

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

STATE COMMITTEE MINUTES
April 15, 2008
Hotel Utica, 102 Lafayette Street, Utica, NY

Present: D. Hill, B. Aman, D. Stein, G. Proios, Voting Members; M. Latham, Assistant Director; J. TenEyck, M. Waro, C. Frasier, L. Travis, B. Steinmuller, R. Lewis, B. Silvestri, SWCC Staff; D. DeWeese, NRCS; L. Telega, Cornell; P. Black, SUNYESF; K. Roberts, DEC; D. Howard, St. Lawrence SWCD; M. Stephenson, NRCS Albany; P. Kaczmarczyk, DOH; J. Barber, J. Rusnica, Ag & Markets; B. Richards, Cornell University; D. Petit, NRCS; K. Lewis, Oneida SWCD; S. Lorraine, NYS CDEA.

Call to Order:

D. Hill called the meeting to order at 10:15 a.m.

Introductions made.

Correction; D. Stein announced from March *Other Reports*, the new Manure Specialist is Tim Shepard.

Review and Approval of Minutes

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

Correspondence

Letter dated March 31, 2008 to Ag & Mkts. Commissioner Patrick Hooker from Scotty Gladstone, Stream Program Coordinator, Delaware County SWCD regarding the March 13, 2008 "Working with the Media" workshop.

Letter dated March 28, 2008 to Paul Reck, Canandaigua, NY from Thomas Conway, General Counsel at NYS DOH regarding The Canandaigua Lake Water Commission's authority to charge fees for inspection services.

Reports & Newsletters

Finger Lakes RC&D 2007 Annual Report
Bay Journal – February and March 2008
Chemung County SWCD 2007 Natural Resources Activities
LEAD New York – Winter 2008 publication
Cattaraugus County SWCD's report: Spring 2008 Issue
National Watershed Coalition – Action Alert Bulletin
Wayne County SWCD Newsletter – Spring 2008
Wyoming County SWCD – 2007 Annual Report
Cortland County SWCD Newsletter – Spring 2008
Warren County SWCD 2007 Annual Report
Saratoga County SWCD "Conservation Connection" – 2008 Issue #1
ERS Summary – April 2008
Rural Futures – March/April 2008
"For Land's Sake" – Madison County SWCD Spring 2008 Newsletter
Northeastern IPM Center's "Insights" – February 2008
Ohio Department of Natural Resources' "News & Views" – Spring 2008
CDEA News – April 2008

**Agricultural NPS Abatement & Control Grant Program
April 15, 2008 State Committee Meeting**

STATUS OF ROUNDS 1-14

Of 505 contracts, 148 are active, 47 are pending and 295 are complete 15 contracts have been cancelled during the life of the program.

Round 14

According to the Department's Fiscal Management records, there is a balance of unused and available Environmental Protection Funds of \$456,033. This balance is sufficient to fund the two additional projects that are tied with an aggregate score of 170. Please consider the following resolution authorizing funding for project number 47 and 48 on the attached ranked list.

Resolution 08-02

That subject to the availability of funds, the Committee shall award funding for projects 47 (Montgomery SWCD 27-1), 48 (Sullivan SWCD 49-1) in the amounts recommended by the advisory members of the Committee, consistent with the Soil and Water Conservation Districts Law, the RFP, and any other law applicable to funding of such projects. Consistent with the RFP, the Committee authorizes the Department of Agriculture and Markets to negotiate the terms of the contract with the project sponsors and to make minor adjustments to the project description and budget as necessary to achieve project goals, conform to applicable laws and regulations, and to serve the best interests of the State.

MOTION: B. Aman moved to pass Resolution 08-02 approving the funding of projects 47 (Montgomery SWCD 27-1), 48 (Sullivan SWCD 49-1) on the Round 14 ranked list; seconded by G. Proios. Motion passed; carried.

Technical Advisory Committee (TAC)

The TAC met on March 26th. Please see the attached TAC notes for details. The TAC will be seeking the full Committee's endorsement on the recommendations and action items listed on pages 3, 4.

The TAC discussion will be postponed until the May meeting or when there is a quorum to discuss and move on recommendations.

Amendments for State Committee Consideration

1. Washington SWCD – Poultney-Mettawee Ag Waste Management & Phosphorus Reduction - Round 9 – C700733

Request: time extension from 12/31/07 to 12/31/08

Reason: additional time needed to complete project deliverables

Previous Amendments: 1 change in landowner, 1 time extension

Note: Steve Lanthier, Region 4 AEA, recommends that this extension be granted since these projects are in the midst of design or construction and need more time to complete.

The start date of this contract was 10/24/02. A contract term longer than 5 years is only permitted by the Office of the State Comptroller under extenuating circumstances.

