

**Bart Svoboda**

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**From:** Timothy Kindrick <timothy\_kindrick@hotmail.com>  
**Sent:** Tuesday, December 20, 2022 5:27 PM  
**To:** Bart Svoboda  
**Cc:** Jodie Filardo  
**Subject:** Fw: Project checkout and current conditions

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Could the email below from Kory Kirkland be included with my packet. It shows that I am following his recommendations from 2021 for both intent and application.

I also asked him to check the streams which he did and is mentioned in the email.

Thank You  
 Tim Kindrick

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**From:** Kirkland, Kory - NRCS, Louisa, VA <kory.kirkland@usda.gov>  
**Sent:** Tuesday, December 20, 2022 3:26 PM  
**To:** Timothy Kindrick <timothy\_kindrick@hotmail.com>  
**Subject:** Project checkout and current conditions

Hello Mr. Kindrick,

While we were out at the farm last week (Friday, Dec 16<sup>th</sup>) inspecting and measuring the recently completed livestock exclusion fence, as requested I also looked at the area where you are applying the clean fill dirt. Based on my observations, the area where the soil is actively being applied is a site where vulnerability is limited given the well-established surrounding vegetation, the area is hundreds of feet from any surface waters and it is located on a suitable slope. The soil is being applied, smoothed, compacted in increments, and left with a temporary surface roughness to help dissipate the energy of any surface flow during rain events. Thank you for following the recommendations I provided in my previous correspondence (11/5/2021) for the intent of the work and the methods of application. Just a consideration when appropriate and also as mentioned previously, if work should stop for any extended length of time I would recommend mulching and/or seeding the area to provide temporary cover. Given that work is ongoing (weather permitting) I understand why that has not occurred. The area is stable and I did not see any active erosion nor any effects on water quality leaving the site.

The new stream exclusion fences look good as well and should have a long, productive lifespan providing water quality and animal health benefits for the livestock that once used the riparian areas. The spring branches, small creeks and other drainages are already showing those benefits.

Thank you,

Kory Kirkland  
 USDA-NRCS  
 District Conservationist  
 540-603-3204

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## Bart Svoboda

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**From:** Kirkland, Kory - NRCS, Louisa, VA <kory.kirkland@usda.gov>  
**Sent:** Friday, November 5, 2021 11:35 AM  
**To:** Frank Pohl  
**Cc:** Bart Svoboda; Kenny Thacker; Timothy Kindrick  
**Subject:** RE: [External Email]RE: Area to be impacted

Hello Frank,

As a follow-up to our phone call and based on the map that Mr. Kindrick has provided below are some comments:

I have been working with Tim Kindrick on a multiyear project to conserve, improve, and protect the natural resources on his farm. This project promotes improved pasture condition and use, permanent/perennial vegetation, and some use exclusion on areas that are most vulnerable. Part of the project area includes the area that Mr. Kindrick has proposed to use clean fill dirt as a land treatment to improve existing condition for continued/improved agricultural use.

The predominant soil type at this location is Hayesville loam. Hayesville is generally a good productive soil, but it has limitations due to its vulnerability to surface erosion. Historically many of these soils have been limited through intensity of use. This site reflects that soil condition.

Based on existing condition (roughness, uneven grades, lack of positive drainage at highest point) I believe what Mr. Kindrick is proposing can bring benefit to the sites existing agricultural use if done properly. Mr. Kindrick and I have discussed filling and compacting (to mimic a natural soil condition), grading/shaping (to mimic the natural landscape and natural landforms), need for inputs (lime/fertilizer/living roots) to improve condition for commonly occurring agricultural commodities, and the need for mulching and seasonal/temporary cover until a permanent/perennial agricultural solution is applied.

I hope this helps. Let me know if you have any questions or need additional input.

Thank you

Kory Kirkland  
 USDA-NRCS  
 District Conservationist  
 540-603-3204

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**From:** Frank Pohl <fpohl@albemarle.org>  
**Sent:** Friday, November 5, 2021 10:43 AM  
**To:** Kirkland, Kory - NRCS, Louisa, VA <kory.kirkland@usda.gov>  
**Cc:** Bart Svoboda <bsvoboda@albemarle.org>; Kenny Thacker <kthacker3@albemarle.org>; Timothy Kindrick <timothy\_kindrick@hotmail.com>  
**Subject:** [External Email]RE: Area to be impacted

[External Email]

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Kory,

Once we receive your input in writing, we can move forward.

