

NYS Soil & Water Conservation Committee
10B Airline Drive, Albany, NY 12235 – Telephone (518) 457-3738

STATE COMMITTEE MINUTES
July 31, 2007
Hotel Utica, 102 Lafayette Street, Utica, NY

Present: D. Hill, D. Stein, G. Proios, B. Aman, Voting Members; R. Kaplewicz, Director; M. Latham, Assistant Director; J. Moody-Czub, J. Rusnica, M. Scott, Ag. and Markets; R. Rausch, B. Silvestri, (Schenectady SWCD), N. Lawler, C. Frasier, R. Lewis, L. Travis, L. Prezorski, J. Curatolo, SWCC Staff; M. Grennan, R. Alvarado, R. Young, NRCS; A. Eaton, DEC; P. Kaczmaczyk, DOH; P. Manning, DOS; B. Rogers, G. Bell, NYACD; P. Black, SUNYESF; D. Grantham, Cornell; J. Carmichael, NYSCDEA; D. Camp, D. Young, Spruce Haven Farms; Mike Pollock and Alex Zinman, Mike Pollock International

Call to Order:

D. Hill called the meeting to order at 10:20 a.m.

Introductions made. R. Kaplewicz announced web casting of this entire meeting and all future State Committee meetings. He also announced that B. Steinmuller would be absent from the meeting and was at the hospital with his wife awaiting the birth of their daughter, Lilah.

Review and Approval of Minutes

D. Stein moved to approve the June minutes as presented; seconded by B. Aman. Motion passed; carried.

Correspondence
Letters & Memos

R. Kaplewicz mentioned a letter dated July 2, 2007 from Brian Hall, Planning Manager, Onondaga SWCD to Commissioner Patrick Hooker regarding the AEM Working the Media Training in Batavia. R. Kaplewicz indicated these workshops have been well-received and in high demand.

R. Kaplewicz mentioned a letter dated July 12, 2007 from Keith E. Hurtgam, Chairman, Board of Directors, Niagara County SWCD to Ron Kaplewicz regarding USDA-NRCS New York Draft Efficiency Plan and the closing of the Lockport Field Office. R. Kaplewicz stated that NRCS, at the last 4-way partnership meeting, would be delaying the issue of collecting rent from soil and water conservation districts for a year. He also mentioned the discussion that was held regarding operational agreements as a way for districts to offset rent costs. NRCS has agreed to pilot the use of operational agreements in New York this next year. R. Kaplewicz asked R. Alvarado for any comments regarding these issues and the closure of several locations. R. Alvarado stated he was going to visit with each district to discuss opportunities. Some county offices have offered office space for NRCS. Some watersheds may team together. Much discussion ensued regarding office space, engineering concerns and closures.

R. Kaplewicz read a letter dated July 11, 2007 from Ronald Alvarado, State Conservationist, NRCS, to Jeffrey Carmichael, President, NYSCDEA regarding the NRCS' cutback on assistance to the Agricultural Nonpoint Source Abatement and Control Grant Program for Round XIV funding. J. Carmichael stated the need for the State to develop an engineering program. Every district cannot afford to hire an engineer. There is a question if engineering folks know the ag arena. R. Kaplewicz stated Round 14 will be a critical period in determining money spent on engineering costs. D. Stein uses a private engineer and is very satisfied with work they do on their CAFO.

R. Kaplewicz read a letter to Dennis Hill from Connie Patterson and Karl Czymmek regarding success of AEM and developing a partnership with dairy industry. Their committee is working on initiatives to support the dairy industry and enhance producer participation. They are looking to advance the cause of AEM in New York.

Reports & Newsletters

LEAD, New York, The Empire State Food & Agricultural Leadership Institute, Spring 2007

2006-2007 Summary Report for the Finger Lakes Nonpoint Source Pollution Control Program. This report is developed for Congressman Walsh to demonstrate how appropriated federal funds are being spent on water quality in the Finger Lakes area.

Bay Journal, The Chesapeake Newspaper, June 2007

N•A•C•D News & Views, May/June 2007

Open Space Institute's 2006 Annual Report, "Redefining Our Backyard".

CDEA News, July 2007

The Nor'Easter, Volume 9, Issue 1, June 2007

"Taking Root" – a newsletter for the NYS Urban and Community Forestry Council – Summer 2007

USDA Information Bulletin Number 26, "America's Diverse Family Farms 2007 Edition".

Oklahoma Conservation Commission, "Conservation Conversation"; info for and about Oklahoma's Conservation Districts; Vol. 53, No. 4/5, April/May 2007.

The Upper Delaware, Vol. 20. No. 2, Summer 2007.

Agricultural NPS Abatement & Control Grant Program

July 31, 2007 State Committee Meeting

STATUS OF ROUNDS I-XIII

Of 447 projects, 160 are active, 20 are pending and 267 are complete.