For additional project detail, please see the attached current Interim Report, and a letter from the Red Top Farm's planner, Thomas Eaton

At the March NYSSWCC meeting, this amendment was discussed and it was decided:

G. Proios moved to table this time extension amendment request pending further information; seconded by B. Aman. Motion passed, carried.

D. Stein moved to bring this discussion back onto the table; second by B. Aman, approved.

D. Stein moved to accept time extension, B. Aman seconded, approved and carried.
Suggest that one year ahead of contract deadline, staff send a letter to district.

Staff Approved Amendments

1. Ontario SWCD – Central Lowlands Phase IIIA Implementation Grant – Round 11 – C700790
Request 1: change of landowners
Reason 1: two farmers voluntarily withdrew, new farmers identified as a high priority
Request 2: change of BMPs
Reason 2: different BMPs identified as a priority on the new farms. New BMPs will be addressing the original pollutants of concern
Approved by T. Brace/B. Steinmuller 4/1/08

2. Wyoming SWCD – East Koy – Wiscoy Creek Watershed Ag BMP Implementation Project – Phase I – Round 12 – C700833
Request 1: change of landowner
Reason 1: original farmer voluntarily withdrew, new farmer identified as a priority through AEM
Request 2: change of BMPs
Reason 2: silage leachate was completed without the use of State funds, funds will be used for an agricultural waste storage system
Approved by T. Brace/B. Steinmuller 4/1/08

3. Orange SWCD – Walkkill River Farm Runoff Control – Round 14 – 34-1 (plan of work)
Request: change of landowner
Reason: new landowner identified as a priority through the local working group and EQIP ranking procedure
Approved by R. Lewis 4/14/08

Conservation District Annual Plan of Work

L. Travis gave a presentation on the Conservation Districts Annual Plan of Work. The PowerPoint presentation is available on the website. Following the presentation questions ensued.

Plans of Work

L. Travis announced that nineteen 2008 annual plans of work have been reviewed by SWCC staff and recommend for approval. To date 34 plans of work have been approved.

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| Albany | Allegany | Broome | Cattaraugus | Cortland |
| Greene | Monroe | Nassau | New York City | Niagara |
| Oneida | Orange | Otsego | Putnam | Rensselaer |
| Saratoga | Schenectady | Schoharie | Ulster | |

D. Stein moved to approve the work plans; seconded by B. Aman. Motion passed and carried.

State Aid to Conservation Districts:

M. Latham gave a presentation on State Aid to Conservation Districts. The PowerPoint is available on the State website. Following the presentation, questions ensued.

There is a need to decide Assignment of Percentages to the 2008 Part C Performance Measures.

MOTION: to change it to 10, 10, 40, 40; D. Stein moved to approve the change, G. Proios seconded. Motion approved, carried.

CAFO Supplemental Notice of Proposed Rulemaking:

J. TenEyck spoke about the CAFO Supplemental Notice of Proposed Rulemaking. A copy of the handouts can be obtained by request. Following the discussion, questions ensued.

Monitoring Nitrous Oxide Emissions from Dairy Farm Fields:

B. Richards from Cornell University, Department of Biological and Environmental Engineering; gave an in-depth presentation on Monitoring Nitrous Oxide Emissions from Dairy Farm Fields. A copy of the presentation can be found on the website.

USDA Formal Agreements with Conservation Districts:

USDA Formal Agreements with Conservation Districts presentation was given by D. DeWeese. His presentation can be found online. After the presentation, questions were ensued.

G. Proios commented on the USDA Formal Agreements with Conservation Districts presentation, stating that the discussion should be on the relationship between NRCS and the Soil and Water Conservation Districts. Educate our Congress on the importance of the NRCS and Districts relationship and request Congress to sign a bill to hold the lease agreements until further contracts are discussed. (Discussion can be found on the website keyed up at 4:08:00)

Other Reports – All

K. Roberts discussed a partnership between DEC and SWCC to work on a Flood Mitigation Program Grant through FEMO. M. Latham described that to get administrative approval would be difficult on such short notice.

R. Lewis with DEC encouragement will be writing a grant due April 22, 2008 to supplement and replace 319 funding through the EPA Assessment of Watershed Protection Program Grants.

Motion: to go ahead with the grant and ask for long term training needs. B. Aman motioned to write the grant, D. Stein seconded the motion. Motion approved, carried.

B. Silvestri passed out the April 2008 Update and Summary of the AEM Media Training Program. She also passed around details from a Press Conference with Commission Hooker.

Next Meeting – Tuesday, May 20, 2008, Albany, New York at 10:00 a.m.

Meeting adjourned at 3:45 p.m.

This web cast and PowerPoint presentations may be viewed in their entirety at:

<http://www.webcasting.com/soil-water/04.15.2008soil.html>