

NYS Soil & Water Conservation Committee
1 Winners Circle, Albany, NY 12235 – Telephone (518) 457-3738

STATE COMMITTEE MEETING

October 28, 2003-Corning

Present: D. Hill, G. Proios, R. Aman, C. Yunker, Voting Members; D. Taylor, Former Voting Member; R. Kaplewicz, Executive Director; J. Ten Eyck, B. Steinmuller, T. Brace, L. Miller, SWCC Staff; R. Lewis, SWCC/NRCS; S. Machovec, J. R. Flores, NRCS; R. Christensen, S. Collins, NYSDAM; J. Gergela, NYACD; M. Watts, Chemung SWCD; D. Glance, Citizens Campaign for the Environment; G. Chartier, NYSDEC; K. Lewis, NYSCDEA.

Call to Order

D. Hill called the meeting to order at 10:10 a.m. Introductions were made.

Review/Approval of Minutes

G. Proios moved to approve the minutes of the September meeting as presented; seconded by R. Aman. Motion passed; carried.

Correspondence

Letters & Memos

1. From Susan C. Pratt, Chief of Staff to Barbara Lifton; NYS Assembly. RE: Principal's Tour. Letter dated September 17, 2003.
2. From Congressman Sherwood Boehlert to Ron Kaplewicz. RE: New York State food products. Letter dated September 30, 2003.
3. From Tom Brace, Water Quality Specialist, WNY to Allegany County SWCD. RE: Grant funding for shared bunk silo. Letter dated October 8, 2003.

Reports & News Letters

1. Delaware County Soil and Water Advocate, Fall 2003.
2. USDA Structure of the Global Markets for Meat, Agricultural Information Bulletin Number 785.
3. Oklahoma Conservation Commission, Information for and about Oklahoma's Conservation Districts, Volume 48, No. 8, August 2003.
4. N A C D News & Views, The National Association of Conservation Districts, September/October 2003.
5. Buffer Notes, Celebrating 1,000 Buffer Miles, August 2003.
6. USDA Manure Management for Water Quality. Costs to Animal Feeding Operations of Applying Manure Nutrients to Land; Agricultural Economic Report Number 824.
7. NYSERDA, Securing New York State's Energy Future, A Three-Year Strategic Outlook 2003-2006.
8. Community, Food and Agricultural Program News, Volume 11, No. 3, Summer 2003, Cornell University.
9. National Urban and Community Forestry Advisory Council 2004 Challenge Cost-Share Grant Program, Request for Pre-Proposals.

Discussion regarding the pesticide resolution and the broad topic of communicating messages to the governor and/or legislature continued. It was noted that NYACD is the legislative arm for soil and water conservation districts, carrying messages to the legislature and governor. R. Kaplewicz advised the Committee that the Pesticide Program is being advanced by actively implementing various county and regional initiatives around the state. He also reminded the

Committee that a process for legislative communication needs to be developed with State Committee involvement.

AEM Strategic Plan Review and Approval, J. Ten Eyck

The AEM Strategic Plan was presented for approval. **G. Proios moved to adopt and whole heartedly endorse the AEM Strategic Plan as presented; seconded by C. Yunker. Motion passed; carried.**

CREP Update, R. Kaplewicz

R. Kaplewicz distributed an informational handout and advised the Committee that the signing ceremony will be held in Rensselaer County on October 29th. R. Aman asked when the program will be on the ground implementing projects. R. Kaplewicz told the Committee that next spring is a realistic time frame.

Agricultural Nonpoint Source Abatement and Control Program, B. Steinmuller
STATUS OF ROUNDS I-VIII

Of 275 projects, 104 are active and 173 are complete. All Round VIII projects are active. There is one pending contract in Round VI and one in Round VII.

ROUND IX

Plans of work have been submitted for all 37 projects originally funded through Round IX, and contract development is in progress. 33 contracts are fully executed. An additional two projects are being funded through the Bond Act in Suffolk County, and five additional projects were awarded EPF funds. Plans of Work for these projects are currently being reviewed.

