purchase for Equipment Program
 - 5) Holly Oak-Dorman Rd Bid Award
 - 6) Authorized Account Signers
- IX. Adjournment

Pursuant to 29 Del. C. § 10004 (e) (2), the Agenda items as listed may not be considered in sequence. This Agenda is subject to change to include additional items, including Executive Sessions, which arise at the time of the meeting.

Sussex Conservation District
Cash Report
January 2024

<i>Fulton Bank - Checking</i>	
Bank Balance Per Statement	\$917,163.53
Add: Deposits in Transit	\$0.00
Less: Outstanding Checks	(\$559,451.97)
Balance in G/L - End of Month	\$357,711.56
Beginning G/L Balance	\$794,951.54
Add: Cash Receipts	\$325,642.77
Less: Cash Disbursements	(\$762,882.75)
Ending G/L Balance	\$357,711.56
<i>Fulton Bank - Payroll</i>	
Beginning G/L Balance	\$0.00
Add: Cash Receipts	\$202,959.00
Less: Cash Disbursements	(\$202,959.00)
Ending G/L Balance	\$0.00
<i>Citizens Bank - Checking</i>	
Beginning G/L Balance	\$1,274,113.88
Add: Cash Receipts	\$0.00
Less: Cash Disbursements	\$0.00
Ending G/L Balance	\$1,274,113.88
<i>Citizens Bank - Money Market</i>	
Beginning G/L Balance	\$1,356,055.00
Add: Cash Receipts	\$18,465.43
Less: Cash Disbursements	\$0.00
Ending G/L Balance	\$1,374,520.43
<i>Fulton Bank - Merchant</i>	
Beginning G/L Balance	\$7,618.94
Add: Cash Receipts	\$4,557.70
Less: Cash Disbursements	(\$203.72)
Ending G/L Balance	\$11,972.92
<i>Artisans Bank - Certificate of Deposit - 11/06/24</i>	\$250,000.00
<i>Link Bank - Certificate of Deposit - 2/28/24</i>	\$249,679.56
<i>County Bank - Certificate of Deposit - 02/28/25</i>	\$249,551.58
<i>Community Bank - Certificate of Deposit - 06/12/24</i>	\$248,959.00
<i>Del-One - Certificate of Deposit - 4/19/24</i>	\$490,443.27
<i>Hebron Savings Bank - Certificate of Deposit - 04/04/24</i>	\$249,138.13
<i>Fulton ICS MM Accounts</i>	\$3,014,193.12
<i>WTC Investments</i>	\$3,835,490.72
<i>Petty Cash</i>	\$224.56
<i>Total All Bank Accounts</i>	\$11,605,998.73

**Sussex Conservation District
Cash Report
January 2024**

2024	UNRESTRICTED FUNDS			
	Sussex Conservation District Funds		<u>\$3,506,539.77</u>	
				\$3,506,539.77
	RESTRICTED FUNDS			
	Stormwater Management Funds	restricted	\$4,373,315.84	
	Stormwater Cash Bonds Held	Liability	\$1,271,623.88	
	Cost Share Funding	deferred	\$1,339,272.33	
	3921 Funding	deferred	\$844,583.26	
	Sussex County Drainage Funding	deferred	\$63,198.00	
	Stormwater Management Funds	deferred	\$7,500.00	
	Prothonotary Items	deferred	\$9,887.00	
	Various projects - 2	deferred	<u>\$190,078.65</u>	
				\$8,099,458.96
	TOTAL AVAILABLE FUNDS ALL ACCOUNTS @ MONTH END			\$11,605,998.73
2023	UNRESTRICTED FUNDS			
	Sussex Conservation District Funds		<u>\$2,980,170.69</u>	
				\$2,980,170.69
	RESTRICTED FUNDS			
	Stormwater Management Funds	restricted	\$3,788,390.89	
	Stormwater Cash Bonds Held	Liability	\$1,928,726.26	
	Cost Share Funding	deferred	\$1,612,710.01	
	3921 Funding	deferred	\$496,512.29	
	Sussex County Drainage Funding	deferred	\$63,075.96	
	Stormwater Management Funds	deferred	\$7,500.00	
	Prothonotary Items	deferred	\$7,270.00	
	Various projects	deferred	<u>\$331,420.00</u>	
				\$8,235,605.41
	TOTAL AVAILABLE FUNDS ALL ACCOUNTS @ MONTH END			\$11,215,776.10
2022	TOTAL AVAILABLE FUNDS ALL ACCOUNTS @ MONTH END			\$ 10,147,692.74
2021	TOTAL AVAILABLE FUNDS ALL ACCOUNTS @ MONTH END			\$ 8,156,226.88
2020	TOTAL AVAILABLE FUNDS ALL ACCOUNTS @ MONTH END			\$ 9,723,765.43
2019	TOTAL AVAILABLE FUNDS ALL ACCOUNTS @ MONTH END			\$ 9,575,144.91
2018	TOTAL AVAILABLE FUNDS ALL ACCOUNTS @ MONTH END			\$ 9,617,589.61

SUSSEX CONSERVATION DISTRICT
FINANCIAL HIGHLIGHTS FOR JANUARY 2024

January had a net profit (loss) of (\$191,273) compared to a net profit (loss) of (\$7,904) for the same period in 2023. Year to date, the District has a net profit (loss) of (\$191,273) compared to a net profit (loss) of (\$7,904) for 2023. The following is a net profit (loss) summary by department:

Department	January		Year To Date	
	2024	2023	2024	2023
Equipment	(\$45,230)	\$37,440	(\$45,230)	\$37,440
Agriculture	(\$97,197)	(\$44,810)	(\$97,197)	(\$44,810)
Stormwater	\$4,129	\$37,329	\$4,129	\$37,329
Administrative	(\$50,368)	(\$36,230)	(\$50,368)	(\$36,230)
Project Design	(\$2,607)	(\$1,633)	(\$2,607)	(\$1,633)
Operating Profit (Loss)	(\$191,273)	(\$7,904)	(\$191,273)	(\$7,904)
Investments	\$0	\$0	\$0	\$0
Net Profit (Loss)	(\$191,273)	(\$7,904)	(\$191,273)*	(\$7,904)

(*) Year to Date Net Income:

Total Revenue	\$	323,600
Cost of Sales	\$	27,385
Gross Profit	\$	296,215
Expenses	\$	487,488
Net Income (Loss)	(\$	191,273)*

COST SHARE DOLLARS

Department	Paid Out January		Paid Out Year to Date	
	2024	2023	2024	2023
General Cost Share	\$18,557	\$17,423	\$18,557	\$17,423
3921 Funds	\$49,877	\$23,250	\$49,877	\$23,250
County Drainage	\$6,240	\$7,290	\$6,240	\$7,290
Total Cost Share Dollars	\$74,674	\$47,963	\$74,674	\$47,963

Department	Cash Balance	
	2024	2023
General Cost Share	\$1,339,272	\$1,608,968
3921 Funds	\$844,583	\$496,512
County Drainage	\$63,199	\$63,076
Total Cost Share Dollars	\$2,247,054	\$2,168,556

EQUIPMENT PROGRAM REPORT

Over the past month, the equipment program has completed various projects. We have focused on tax ditch maintenance with dip-outs, mowing, and pipe replacements. We are currently working on a large RC&D project west of Seaford that is approximately 7,700' of existing ditch cleanout with pipe replacements, clearing, and ag drainage improvements for several landowners in the area.

Total Estimates for 2024: 35

Total Estimates for January: 35

Recently Completed Projects:

- Farmington/ Butler- Drainage Improvements
- Short & Hall- Dip out
- Bacon and Kenny- Dip Out
- Stafford- Dip Out
- McGee- Dip Out
- Bee Branch- Maintenance
- Bucks Branch- Tree Removal
- Cool Branch- Pipe Repair
- Jones Mill- Dip Out
- Double Fork- Dip Out
- Eli Walls- ROW Clearing
- Green Branch- Dip out
- Horse Pound- ROW Clearing
- Iron Mine- Dip Out
- Jackson Branch- Erosion Repair
- Maple Marsh- Mowing & Blockage Removal
- Middleford- Blockage Removal
- Raccoon- Dip Out
- Warwick Park- Basin Installation
- John Workman- Pipe Replacement
- Stafford- Dip Out
- Owens Tax Ditch- Mowing

Recently started or Projects starting soon:

- Oakley- Pipe Replacement
- Meadow Branch- Maintenance
- Jones Branch- Maintenance
- Cart Branch- Maintenance
- Vanderwende- Woods Push Back
- Neal School Road- Phase II- WIP
- N. Oak Grove/Willin- Drainage Improvements
- Peach Tree Run/ Walsh- Drainage Improvements-WIP
- Banks Harbor Retreat-Drainage Improvements
- Pepper Creek-Prong 10 Bank Stabilization
- Mowing

DISTRICT CONSERVATIONIST REPORT

December 18, 2023, through February 23, 2024

EQIP

- Planners continue contacting applicants to collect eligibility documents for FY-24 and move forward with planning. Planners are moving into regular EQIP planning for this fiscal year.
- June 7th is when the contracts need to be completed by planners for 1st batch applicants.
- We are now collecting second-batch applications. Deadline: March 15th.
- We are accepting applications on a continuous process and batching accordingly.

EQIP/CIC

- These are 5-year contracts. Application batching follows the EQIP guidelines.
- Contract limits are \$200K per Farm Bill and are not part of the overall \$450K payment limit attached to the Farm Bill.

EQIP/IRA (Inflation Reduction Act)

- Funds are targeted towards Climate Smart Ag. Practices. The categories are Soil Health, Nitrogen Mgt., Livestock Partnership, Grazing & Pasture, Agroforestry, Forest and Upland Wildlife habitat, Energy, and Wetlands. The funding level for FY-24 is \$10.3M.

AMA/RMA

- Funding level is approximately \$80K.
- Normally used for small farm scenarios with a cap of \$50K per year.
- Batch dates are the same as EQIP.

CSP/IRA

- Like EQIP/IRA, but it is for participants that sign up through CSP for the same targeted Climate Smart Ag. Practice categories.
- 5-year contracts up to \$200K.
- We are accepting applications for 1st batch until March 22, 2024.

CSP

- NRCS has completed all payments for the current year.
- We are accepting applications for FY-24 until March 22.

ACT NOW

- 22 contracts were written for Act Now.
- Eligible programs include AMA (High Tunnel), EQIP (CPAs, DIAs, and CEMAS), and EQIP-IRA (Cropland, Energy, and Forestry).
- The deadline for submitting to the S.O. for an obligation has changed to Feb. 16, with the obligation being finalized by Feb. 23 for FY-24.

WRE

- Field offices are accepting applications for FY-24 until March 10.
- Field staff are directing participants to Elena Stewart (Program Manager) and Emily Palmer (Coordinator) for the specific details of the program.

1. Inspections and Site Visits

- **Conservation Practice Installation and Completion Inspections:**
Korey continues working with landowners and contractors to complete project installation/inspections for prior year contracts.

2. Surveys/Designs

- Korey is working on surveys and designs for FY-24 projects with some assistance from Reed.