Sincerely,  
Frank

**Frank V. Pohl, PE, CFM**  
*County Engineer*  
Albemarle County

[fpohl@albemarle.org](mailto:fpohl@albemarle.org)  
434-296-5832 x7914  
401 McIntire Road, North Wing, Charlottesville, VA 22902

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**From:** Timothy Kindrick <[timothy\\_kindrick@hotmail.com](mailto:timothy_kindrick@hotmail.com)>  
**Sent:** Thursday, November 4, 2021 9:21 AM  
**To:** Frank Pohl <[fpohl@albemarle.org](mailto:fpohl@albemarle.org)>  
**Cc:** Kirkland, Kory - NRCS, Louisa, VA <[kory.kirkland@usda.gov](mailto:kory.kirkland@usda.gov)>; Bart Svoboda <[bsvoboda@albemarle.org](mailto:bsvoboda@albemarle.org)>; Kenny Thacker <[kthacker3@albemarle.org](mailto:kthacker3@albemarle.org)>  
**Subject:** Re: Area to be impacted

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Frank,

I just wanted to make sure you got the sketch and hopefully it meets your needs. I am hoping you can get with Kory today and we can move forward on this.

Thank You  
Tim Kindrick

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**From:** Frank Pohl <[fpohl@albemarle.org](mailto:fpohl@albemarle.org)>  
**Sent:** Wednesday, November 3, 2021 12:07 PM  
**To:** Timothy Kindrick <[timothy\\_kindrick@hotmail.com](mailto:timothy_kindrick@hotmail.com)>  
**Cc:** Kirkland, Kory - NRCS, Louisa, VA <[kory.kirkland@usda.gov](mailto:kory.kirkland@usda.gov)>; Bart Svoboda <[bsvoboda@albemarle.org](mailto:bsvoboda@albemarle.org)>; Kenny Thacker <[kthacker3@albemarle.org](mailto:kthacker3@albemarle.org)>  
**Subject:** RE: Area to be impacted

Mr. Kindrick,

I just spoke with Mr. Kirkland. Please sketch on the attached plan where you plan to augment your soils so that we are all on the same page. Once we have this, Mr. Kirkland stated he could provide a recommendation, which will allow the County to issue a final determination on this matter.

Sincerely,  
Frank

**Frank V. Pohl, PE, CFM**  
*County Engineer*

Albemarle County

[fpohl@albemarle.org](mailto:fpohl@albemarle.org)

434-296-5832 x7914

401 McIntire Road, North Wing, Charlottesville, VA 22902

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**From:** Timothy Kindrick <[timothy\\_kindrick@hotmail.com](mailto:timothy_kindrick@hotmail.com)>

**Sent:** Wednesday, November 3, 2021 9:36 AM

**To:** Frank Pohl <[fpohl@albemarle.org](mailto:fpohl@albemarle.org)>; Kirkland, Kory - NRCS, Louisa, VA <[kory.kirkland@usda.gov](mailto:kory.kirkland@usda.gov)>

**Subject:** Re: Area to be impacted

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I understand. He is expecting your call and hopefully will be in the office this morning. I have included his email address on this email in case you need to contact hmi electronically.

Thanks

Tim

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**From:** Frank Pohl <[fpohl@albemarle.org](mailto:fpohl@albemarle.org)>

**Sent:** Tuesday, November 2, 2021 5:01 PM

**To:** Timothy Kindrick <[timothy\\_kindrick@hotmail.com](mailto:timothy_kindrick@hotmail.com)>

**Cc:** Bart Svoboda <[bsvoboda@albemarle.org](mailto:bsvoboda@albemarle.org)>

**Subject:** RE: Area to be impacted

Mr. Kindrick,

I didn't have time this afternoon to call Mr. Kirkland, so will try him in the morning.

Thank you for the call this afternoon, I will touch base with you tomorrow.