ROUND X

The RFP was approved at the September State Committee meeting and was released on September 26th. A question and answer forum has been posted on the web and will continue through November 14th. Proposals are due at the Albany office on November 21, 2003.

AMENDMENT REQUESTS → MOTIONS NEEDED

1. Suffolk SWCD – Animal Waste System for Flanders Bay – Round VI – C700047
Request: time extension from 12/31/03 to 12/31/04 (original end date was 12/31/01)
Reason: additional time needed to complete BMP installation
Previous Amendments: 1 time extension

C. Yunker moved to approve the time extension; seconded by R. Aman. Motion passed; carried. G. Proios recused himself.

2. Washington SWCD – White Creek/Salem Aquifer AEM Implementation – Round V – C700039
Request: time extension from 9/30/03 to 11/30/03 (original end date was 3/31/01)
Reason: additional time to complete BMP installation due to weather delays, engineering problems, and last minute decisions by participating landowners
Previous Amendments: 3 time extensions, 1 change in landowners

G. Proios moved to approve the time extension with an additional 30 days making the new end date 12/30/03; seconded by C. Yunker. Motion passed; carried.

3. Yates SWCD – Keuka Lake Watershed AEM Pilot Project Implementation Grant – Round VI – C700602
Request: remove one farm and transfer unused implementation funds to engineering services
Reason: farmer withdrew due to time constraints and other construction conflicts

Previous Amendments: 2 time extensions, 3 changes in landowners

C. Yunker moved to approve the removal of the landowner and the transfer of funds; seconded by R. Aman. Motion passed; carried.

4. Schoharie SWCD – Schoharie County CAFO Farm Implementation – Round IX – C700725
Request: add one BMP on one farm
Reason: funds available and BMP recommended
Previous Amendments: 1 change in BMP

C. Yunker moved to approve the additional BMP; seconded by R. Aman. Motion passed; carried.

Staff Approved Amendments

1. Delaware SWCD – W. Branch Delaware River Stream Corridor Restoration – Round VII – C700628
Request 1: time extension from 12/31/03 to 2/28/05
Reason 1: additional time needed to complete BMP installation
Request 2: change two landowners
Reason 2: One landowner sold the operation and one voluntarily withdrew
Approved by J. Schumacher, 9/23/03 (both requests)
2. Onondaga SWCD – Development and Implementation of WFP in the Skaneateles Lake Watershed – Round VIII – C700685
Request: time extension from 12/31/03 to 12/31/04
Reason: additional time needed to complete BMP installation
Approved by J. Schumacher, 10/10/03
3. Erie SWCD – Upper Buffalo River Watershed Project-Phase II – Round VI – C700604
Request: change BMPs on three farms
Reason: funds available and BMPs recommended
Approved by T. Brace/E. Svenson 10/21/03
4. Tompkins SWCD – E. Susquehanna River Basin Management Intensive Grazing – Round VII – C700658
Request: change one landowner and two BMPs on the new participating farm
Reason: original landowner has sold the operation to another landowner, the new landowner will be maintaining one BMP on farm but is not interested in implementing the other two, the landowner replacing the original will be implementing the other two BMPs on his farm
Approved by J. Schumacher 10/16/03
5. Schoharie SWCD – Schoharie County CAFO Farm Implementation – Round IX – C700725
Request: change one BMP for another on one farm
Reason: change will result in a greater water quality benefit
Approved by L. Miller/E. Svenson 10/10/03
6. Fulton SWCD – Cayadutta Creek Watershed Implementation Project – Round VII – C700631
Request: time extension from 12/31/03 to 12/31/04
Reason: additional time needed to complete BMPs due to undesirable weather conditions