3. Other Business

- Planners continue reviewing prior year management practice records for payment and reporting progress.
- There are still a variety of jobs being advertised for Delaware NRCS positions. District Conservationist and Soil Conservationist (Dover/ New Castle F.O.), Resource Conservationist, and Outreach Coordinator (Dover S.O.).
- Sussex F.O. is still working to backfill for a Soil Con. Tech. Position.
- Sussex will be backfilling the Soil Conservationist position vacated by Kyle Hearn.

SEDIMENT AND STORMWATER PROGRAM REPORT

Detailed Plan Review/Approval:

Staff continue to process plan submittals, pre-app/engineering meetings, and technical support. Staff reviewed 14 plans and approved 9 detailed plans and 20 standard plans. Staff also had 12 pre-application meetings.

Standard Plan Review/Approval: 20 Total

- 12 Non-Residential
- 6 Minor Linear
- 2 Agriculture

As-Built Plan Review:

Staff reviewed 6 as-built surveys.

Inspection: - 298 Inspections

Field staff continue to be busy in the field. New projects continue to contact us for pre-construction meetings. Pre-construction meetings – 6

Maintenance Inspection – 65

Closed-out stormwater projects are inspected, and reports are generated that provide information on routine/preventive maintenance. The goal is to ensure the continued function of the stormwater facility.

Buddy Griffith provides compliance inspection on single-family lot construction. He works with builders on the requirements under the Residential Standard Plan (silt fence and stone construction entrances). He and Faith work together on home construction complaints and contacting non-compliant builders.

Drainage/Construction Complaints: - 25

DNREC CONSERVATIONS PROGRAM REPORT

Program Updates and News District Operations

- FY25 Governors Recommended Bond Bill Budget
 - RC&D - \$5M
 - Conservation Cost Share - \$3.2M
 - CREP - \$25K
 - Debris Pit - \$1M
 - Tax Ditch - \$1.5M
- The Department's Joint Finance Hearing is scheduled for February 22nd.

Tax Ditch and Drainage Programs

- The Tax Ditch Program Annual Newsletter was printed and mailed to all tax ditch officers and distributed digitally to those subscribed.
- Tax Ditch audit requests are due to DNREC Drainage by March 1 IF the audit must be completed due to the warrant change requested.
- Tax Ditch warrant change requests due to Michele Garner by March 31st. Staffing Updates:
 - After 26 years of service, Heather Hitchens, the Tax Ditch Program's Officer Coordinator, has accepted a new position with the State of Delaware as a Legislative Aide. Her last day with our Program will be February 23, 2024, and she will be greatly missed. Please help us to wish her well in her future endeavors.
 - Planner IV – Merit Position – Posting Coming Soon! - This position will manage and oversee the administrative or technical services the Tax Ditch Program provides to Tax Ditch organizations and residents across the State.

Sediment & Stormwater Program

- The Sediment and Stormwater Program's Certified Construction Reviewer (CCR) course will be held entirely virtually, opening on March 4th, 2024. Participants can work through the recorded training at their own pace in the Delaware Learning Center (DLC) until March 15th. To become certified, participants must complete the video modules, complete the exam with a minimum score of 80%, attend an in-person, half-day field trip on March 28, and submit a CCR construction review report based on the field trip. Pre-registration for the CCR course opened on Tuesday, January 2, 2024, and can be found on the SSP website. Registration for this course will close on February 26, 2024.

Staffing Updates

- Julia Lau will start as an Engineer I in the SSP on February 26, 2024.
- Interviews for an EPS Tech IV will be conducted on February 22, 2024.

Nonpoint Source

- The FY24 Request for Proposals (RFP) officially opened on Monday, 12/4/23, for the Clean Water Act Section 319 Nonpoint Source Grant [Nonpoint Source Section 319 Grant Program - DNREC \(delaware.gov\)](#). Also, the Chesapeake Bay Implementation Grant (CBIG) RFP is open concurrently. Proposals will be solicited through Friday, 3/1/24, for each grant. The NPS Program's website is updated with the new FY24 RFP guidelines and a fillable PDF grant application form. An email listserv notification was sent out to partner organizations and other parties with a vested interest on Monday, 12/4/23, providing notification that the grant application period has started. The Division of Watershed Stewardship's Marketing Specialist will also help promote the grant RFP through social media platforms. A reminder email was recently sent out through the listserv, notifying everybody that there were 30 days remaining to submit grant proposals.
- Semi-annual grant project reporting updates have been collected by the Program and compiled for EPA reporting.
- The NPS Program has submitted a draft of its 2023 annual report to the EPA. The report highlights the work of the NPS Program for the 2023 calendar year.
- The Little Assawoman Bay watershed implementation plan was recently updated and fully approved by the EPA. The EPA advises the NPS Program to revise watershed plans ten years or older.

Staffing Updates:

- Phil Miller, Marketing Specialist for the Division of Watershed Stewardship, moved from the Directors Office to the NPS Program. This was part of a division-wide reorganization. Phil has historically helped the NPS Program to conduct various outreach/education initiatives.
- No significant updates. All current Program positions are filled.

Chesapeake Implementation Programs

- The Chesapeake Bay Implementation Grant (CBIG) Request for Proposals period is open until March 1, 2024. Information about the grant and additional funding can be found at <https://dnrec.delaware.gov/watershed-stewardship/nps/chesapeake-grants/>. Please submit potential project proposals for the FY24 funding via the online grant application form. If you have any questions about the grant application process or what qualifies under this grant, please don't hesitate to contact Holly Walker at holly.walker@delaware.gov or 302-608- 5522.
- CHIP is currently working on getting updates from partners for the 2-year Milestones related to Delaware's Watershed Implementation Plan. In addition to these updates, staff members are meeting with the Department of Agriculture staff in December to draft the following two-year Milestones to help improve water quality within the Chesapeake Bay watershed region of Delaware. The 2024-2025 Programmatic Milestones will be available on the DNREC website by early February. For reference to past Programmatic Milestones, please visit <https://dnrec.delaware.gov/watershed-stewardship/nps/chesapeake/milestones/>.