Sincerely,

Frank

**Frank V. Pohl, PE, CFM**

*County Engineer*

Albemarle County

[fpohl@albemarle.org](mailto:fpohl@albemarle.org)

434-296-5832 x7914

401 McIntire Road, North Wing, Charlottesville, VA 22902

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**From:** Timothy Kindrick <[timothy\\_kindrick@hotmail.com](mailto:timothy_kindrick@hotmail.com)>

**Sent:** Tuesday, November 2, 2021 2:51 PM

**To:** Frank Pohl <[fpohl@albemarle.org](mailto:fpohl@albemarle.org)>

**Subject:** Area to be impacted

**CAUTION: This message originated outside the County of Albemarle email system. DO NOT CLICK on links or open attachments unless you are sure the content is safe.**

Frank,

This is the only document that I had and hopefully it will work for what you need the highlighted area is what I am working on.

Please let me know if this will work.

Thank You  
Tim Kindrick





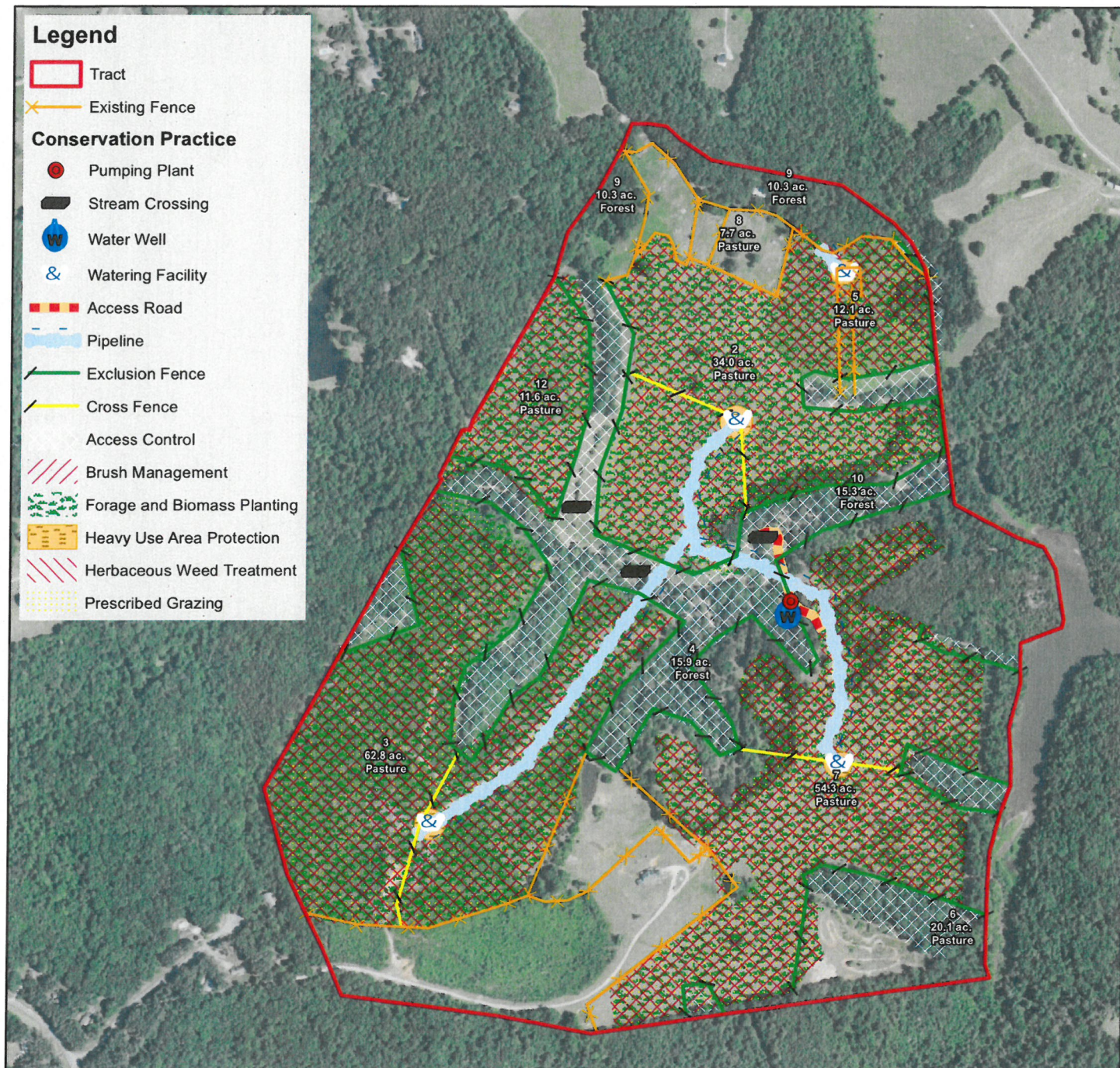
## Plan Map

State: Virginia  
County: Albemarle

Assisted by: Jon Lipinski  
Soil Conservationist  
Louisa Service Center  
Thomas Jefferson SWCD