Approved by S. Lanthier 10/21/03

7. Cattaraugus SWCD – Upper Conewango Creek Ag. NPS Planning Project – Round VIII – T700672
Request: time extension from 9/30/03 to 12/30/03
Reason: additional time needed to complete planning activities
Approved by T. Brace/E. Svenson 10/9/03
8. Steuben SWCD – Chemung River Basin Prescribed Grazing Project – Round VIII – C700695
Request: time extension from 12/31/03 to 12/31/04
Reason: additional time needed to complete BMPs due to weather related delays
Approved by T. Brace/E. Svenson 10/23/03
9. Erie SWCD – CAFO/CNMP Project – Round VII – C700663
Request: add six additional CNMPs at no additional cost
Reason: funds available and CNMPs recommended
Approved by T. Brace/E. Svenson 10/24/03
10. Yates SWCD – Keuka Lake Watershed AEM Pilot Project Implementation Grant – Round VI – C700602
Request: add one BMP on one farm
Reason: funds available and BMP recommended
Approved by T. Brace/E. Svenson 9/30/03

CAFO Status, J. Ten Eyck

J. Ten Eyck gave a status of NOIs and CNMP/Appendix B certifications. All large CAFOs have completed their CNMPs and have submitted Appendix B certifications. Out of 515 approved medium-sized CAFOs, 216 have submitted Appendix B certifications. 306 medium facilities have submitted extension requests and all have been granted.

Annual Plans of Work, R. Kaplewicz

The following SWCD Annual Plans of Work were approved:

- Cattaraugus
- Columbia
- Monroe
- Orange
- Schenectady
- Westchester
- Rockland
- Chautauqua
- Madison
- Onondaga
- Otsego
- Warren
- Montgomery

CEM Update, R. Lewis, G. Chartier

R. Lewis advised the Committee that the three funded pilots are working towards completion.

- ◆ Dutchess County, in consultation with the CEM Workgroup, has been working on the development of CEM Assessment Worksheets.
- ◆ Erie County has been working on a Natural Resource Guide to be used statewide.
- ◆ The Upper Susquehanna Coalition has been conducting field tests by addressing communities' natural resource concerns utilizing the CEM toolkit.

R. Lewis distributed CEM's Short and Long Term Strategy and the Ten Step Process for the Development and Review of the CEM Assessment Worksheets.

Stormwater Update, L. Miller

L. Miller distributed a written report from the Stormwater Subcommittee meeting that was held on October 20th. L. Miller advised the Committee that a teleconference was held with the five Districts that will be administering the Stormwater Specialist positions to discuss details including job posting, interviews, time frame and District concerns.

Discussion ensued regarding the agricultural exemption for the Phase II program. J. Ten Eyck and S. Machovec advised the Committee that it appears that CAFOs working with the private sector are not exempt from developing an erosion and sediment control plan under the current MOU with DEC.

Other Reports and Comments, All

M. Watts handed out Chemung County SWCD's Water and Flood Control pamphlet. The pamphlet helps the public to investigate the potential natural resource concerns associated with flooding before they buy or build a home. M. Watts also discussed the issues that Chemung County SWCD has encountered with accessing the state's Attorney General's office when seeking guidance on the remediation process for stream flooding damage to private properties. He noted that the water of the state belongs to the people of the state, but the state does not provide assistance to help remediate damage from stream flooding.

D. Glance of the Citizens Campaign for the Environment told the Committee that they are working on funding which will assist communities with Stormwater Phase II compliance.

R. Christensen advised Committee that the EPA's loading factors for the Chesapeake Bay will be a challenge to meet. He told the Committee that the EPA has determined agriculture contributes two-thirds of the nutrient loading in the Bay. If certain factors are not met, a TMDL will be in place by 2010.

J.R. Flores told the Committee that he is looking forward to working with the Committee as the Acting State Conservationist. He advised the Committee that the Conservation Security Program will be out this year and NRCS will be looking for input from this Committee.

R. Kaplewicz distributed the calendar of meetings and events.

Meeting adjourned at 12:30 p.m.

Next meeting will be on December 16, 2003.

Dennis Hill, Chair

Ron Kaplewicz, Executive Director