Spotlight

On January 23, the Chesapeake Bay Implementation Team (ChIP) hosted the Chesapeake Bay WIP Interagency Workgroup Semi-Annual Meeting. During the meeting, the ChIP team provided updates on the Forest Buffer Incentive Program, DeCAP, BMP reporting progress, and grant updates. Members of the Non-Point Source team provided updates on current and upcoming water quality BMP projects funded by the 319 grant. They also provided an overview presentation on the CREP Program. Partner organizations provided updates on conservation-related projects and the Chesapeake Bay Implementation.

DACD REPORT

Updates:

- **DACD held its 2024 Annual Meeting on January 31.**

 - Participants heard from Chris Brosch about a proposed Cover Crop Accelerator Project and Michele Drostin about the Delmarva Land and Litter Collaborative.
 - The group also discussed supervisor election regulations and determined that DNREC and the districts would meet to work on a draft for review by Sec. Garvin.
 - The group confirmed that NACD representatives for Delaware have conventionally been the DACD president as the primary representative with the Vice President as the alternate.
 - DACD Officer Elections were held for the 2024-2027 term. Officers elected include Gwen Pierce (President), Joel Wharton (Vice President), and Matt Weber (Treasurer)

- **The 2024 NACD Annual Meeting** was held February 10 -14 in San Diego, CA. Delaware hosted a solid contingent at the meeting with representatives from each district. Gwen Pierce represented Delaware at the Northeast Region Meeting, District and Partner Relations Committee, and NACD Board Meetings. Jen Nelson represented DE and the Northeast Region at the Association of Conservation Executive Director Meetings. David Baird presented about SCD’s partnership role and Conservation Drainage in a breakout session on Tuesday.

- **The 2024 Delmarva Soil Summit** was held on February 6-7 at the Wicomico Civic Center in Salisbury, MD. This year, the Soil Summit partnered with the Northeast Cover Crops Council to host a joint conference. The program included Russell Hedrick and Heather Darby as keynote speakers, two farmer panel discussions, and breakout sessions on various topics.



Artist Erik Wahl gives a keynote presentation titled "The Art of Vision" in NACD's Opening Session

Upcoming Dates:

<i>DATE</i>	<i>EVENT</i>
<i>February 22</i>	KCD Soil Health Workshop
<i>March 20, 2024</i>	NACD Fly-In, Washington DC
<i>April 25</i>	Delaware Envirothon, Abbott’s Mill, Milford, DE
<i>April 30</i>	Governor’s Conservation Awards, Delaware Ag Museum (tentative date)
<i>August 10 - 13</i>	NACD Summer Meeting (& Northeast Region Meeting?), Boston, MA

AGRICULTURAL PROGRAMS REPORT

Grants

- As our last NRCS-DACD Contribution Agreement was closing, approximately \$167,500 left over from the other Districts was brought to our attention. SCD could go back and bill for additional deliverables we could not bill during the agreement period because we had fulfilled our contract obligation. This was brought to our attention in January, and it looks like the payment is finally going through after a lot of back and forth with NRCS and FPAC – Grants and Agreements.
- Information was compiled and submitted for the DACD Annual Report.
- Proposals for the Nonpoint Source Pollution (NPS) and Chesapeake Bay Implementation Grant (CBIG) are due on Friday, March 1, 2024. The NPS office has informed us that they already have \$75K set aside for SCD for cover crops. We will request additional funds for the \$75K in our grant proposal.
- As part of our NRCS Contribution Agreement NR1921J2XXXXC005 – SCD will host a WRE workshop on March 19, 2024, at 5:00 p.m. at the Harrington Fire Hall. NRCS is organizing the program and will be lining up speakers. Please attend the workshop to learn more about the NRCS – WRE Program. As of the time of this report, 21 people have registered with hopes of getting 100 interested landowners from throughout the state to attend.

Soil Health

- The 2024 Delmarva Soil Summit was held on February 6-7, 2024, at the Wicomico Youth & Civic Center in Salisbury, Maryland. We had 220 people registered to attend the 2024 DSS, with 199 actual attendees. There were a lot of great speakers, and I have heard positive feedback from folks who attended. I want to give a massive shout-out to Amanda Fabi and the rest of the SCD Ag Program Staff for their hard work in carrying out the day-to-day logistics of the Summit. Amanda was integral in the planning and coordination of the Soil Summit!

Miscellaneous

- David Stuckey joined SCD as the new conservation technician on February 5, 2024. This position is partially funded through the NRCS – DACD Agreement. We are still waiting for credentials and computer access. He has been splitting his time training with the NRCS technicians and the Shortly Road office.
- Chana Milligan, administrative assistant in the Ag Program, will return from parental leave on March 4, 2024. We are excited to have Chana back in the office. We want to thank Owen Lenkner, who came out of retirement to help with phones and share his knowledge with the ag planning staff. He did a tremendous job filling in for Chana.
- David Baird, Bryan Jones, Amanda Fabi, and I represented SCD at the NACD Annual Meeting in San Diego, February 11-14, 2024. NACD did a great job with the program this year, lining up excellent speakers and relevant breakout sessions.

DISTRICT COORDINATOR REPORT

2024 Soil Summit

The Delmarva Soil Summit was held on February 6 & 7 with approximately 250 attendees. Preliminary feedback on the event has been positive, and I think everyone took something productive away from the sessions. Thank you to all involved, especially the SCD Ag Program Staff and Siobhan Kelley, for making this a successful event.