Staff Approved Amendments

1. Chautauqua SWCD – Conewango Creek Bunk Silo – Round 10 – C700745
Request 1: change of landowner
Reason 1: original landowner sold operation, new landowner identified as a priority through AEM
Request 2: change of budget, transferring funds from Other Direct Expenses to BMP Imp.
Reason 2: funds not needed in Other Direct, funds needed for BMP Implementation
Approved by T. Brace/B. Steinmuller 7/11/07
2. Wyoming SWCD – East Koy - Wiscoy Ag BMP Implementation – Round 12 – C700833
Request: change of BMPs
Reason: original request was for manure storage expansion, but a silage leachate system has become a greater water quality concern
Approved by T. Brace/B. Steinmuller 6/19/07

3. Madison SWCD – Oneida Lake Watershed Ag NPS Reduction Project – Round 9 – C700712
Request: change of landowner
Reason: original landowner is under DEC Consent Order and has sold their cows, new landowner identified as a priority through the AEM process
Approved by L. Travis 6/21/07
 4. Tompkins SWCD – Pasture Management of Cayuga and Owasco Lake Watershed – Round 13 – 51-2(Plan of Work)
Request: change of 2 landowners
Reason: original landowners did not respond to requests for commitment, new landowners identified as a priority through AEM process and GrazeNY.
Approved by J. Schumacher 5/10/07
 5. Madison SWCD – Upper Susquehanna Grazing Initiative – Round 13 – C700848
Request: change of landowner
Reason: original farmer sold cows, new farmer identified as a priority
Approved by L. Travis 7/23/07
 6. Tompkins SWCD – Pasture Management: Cayuga and Owasco Lake Watersheds – Round 10 – C700768
Request; change of landowner
Reason; one landowner withdrew from project, new landowner is located one quarter mile from tributary that feeds the Owasco Inlet
Approved by J. Schumacher 7/17/07
- M. Latham reported on the Agricultural NPS Abatement and Control Grant Program.

PROPOSAL RATING TIE BREAKER

In the event of a tie score of two or more proposals positioned on the threshold of available funding, a tie breaking procedure will be set.

This recommended tie breaking procedure does not constitute a ranking based on the Proposal Rating Sheet. The program evaluators have already ranked the proposals based on the Proposal Rating Sheet. The tie breaking procedure shall be used by the Director of the New York State Soil and Water Conservation Committee only in the event of a tie where two or more proposals share the same score and are ranked on the threshold of available funding.

First Category

If only enough funding is available to award one of the tied proposals in its entirety, then that proposal shall receive the award.

Second Category

If enough funds are available to cover the amount of any of the tied proposals then the tie breaking procedure will be initialized using quantifiable, objective criteria.

If tied proposals still remain equal after assessing the first criterion, then the subsequent criterion will be assessed to break the tie.

The criteria below will be assessed in order to break a tie and qualify one proposal over another:

Number of Farms

The proposal includes a higher number of farms.

If both proposals are still equal, then:

Cost-Share Percentages

The proposal includes a higher cash/in-kind contribution from the landowner(s).

For instance:

- *Three proposals received the same aggregated scores and \$300,000 is available.*
- *One proposal is for \$100,000. This proposal will receive funding*
- *Two other proposals are requesting \$200,000 (only enough funding is available for one) then the proposal that includes more farms will be selected to receive funds. If both proposals include the same number of farms, then the proposal that includes higher cash or in-kind match from the participating farms as reported on the budget then that proposal will be elevated to receive funds.*

R. Kaplewicz recused D. Stein from the discussion regarding the tie breaker policy for Round 14. M. Latham discussed the tie breaker proposal B. Steinmuller and the counsel's office have suggested. There was much discussion on the tie breaker proposal. Comptroller asked for neutral unbiased criteria to be used in the event of a tie score of two or more proposals.

B. Aman made a motion to go ahead with the tie breaker proposal as presented. G. Proios seconded; motion passed carried.

M. Latham thanked Les Travis and Tom Brace for all of their work on editing and the research involved with preparing the Nonpoint Source Agricultural Management Practices Catalog. M. Latham asked the Committee members (between now and the next meeting on September 18) to suggest edits, changes, and recommendations for final presentation to the Department of Environmental Conservation for inclusion in the Nonpoint Source Catalog Directory. We will discuss recommendations at the September meeting and seek final approval of the Committee at that time.

D. Young from Spruce Haven Farm delivered a power point presentation on Cayuga County's Renewable Energy Project. He spoke on the Bigadan anaerobic digester and renewable energy production and the first two phases of this project. This presentation is available in its entirety as a part of the web-cast with this meeting.

Four-Way Partnership Strategic Vision

M. Grennan from NRCS spoke on the NRCS strategic plan and the ways the national plan will support New York State. The basic vision is productive lands helping the environment. The overall mission is to help people help the land. The six mission goals are: 1) high quality productive soils, 2) clean and abundant water, 3) healthy plant and animal communities, 4) clean air, 5) adequate energy supply and 6) working farm and ranch lands. Some of the guiding principles to attain these goals include providing the highest service to all clientele equally, partnership – traditional and non-traditional – and technical excellence. R. Kaplewicz stated the next meeting of the Four-Way Partnership will be held on Friday, August 31, 2007 in Syracuse and our next immediate objective is to develop a strategic plan for the partnership.