Date: 10-26-2017

Producer: T. Kindrick



0 412.5 825 1,650 2,475  
Feet

1:8,400

Map accuracy is for a scale  
of 1:12,000. Some distortions may  
exist when zoomed at larger scale.

1 inch = 700 feet



Background image:  
"Aerial Photography"  
Date: Summer 2013



### CONSERVATION PROGRAM CONTRACT

<b>Participant:</b> TIMOTHY K KINDRICK	<b>Program and Contract Number:</b> EQIP 2014 7433A7180AQ
<b>County and State:</b> ALBEMARLE County, VA	<b>Subaccount:</b> Livestock - Farmville (Area III - Farmville)
<b>Watershed:</b> Jacobs Run-North Fork Rivanna River	This agreement is effective on the date signed by the Natural Resources Conservation Service obligating official unless specified otherwise in the applicable Appendix and extends through <b>12/31/2021</b>

- The undersigned participants enter into this contract with the Natural Resources Conservation Service (NRCS) to implement and/or maintain specific conservation practices, as set forth in the Conservation Plan Schedule of Operations (NRCS-CPA-1155) on the property as identified on the plan map. In consideration for the implementation and/or maintenance of the practices, the NRCS will make payments to the participant(s) in the amount(s) described in the Schedule of Operations as outlined in the Appendix.
- This agreement is comprised of this Conservation Program Contract form NRCS-CPA-1202. The NRCS-CPA-1202 Appendix and the NRCS-CPA-1155 Plan Schedule of Operations and plan map are hereby fully incorporated into this document and are binding upon the participant(s). The NRCS-CPA-1155 may be modified through execution of a Modification form (NRCS-CPA-1156) by both NRCS and the participant and becomes a part of the contract when both parties have agreed to and signed the Modification.
- The participant(s) agree:
  - to implement and maintain conservation practices for the life of this agreement in compliance with the plan or schedule of operations and in accordance with the standards, specifications, and other special program criteria obtained from NRCS;
  - to forfeit further payments under this agreement and refund the United States, in amounts determined by NRCS, any payments received hereunder upon NRCS determination that participant(s) have violated the material terms of this agreement or accept such payment adjustments as NRCS may deem appropriate if NRCS decides that the participant's violation does not warrant termination of the agreement; and
  - to forfeit all rights to further payments under the agreement and refund to the United States, in amounts determined by NRCS, payments received hereunder if the subject land is transferred to a non-participant during the term of this agreement, unless the third party agrees to assume this agreement, and the NRCS consents to the modification.

#### 4. CONTRACT PARTICIPANTS

<b>Name, Address, Telephone</b> TIMOTHY K KINDRICK 4394 CARRIAGE HILL DR EARLYSVILLE, VA 22936 (434) 409-6224	<b>SSN or TAX ID if applicable</b> *****1151  <b>DUNS (non-individuals)</b>
<b>Signature</b>  TIMOTHY K KINDRICK	<b>Payment Shares</b> 100.00%
<b>Date</b> 12/21/2017	
<b>Signature required for modifications</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<b>Signature acceptable for payments</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

#### 5. CONTRACT OBLIGATIONS

2018	2019	2020								Total
\$30,035	\$121,978	\$24,152								\$176,165
										\$176,165



**CONSERVATION PROGRAM CONTRACT**

<b>Participant:</b> TIMOTHY K KINDRICK	<b>Program and Contract Number:</b> EQIP 2014 7433A7180AQ
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**6. NRCS APPROVING OFFICIALS**