Annual Financial Audit is Underway

Dan has been working closely with our auditors from PKS as part of our annual audit. Once again, there do not appear to be any major concerns identified by the auditors. PKS completed its field work and hoped to quickly move our final audit report through its review process. We will update you with any new information and expect the auditors to deliver their report to the Board in March or April.

NACD Annual Meeting

The NACD Annual Meeting was held in mid-February in San Diego, CA. Amanda Fabi, Bryan Jones, Debbie Absher, and I represented SCD at this meeting. Additionally, we participated as presenters during a Drainage Water Management Session and How Conservation Districts can utilize State Revolving Funds.

Partnership Opportunities with NRCS

Bryan Jones, Stephen Gissy, and I met with NRCS State Office Leadership regarding potential partnership opportunities for Drainage Water Management and Tax Ditches. During the conversation, we discussed the "turn-key" approach, where NRCS would contract with partners to provide both technical and financial assistance in a streamlined approach. We will develop a more detailed concept proposal and discuss it with NRCS as part of an effort to move this approach forward. If successful, we believe this will increase interest in some of the conservation programs.

2024 Starts Off Sluggish

January's financials are in the red as mother nature, slower than usual stormwater submittals significantly impacted the district's bottom line to start 2024. We have seen some improvement in February's activity and will continue closely monitoring activity for any negative trends. More details will be presented at the meeting on Feb. 27.

Conservation Stewardship Awards-March 7, 2024

SCD will recognize award winners who go above and beyond in their stormwater design and construction during our annual Conservation Stewardship Awards Luncheon on March 7 at The Landing in Millsboro.

The 2024 Conservation Stewardship Award winners are:

Design Team: Sussex County Engineering

Developer: Carl M. Freeman Companies

Green Conservation: Kinsley Construction, Inc.

HOA: Sawgrass

Home Builder: Beazer

Project Manager: NVR - Micheal McClintock

Site Contractor - Commercial: Corrado Construction Company

Site Contractor - Residential: Kinsley Construction, Inc.

Upcoming Events:

- Conservation Stewardship Awards, March 7, 2024, The Landing, Millsboro, at 11:30 am
- The next board meeting will be held Tuesday, March 19, 2024, at 11 a.m., at 23818 Shortly Road, Georgetown, DE. The Sussex County Council will join us for this meeting, and lunch will be provided.
- Governor's Conservation Awards, April 30th (tentative), at the AG Museum in Dover, DE.

ACTION ITEM 1A

COST SHARE PAYMENTS-LARGE ANIMAL MORTALITY

BACKGROUND:

Cost-share payment for Large Animal Mortality to John Kohout.

December

Total Cost \$4,490	Cows: 12
SCD Cost \$4,490	Horses: 3
SCD Admin \$ 840	

January

Total Cost \$9,210	Cows: 12
SCD Cost \$9,210	Horses: 7
SCD Admin \$1,860	

RECOMMENDATION:

Approve cost-share for payment for Animal Mortality.

MOTION:

Moved by _____ and seconded by _____, to approve cost-share payment to John Kohout.
Motion _____.

ACTION ITEM 1B EMERGENCY REPAIRS- TAX DITCH

BACKGROUND:

The following tax ditches need emergency repairs:

1. Bridgeville Branch Prong 2 Pipe Replacement

Repair failed pipe crossing on Prong 2 of Bridgeville Branch Tax Ditch. The pipe is undersized, clogged, and is rusted galvanized. Remove the current pipe, dig crossing to grade, install the 60" x 40' pipe, backfill it with clean fill, and install rip-rap protection with correct underlayment fabric upstream and downstream.

Total Cost: \$17,660

Cost Share (60%): \$10,596

Tax Ditch Cost: \$7,064

2. Dukes Jobs Tax Ditch Prong 1

Repair failed pipe crossing on Prong 1 of Dukes Jobs Tax Ditch. The pipe is undersized and clogged. Remove the current pipe, dig crossing to grade, install the 60" x 40' pipe, backfill it with clean fill, and install rip-rap protection with correct underlayment fabric upstream and downstream. Dip out Prong 1 below the crossing to remove the sediment deposited by the failed crossing.

Total Cost: \$17,260

Cost Share (60%): \$10,356

Tax Ditch Cost: \$6,904

3. Bucks Branch Prong 2 Pipe Replacement

Repair failed pipe crossing on Prong 2 of Bucks Branch Tax Ditch. The pipe is undersized and clogged. Remove the current pipe, dig crossing to grade, install 42" x 40' pipe, backfill with clean fill, and install rip-rap protection with correct underlayment fabric upstream and downstream.

Total Cost: \$9,838.40

Cost Share (60%): \$5,903.04

Tax Ditch Cost: \$3,935.36

4. Wharton's Branch Tax Ditch Prong 24

Replace two (2) failed crossing pipes on Prong 24 at Sub 1 Prong 24 and Prong 24/Main. Remove the failed crossing pipe at Sub 1 Prong 24, install a new 18" x 30' ADS pipe, backfill with clean fill, and stabilize. Remove the failed crossing pipe at Prong 24 and the Main, Install new 24" x 40' ADS pipe, backfill with clean fill, and stabilize the upstream/downstream ends with riprap and the proper underlayment fabric.

Total Cost: \$9,200

Cost Share (60%): \$5,520

Tax Ditch Cost: \$3,680

5. Holly Branch Tax Ditch #1

Replace the failing crossing on the main near 34306 Horsey Church Road. Remove existing concrete pipe. Grade the ditch to the correct elevation. Install the 40' x 24" ADS pipe, backfill it with clean fill, and install riprap to protect the inlet and outlet end of the pipe. The 40' will allow for equipment and the irrigation to cross.