AEM Database Management System and Upper Susquehanna Coalition MOU

J. Curatolo delivered a power point demonstration on AEM data management system developed following the AEM structure to track BMP's throughout the Upper Susquehanna Coalition. He worked with Amanda Barber and Jeff Ten Eyck on this data management system in capturing what each county needs as far as number of farms, practices, etc. Tier 1 through 5 can all be tracked. This internet-based program would be ideal if it could be developed statewide whereby general information would be readily available for all to manage. The need for a data manager to act as liaison between districts as well as a computer "help" company would be necessary. J. Curatolo suggested piloting their program for the state.

Much discussion ensued regarding confidentiality issues, private information of farmers and whether they would be willing to have this information on the internet.

D. Stein made a motion to form a database management system working group as soon as possible to explore setting up a statewide program. B. Aman seconded; motion passed carried.

R. Kaplewicz suggested G. Proios chair the working group. G. Proios suggested R. Rausch could serve on this committee. J. Carmichael also expressed interest. R. Rausch will contact S. Ropel and M. Martel to serve on the committee.

The Upper Susquehanna Coalition ("USC") MOU, which was introduced at the last meeting, was discussed. G. Proios suggested adding the wording "within the USC" in two different locations in the body of the resolution.

G. Proios made a motion to approve the USC MOU Resolution. B. Aman seconded; motion passed carried.

Update on the Development of Rules and Regulations related to the Development of Performance Standards for Reimbursement to Districts

J. Rusnica reported that in the July 18, 2007 edition of the NYS Register the proposed rulemaking for "State Aid to Soil and Water Conservation Districts" was published. The public comment period expires COB September 4, 2007. Information was distributed that will be forwarded to all county Soil and Water Conservation Districts so they may request conservation project financial assistance pursuant to the provisions of Section 11-a (1)(b).

Other Reports – All

- G. Proios mentioned the development of the new Federal Farm Bill and amendments. J. Moody-Czub mentioned Jerry Cosgrove would be a contact person for our Department with regard to agriculture issues.
- D. Stein indicated that the Dairy Center of Excellence would like to develop a program similar to our AEM outreach initiative emphasizing the teaching of communication. He suggested they contact Barb Silvestri.
- D. Grantham mentioned two handouts she brought to the meeting; one entitled "Meeting the Challenge of Invasive Species". The other entitled, "Biofuels and Renewable Energy". She also mentioned the resignation of Keith Porter from the Water Research Institute. Susan Riha will be transitioning to Director of WRI at the end of September.

- B. Silvestri spoke on AEM Working with the Media Workshops. One was held at the request of the NYS Farm Bureau and the Northeast Dairy Council in Batavia last month. Thirty farmers and 16 AEM planners attended. Over 200 people have been trained since 2006. Six regional sessions were held this year. The NYS Farm Bureau has requested a workshop for the fall; Tuesday, October 23 in Ballston Spa. AEM Certified Planners have requested a meeting on Thursday, November 1 in Watertown for those who couldn't travel to Batavia. Another session will be held on Wednesday, November 7 in Geneseo. The Empire Farm Days is August 7–9, 2007. B. Silvestri distributed a tool for the workshops entitled, "Key Messages for Key Issues" and welcomes any changes or additions. B. Silvestri mentioned the AEM Annual Report is now available, and thanked Sarah Gordon, our summer intern, for all of her work in getting this done.
- G. Bell announced that the National Canon Environthon in Geneva, NY was underway and NACD was hosting the hospitality suite for judges and officials. He also announced that the National NACD Executive Director's meeting would be held August 2-4, 2007 and he is hosting the event. Barb Silvestri will be giving a presentation on AEM at this meeting on Friday, August 3, 2007. The Northeast Regional NACD meeting will be held the beginning of August in Mystic, CT.
- D. Hill stated NRCS people in Delaware County are working on getting emergency watershed projects done.
- J. Carmichael stated at the last NYSCDEA meeting on July 19, 2007, Dennis DeWeese from NRCS spoke on NRCS office closings. He also mentioned in Round 14, Districts will not be able to count on services by NRCS as in the past. The association will meet next on September 12 and 13, 2007 in Old Forge.
- P. Manning mentioned that the Department of State is working with Agriculture and Markets on an agricultural comprehensive planning program with local governments.
- P. Kaczmarczyk mentioned he is writing a paper for DOH on geothermal energy.
- R. Kaplewicz spoke with Amanda Barber on the Disaster Committee. We will have a report on this committee at the September meeting. Presently, we are working on budget issues trying to accomplish everything on the table with resources we have available. It is expected that we will have an increase in EPF funding for next year.

Next Meeting – Tuesday, September 18, 2007 at the NYS Department of Agriculture and Markets, Pride of NY Room, 10B Airline Drive, Albany, New York at 10:00 a.m.

Meeting adjourned at 3:10 p.m.

This web cast may be viewed in its entirety at:

<http://www.soil-water.executiveorder3.com/07.31.2007soil-water.html>