<b>Application Approval</b>  <b>KORY KIRKLAND</b> USDA electronic signature; manual signature not required.  <b>Date:</b> 1/9/2018	<b>Contract Obligation</b>  <b>KILBY MAJETTE</b> USDA electronic signature; manual signature not required.  <b>Date:</b> 1/31/2018
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US DEPARTMENT OF AGRICULTURE NATURAL RESOURCES CONSERVATION SERVICE		REVISION OF PLAN / SCHEDULE OF OPERATIONS OR MODIFICATION OF A CONTRACT		NRCS-CPA-1156 03/2019	
PARTICIPANT TIMOTHY K KINDRICK		COUNTY AND STATE ALBEMARLE County, VA	PROGRAM AND CONTRACT NUMBER EQIP 2014 7433A7180AQ	SUBACCOUNT Livestock - Farmville (Area III - Farmville)	
LAND UNITS OR LEGAL DESCRIPTION Farm 1643 Tract(s) 3833		ACRES 160	MODIFICATION NUMBER AND DATE 4 --- N/A	EXPIRATION DATE 12/31/2023	

Contract Items 1: Water Well(642)										Practice Lifespan: 20 years										Status: Certified 5/29/2018									
Install a well.																													
Fields: Tract 3833 Fields: 2;																													
Contract Item	Planned Conservation Treatment	Certified Amount	Unit Cost	Cost Share Rate/Method	COMPLETION SCHEDULE AND ESTIMATED COST-SHARE OR PAYMENT BY YEAR																								
1	Water Well(642)	320 no			2018	2019	2020	2021	2022																				
1a	HU-Drilled well for consolidated geologic sites with stable rock formations (limited casing)	320 ft	\$22.7900/ ft	PR¹	\$ 7,293	\$	\$	\$	\$																				
Notes: ¹Payment rates define the unit cost rate of compensation to be received by the participant.																													

Contract Items 2: Pumping Plant(533)										Practice Lifespan: 15 years										Status: Certified 10/10/2018									
Install a pumping facility to transfer water for a need(s).																													
Fields: Tract 3833 Fields: 2;																													
Contract Item	Planned Conservation Treatment	Certified Amount	Unit Cost	Cost Share Rate/Method	COMPLETION SCHEDULE AND ESTIMATED COST-SHARE OR PAYMENT BY YEAR																								
2	Pumping Plant(533)	1 no			2018	2019	2020	2021	2022																				
2a	HU-Pump <= 1.5 HP	1 Ea	\$2,378 0400 / Ea	PR¹	\$ 2,378	\$	\$	\$	\$																				
Notes: ¹Payment rates define the unit cost rate of compensation to be received by the participant.																													

RE: [External Email]RE: Area to be impacted

Kirkland, Kory - NRCS, Louisa, VA <kory.kirkland@usda.gov>

Fri 11/5/2021 11:35 AM

To: Frank Pohl <fpohl@albemarle.org>

Cc: Bart Svoboda <bsvoboda@albemarle.org>; Kenny Thacker <kthacker3@albemarle.org>; Timothy Kindrick <timothy\_kindrick@hotmail.com>

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The predominant soil type at this location is Hayesville loam. Hayesville is generally a good productive soil, but it has limitations due to its vulnerability to surface erosion. Historically many of these soils have been limited through intensity of use. This site reflects that soil condition.

Based on existing condition (roughness, uneven grades, lack of positive drainage at highest point) I believe what Mr. Kindrick is proposing can bring benefit to the sites existing agricultural use if done properly. Mr. Kindrick and I have discussed filling and compacting (to mimic a natural soil condition), grading/shaping (to mimic the natural landscape and natural landforms), need for inputs (lime/fertilizer/living roots) to improve condition for commonly occurring agricultural commodities, and the need for mulching and seasonal/temporary cover until a permanent/perennial agricultural solution is applied.

I hope this helps. Let me know if you have any questions or need additional input.

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Kory Kirkland  
USDA-NRCS  
District Conservationist  
540-603-3204

From: Frank Pohl <fpohl@albemarle.org>

Sent: Friday, November 5, 2021 10:43 AM

To: Kirkland, Kory - NRCS, Louisa, VA <kory.kirkland@usda.gov>

Cc: Bart Svoboda <bsvoboda@albemarle.org>; Kenny Thacker <kthacker3@albemarle.org>; Timothy Kindrick <timothy\_kindrick@hotmail.com>

Subject: [External Email]RE: Area to be impacted

[External Email]

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Kory,

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