Total Cost: \$8,448

Cost Share (60%): \$5,068.80

Tax Ditch Cost: \$3,379.20

6. Jones Mill Branch Tax Ditch

Replace three (3) blown-out 12" CI pipes on the main that are blocking access for maintenance and potentially a driveway. Remove failed galvanized pipe, re-grade, and install 12" ADS pipe. The area will be backfilled and stabilized correctly. Bank erosion caused by the pipe failures will be backfilled and stabilized with matting. Stone will be installed over the pipes in the driveway areas. The remaining funds are to be used to spread spoil on the ditch.

Total Cost: \$9,452.60

Cost Share (60%): \$5,671.56

Tax Ditch Cost: \$3,781.04

RECOMMENDATION:

Approve Emergency Cost Share Funds for the above tax ditch repairs for \$43,115.40.

MOTION:

Motion made by _____ and seconded by _____ to approve the Emergency Cost Share Funding for the following tax ditches and stated amounts:

- 1) Bridgeville Branch Prong 2: \$10,596
- 2) Dukes Jobs Tax Ditch Prong 1: \$10,356
- 3) Bucks Branch Prong 2: \$5,903.04
- 4) Whartons Branch Prong 24: \$5,520
- 5) Holly Branch Tax Ditch #1: \$5,068.80
- 6) Jones Mill Branch Tax Ditch: \$5,671.56

Motion _____.

ACTION ITEM 1C

CONSERVATION COST SHARE DESIGN-O'BOYLE WILDLIFE POND

BACKGROUND:

SCD was contacted by Jordan O'Boyle, who owns a 9.5-acre parcel south of Mollyfield Rd. Dagsboro DE (Tax Map ID 233-10.00-71.04). Mr. O'Boyle is seeking SCD's assistance with designing and constructing an approximately 1/3rd acre wildlife/water quality enhancement pond on his property. An existing private ditch runs through the property, which would serve as an outlet for the pond. A water control structure would be installed to manipulate the water level based on significant rain events and time of year. This proposed project would create a habitat for various wildlife species, including fish, amphibians, reptiles, birds, macroinvertebrates, etc. For the pond to provide optimal wildlife habitat, it is proposed to include a wetland bench around the entire pond for beneficial aquatic plants. It would also have microtopography within the pond to provide different water depths. Excavated material will be used around the adjacent area to create minor topography and additional habitat. A final construction estimate will be developed once the design is complete, and a cost share request for implementation will be placed on a future agenda for the Board's consideration.

Estimated Pond Survey and Design Costs: \$6,625.00

Proposed SCD Conservation Cost Share- \$6,625.00 - Per 2024 Conservation Cost Share Guidelines

RECOMMENDATION:

Approve using allocated design funds within the Conservation Cost Share account to complete the survey and design.

MOTION:

Moved by _____ and seconded by _____ to approve the use of \$6,625.00 of allocated design funds within the Conservation Cost Share account to complete the survey and design. Motion _____.

ACTION ITEM 2

STORMWATER ADVISORY COMMITTEE RECOMMENDATIONS

BACKGROUND:

The District has been working with the Stormwater Advisory Committee over the last couple of months.

- The Stormwater fee schedule was last updated in 2020. A 10 percent increase is recommended and approved by the committee.
- The District developed an Expedited Review Policy to address draft HB101. The policy allows the District to determine project eligibility and the reviewing agency or consultant.

RECOMMENDATION:

Approve the updated Sediment and Stormwater Program Fee Schedules and updated Expedited Review Policy and Procedures as presented.

MOTION:

Moved by _____ and seconded by _____ to approve the Sediment and Stormwater Program fee schedules and updated Expedited Review Policy and Procedures as presented.

Motion _____.



Standard Plan Review Fee Schedule	
Residential Standard Plan	\$125/\$135
Non-Residential Standard Plan	\$575/\$630 up to ½ acre/\$1,000 /\$1,100 ½-1 acre
Agriculture Standard Plan	\$115/\$130 less than or equal to 1 acre of disturbance \$230/\$260 1.1-2 acres disturbance \$345/\$380 2.1 – 3 acres disturbance \$460/\$510 3.1 – 4 acres disturbance \$575/\$630 4.1 – 5 acres disturbance
Minor Linear Disturbance	\$575/\$630
BMP and Retrofit	\$575/\$630
Tax Ditch	\$575/\$630
Sidewalk Trail Linear Impervious	\$575/\$630
Stormwater Facility Maintenance	\$575/\$630
Demolition	\$150/\$165



SEDIMENT AND STORMWATER Detailed Plan Fee Schedule

DETAILED PLAN

Review Fee	
30-day review timeframe for up to three reviews	
Less than or equal to 1.0 acres	\$1,150 \$1,265
1.1 – 2.0 acres	\$1,300 \$1,430
2.1 – 5.0 acres	\$1,725 \$1,900
5.1 – 8.0 acres	\$2,150 \$2,365
8.1 – 11.0 acres	\$2,300 \$2,530
11.1 – 15.0 acres	\$2,600 \$2,860
15.1 – 20.0 acres	\$2,875 \$3,165
Each additional 10 acres	\$460 • (\$46 per acre) \$510 (\$51 per acre)
Re-Review	
<p>Re-Review Fees are half the original Review Fee</p> <p>SCD may assess another review fee for the following:</p> <ol style="list-style-type: none"> 1. A project is reviewed three times and continues to not comply with State Regulations, checklist and/or District comment letters. 2. A significant change in the manner runoff is managed or the site grading is re-configured to change how quantity/quality treatment is provided. 3. Any revision to an approved project that constitutes the District re-reviewing the stormwater calculations. 	
Expedited Review	
<p>Three times the review fee above (limit of two reviews)</p> <ul style="list-style-type: none"> • Plan Review within 10 Business Days of Detailed Plan/As-built Submission <ul style="list-style-type: none"> • Limit of two reviews before additional fees assessed. • Third Party review fees are separate. 	

Inspection Fee	
Less than or equal to 1.0 acres	\$2,150 \$2,365
1.1 – 2.0 acres	\$2,600 \$2,860
2.1 – 5 acres	\$3,450 \$3,795
5.1 – 8.0 acres	\$4,300 \$4,730
8.1 – 11.0 acres	\$4,850 \$5,335
11.1 – 15.0 acres	\$5,750 \$6,325
15.1 – 20.0 acres	\$6,900 \$7,600
Each additional 10 acres	\$3,450 • (or \$345 per acre) \$3,800 (380 per acre)

Maintenance Inspection Fee	
SCD is responsible for inspection of the stormwater facilities for perpetuity.	
Stormwater facilities such as ponds, underground systems, bioretention and structural water quality facilities. (<i>Interconnected ponds will not be considered as one facility.</i>)	\$850 per facility \$935
Filtering Practices (Bioswales, filter strips, etc.)	\$275 \$300 per practice not to exceed \$1,000

As-Built Review Fee	
All projects are required to submit an as-built survey 60 days after initial construction.	
As-Built Review	\$575 \$625

- Projects that will disturb less than 5,000 square feet are exempt from the Delaware’s Sediment and Stormwater Regulations.
- Standard Plans can be used for minimal earth disturbance projects for Sediment and Erosion Control where stormwater management is not required. Projects not eligible for a Standard Plan must submit a Detailed Plan for District review and approval.
- The review, inspection, and maintenance fees are to be paid prior to receiving District approval. Please note that the review fee is to be paid at the initial plan submittal and the remaining fees can be collected later, however, they must be received prior to receiving District approval.
- A Sediment and Stormwater Approval is valid for 5 years from the date that is stamped on the approved plans. If construction does not begin within five years, the approved plan will be considered to have expired and must be resubmitted to the District for a new review.

- If an approved project has never initiated constructed and the developer does not intend to proceed, then a refund of the maintenance and inspection fee prior to the project expiring can be requested. Please note under no circumstance will a refund be granted for a project that was initiated but never completed.
- The District charges \$500 ~~\$600~~ to extend the Sediment and Stormwater Approval. Please reference the Permit Extension Memorandum located on the District website at Sussexconservation.org.

DRAFT



Poultry Plan Fee Schedule

STANDARDIZED APPROACH

Review Fee	
1-3 Poultry Houses	\$600/ \$660
4-6 Poultry Houses	\$850/ \$935
7-10 Poultry Houses	\$1,150/ \$1,265
11-15 Poultry Houses	\$1,750/ \$1,925
16+ Poultry Houses	\$2,300 \$2,530

Inspection Fee	
1 Poultry House	\$600/ \$660
2 Poultry Houses	\$1,150/ \$1,265
3 Poultry Houses	\$1,750/ \$1,925
4 Poultry Houses	\$2,300/ \$2,530
5 Poultry Houses	\$2,875/ \$3,160
6 Poultry Houses	\$3,450/ \$3,795
Each Additional House	\$600/ \$660

Maintenance Inspection Fee
\$500// \$550 per pond



Memo

To: Design Consultants/Developers

From: Jessica Watson, Program Manager

Effective Date: January 1, 2024

RE: Policy and Procedures for Expedited Review of Sediment and Stormwater Plans

A formal request for expedited review must be submitted to the Sussex Conservation District (SCD) along with an explanation of the need and clarification that it does not meet the exclusions referenced below.

- Only initial Eligible Project submittals will qualify. Resubmittals on the standard 30-day calendar cycle cannot opt into Expedited Review. In addition, projects that are in Expedited Review cannot opt out.

ELIGIBLE PROJECTS:

- Detailed Sediment and Stormwater Plan Review
- As-built Plan Review

EXCLUDED PROJECTS:

- DNREC Identified Contaminated Sites that require remediation.
- Site designs where the construction of the stormwater BMP will require permits for wetland impacts.
- Sump/no outfall condition with no infiltration.
- Sites having downstream conditions that require additional study including inadequate pipe or channel capacity; or documented historical drainage/flooding.

REVIEW AGENCY:

- The Sussex Conservation District (SCD) will provide the review within 10 business days. If SCD is unable to complete the review, the project will be reviewed by:
 - Kent Conservation District (KCD)
 - or
 - Third Party Consultant

REVIEW FEE:

- For expedited reviews by SCD, the fee is three times the regular review fee charged by SCD for a maximum of two reviews.
- For expedited reviews by KCD, or a third-party consultant, the fee is the regular SCD fee plus the fees charged for review by KCD or third-party consultant.

REVIEW PROCEDURES/TIME:

1. All projects must have a pre-application meeting upon receipt of the Step 1: Stormwater Assessment Study (SAS) Checklist.
https://www.sussexconservation.org/images/pdfs/Stormwater_pdf/Step_1_SAS_Checklist_Revision_2021-01-01.pdf
2. Meeting minutes are submitted within a week following the pre-application meeting.
3. Submittal and approval of the "Request for Expedited Sediment and Stormwater Review"
4. Project will be reviewed within 10 business days upon receipt of a complete plan submittal:
 - I. Copy of approved SAS meeting minutes
 - II. Completed SCD Application
https://www.sussexconservation.org/images/pdfs/Stormwater_pdf/Sediment_and_Stormwater_Plan_App.pdf
 - III. Applicable Review Fee
 - IV. One set of plans and report along with an electronic copy of each
 - V. Completed Checklist

Exemptions to these guidelines require the approval of the District Coordinator.



REQUEST FOR EXPEDITED SEDIMENT AND STORMWATER REVIEW

Project Name: _____ **Date:** _____

Applicant Name: _____ **Email:** _____

Consultant Name: _____ **Email:** _____

Date of Preapplication Meeting: _____ **Meeting minutes approved:** Yes /No

Project Type:

- Detailed Plan
- As built

Explanation for the Request

1. Project will be reviewed within 10 business days upon receipt of a complete plan submittal, including:
 - I. Copy of approved SAS meeting minutes
 - II. Completed SCD Application
[https://www.sussexconservation.org/images/pdfs/Stormwater_pdf/Sediment and Stormwater Plan App.pdf](https://www.sussexconservation.org/images/pdfs/Stormwater_pdf/Sediment_and_Stormwater_Plan_App.pdf)
 - III. Applicable Review Fee
 - IV. One set of plans and report along with an electronic copy of each
 - V. Completed Checklist

I have reviewed the Policy and Procedures for Expedited Review.

Developer Signature: _____ **Date:** _____

Consultant Signature: _____ **Date:** _____

The Sussex Conservation District will provide the review within 10 business days. If SCD is unable to complete the review, the project will be reviewed by the Kent Conservation District or a third-party consultant.

THIS PORTION TO BE COMPLETED BY SCD

Project to be reviewed by:

- SCD
- KCD
- THIRD PARTY CONSULTANT

PROJECTS BEING REVIEWED BY THIRD PARTY CONSULTANT WILL RECEIVE A SEPARATE CONTRACT OF UNDERSTANDING FOR THE REVIEW FEE.

Approved Application: _____ Date: _____

ACTION ITEM 3

STORMWATER BONDING AGREEMENT REVISIONS

BACKGROUND:

The original bonds, policy, and agreement were developed in 2014. SCD felt that it was time to re-review and update documents. Our attorney proposed all changes—copies of the agreements are sent in a separate attachment and will be available on our website once we have board approval.

RECOMMENDATION:

Approve the Stormwater Bonding Agreement Revision as presented.

MOTION:

Moved by _____ and seconded by _____ to approve the Stormwater Bonding Agreement revisions. Motion _____.

ACTION ITEM 4

CAPITAL PURCHASE EQUIPMENT PROGRAM

BACKGROUND:

The equipment program proposes the purchase of a new dump truck that was included in the 2024 budget. We own a 2003 Mack Tandem Axle Dump Truck and a 2012 Freightliner Tri-Axle. The goal is to replace both dump trucks with a single truck with more reliability and less downtime due to repairs and maintenance. We have explored and looked at many 'lightly' used trucks across the country, and with the current market and limited inventory of new trucks, they are priced comparable to a new truck. We have priced (2) brands of trucks from (3) different dealers, and the prices and availability are listed below.

2025 Peterbilt Tri Axle Dump Truck w/ Steel Body, Pintle Hitch, and Trailer Air Hook-Up \$252,661.00

Priced from the Pete Store in Seaford with an approx. Delivery of 5-7 Weeks

2025 Mack Tri Axle Dump Truck w/ Steel Body, Pintle Hitch, and Trailer Air Hook-Up \$233,455.00

Priced from Bergey's Truck Center in Delmar with an approx. Delivery of Fall of 2025 with no guarantee on the quoted price or delivery until build slots are available and model year pricing is released.

2024 Mack Tri Axle Dump Truck w/ Steel Body, Pintle Hitch, and Trailer Air Hook-Up \$250,643.92

Priced from McMahan Truck Centers in Nashville with an approx. Delivery date of Immediately. Delivery price will be available by the board meeting.

RECOMMENDATION:

We recommend purchasing the 2024 Mack Triaxle Dump Truck from McMahan Truck Centers with a total Truck Cost of \$250,643.92 + Delivery to Delaware.

We also recommend declaring the 2003 Mack Tandem Axle Dump Truck and the 2012 Freightliner Triaxle dump truck as surplus equipment available to sell.

MOTION:

Moved by _____ and seconded by _____ to approve the purchase of We are recommending the purchase of the 2024 Mack Triaxle Dump Truck from McMahan Truck Centers with a total Truck Cost of \$250,643.92 + Delivery to Delaware and declare the 2003 Mack Tandem Axle Dump Truck and the 2012 Freightliner Triaxle dump truck as surplus equipment and available to sell.

Motion _____.

ACTION ITEM 5 HOLLY OAK-DORMAN ROAD- BID AWARD

BACKGROUND:

SCD solicited bids on a project known as Holly Oak-Dorman Road in January. The project is located near Dorman Road and Holly Oaks subdivision, Lewes, DE.

The work under this project will consist of clearing and grubbing to the limits of disturbance necessary to replace crossing pipes. All debris associated with clearing and grubbing shall be removed by the contractor and disposed of in accordance with DNREC guidelines.

SCD received one bid for the project from Common Sense Solutions.

RECOMMENDATION:

Award bid to the sole bidder, Common Sense Solutions, for \$179,484.70.

MOTION:

Moved by _____ and seconded by _____ to award a bid to Common Sense Solutions for the Holly Oak Dorman Road Project for \$179,484.70. Motion _____.

ACTION ITEM 6 AUTHORIZED ACCOUNT SIGNERS

BACKGROUND:

The District currently has 1.4 million dollars in a Citizens bank account, earning 0.70% interest. Three new CDs can be set up, each earning around 4.0%.

- \$250,000 at WSFS, earning 4.6% for 18 months.
- \$250,000 at Dover FCU, earning 4.5% for 12 months.
- \$250,000 at Shore United Bank, earning 2.96% for 15 months.

Most financial institutions will require a formal resolution adopted by the Board designating authorized account signers, which the Board requests.

RECOMMENDATION:

Adopt a resolution authorizing Dale Ockels and David Baird to be account signers.

MOTION:

Moved by _____ and seconded by _____ to open three new certificates of deposit stated above. Motion _____.