

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

**STATE COMMITTEE MINUTES**

**June 17, 2008**

**Ramada Inn, 2310 N. Triphammer Road, Ithaca, NY**

**Present:** D. Hill, B. Aman, D. Stein, G. Proios, J. Dickinson, Voting Members; R. Kaplewicz, Director, M. Latham, Assistant Director; J. TenEyck, N. Lawler, C. Frasier, G. Albrecht, B. Brower, B. Steinmuller, R. Lewis, SWCC Staff; D. DeWeese, L. Brooks, NRCS; L. Telega, Cornell; P. Black, SUNYESF; K. Roberts, DEC; P. Kaczmarczyk, DOH; M. Brower, J. Moody-Czub, J. Rusnica, Ag & Markets; B. Rogers, NYACD; J. Carmichael, NYSCDEA

**Call to Order:**

D. Hill called the meeting to order at 8:40 a.m.

Introductions made.

**Review and Approval of Minutes**

**J. Dickinson moved to approve the April minutes as presented; seconded by B. Aman. Motion passed; carried.**

**Correspondence (May)**

**Reports & Newsletters**

National Urban & Community Forestry Advisory Council (NUCFAC) 2007 Annual Report  
"Waterworks" – NYS Federation of Lake Associations, Inc., March 2008  
The Upper Delaware, Spring 2008  
NUCFAC – report to The Secretary of Agriculture on Catastrophic Storms and Urban Forests – February 2008  
Bay Journal – April 2008  
Tompkins County SWCD's Soil and Water Conservation News, April 2008  
Public Works – April 2008  
Erosion Control – May 2008  
Oklahoma Conservation "Conversation" – February/March 2008  
The Hudson River Environmental Society Newsletter "Currents" spring 2008  
Susquehanna River Basin Commission's 2008 Water Resources Program, April 10, 2008  
NYS DEC – Notice of Availability of State and Federal Grant Funds applications  
The Lake Reporter – April 2008  
Innovations in Sustainable Agriculture – Spring 2008  
NACD News & Views – March/April 2008  
Pride of New York newsletter

**Conferences & Seminars**

Partners in Community Forestry National Conference, November 18 – 20, 2008, Atlanta, Georgia  
– Call for Presentations  
StormCon – The North American Surface Water Quality Conference & Exposition 2008 Conference Program

## Correspondence (June)

### Letters & Memos

Letter dated May 15, 2008 to Dennis Hill, from Laura Sager, Executive Director of the Columbia County SWCD regarding the district not receiving the 2007 Performance Measure Reimbursement.

Letter dated June 6, 2008 to Wilfred Hughson, Chairperson, Sullivan County SWCD from Donald J. Pettit, Acting State Conservationist, NRCS, regarding USDA-NRCS leaving the office at the Liberty USDA Service Center.

Letter dated June 2, 2008 to John Santacrose, Chairperson, Albany County SWCD from Donald J. Pettit, Acting State Conservationist, NRCS regarding the USDA-NRCS leaving the Voorheesville USDA Service Center.

Letter dated June 6, 2008 to Ron Kaplewicz from Victor J. Putman, Community Development and Planning regarding Water Quality Coordinating Committee – Mini Grants.

R. Kaplewicz read all four letters. Much discussion ensued regarding the letter from Victor Putman, Chairman of the Essex County Water Quality Coordinating Committee, regarding the elimination of the mini grants program. G. Proios suggested a letter be sent to DEC Commissioner Grannis to determine the commitment to county Water Quality Coordinating Committees and to keep funding of such programs. M. Latham stated Albany County WQCC has polled active committees and that 21 have replied affirmative.

The May 15, 2008 letter from Laura Sager regarding the Columbia County SWCD not receiving a portion of the 2007 Performance Measure Reimbursement also generated discussion. After much discussion, ***regarding whether or not the District had performed and reviewed an annual audit within the proper time limits,***

**D. Stein moved that due to the competitive nature of this program, the Committee support the ruling as it stands; seconded by B. Aman; one abstention (G. Proios); motion passed and carried.**

M. Latham stated he will respond to L. Sager on the Committee's decision.

R. Kaplewicz mentioned an addition to correspondence, an announcement of Tom McMahon's retirement as District Manager with Suffolk County SWCD. A dinner will be held on July 31, 2008. Congratulations Tom.

### Reports & Newsletters

Public Works – May 2008

CFA News – Spring 2008

Rural Futures – May/June 2008

CDEA News – May 2008

Oklahoma Conservation Conversation – April 2008

River Stability Field Guide with a Book of Forms – information to order

Maryland Conservation Partnership Press – Spring 2008

Genesee County SWCD Soil and Water Update – April/May 2008

RCAP Solutions - From Watershed to Well – Spring 2008

ERS Report Summary – May 2008 and June 2008

NOAA Sea Grant New York "Coastlines – Spring 2008

Bay Journal – May 2008

"Nuggets & Nibbles" – from the Cornell Local Roads Program – Spring 2008

2007-2008 Summary Report for the Finger Lakes Nonpoint Source Pollution Control Program compiled by the Onondaga County SWCD

Taking Root – Summer 2008  
NACD News & Views – May/June 2008  
CDEA News – June 2008  
Cayuga County SWCD “Conservation Highlights” – Summer 2008  
Legislative Report from the NYS Assembly Committee on Environmental Conservation – May 2008

### **Conferences & Seminars**

The Challenges of Implementing Ecosystem-based Management in the Hudson River Region – June 13, 2008 – Marist College, Poughkeepsie, NY  
GTC East 2008 – Business and Technology Training for Government – September 22 – 25, 2008 – Empire State Plaza, Albany, NY

Chairman D. Hill thanked Lee Telega on behalf of the Committee for his hospitality in setting up the program and tour on Monday afternoon.

### **Agricultural NPS Abatement & Control Grant Program** **June 17, 2008 State Committee Meeting**

#### **STATUS OF ROUNDS 1-14**

Of 505 contracts, 142 are active, 47 are pending and 301 are complete 15 contracts have been cancelled during the life of the program.

#### **Staff Approved Amendments**

1. Cortland SWCD – Tioughnioga Implementation – Round 12 – C700808  
Request: change of landowner  
Reason: original landowner sold farm; new landowner determined a high priority because of CAFO compliance requirements  
Approved by J. Schumacher 5/27/08
2. Cortland SWCD – Tioughnioga Implementation – Round 13 – C700841  
Request: change of BMPs  
Reason: heavy use area protection will be completed by farmer; grant is needed to address manure transfer system  
Approved by J. Schumacher 5/27/08
3. Erie SWCD – Eighteenmile Creek Ag Implementation Project – Round 11 – C700778  
Request: time extension from 6/30/08 to 3/7/10  
Reason: additional time needed to complete project deliverables  
Approved by T. Brace/B. Steinmuller 5/12/08
4. Madison SWCD – Oneida Lake Watershed AEM Implementation Project – Round 12 – C700815  
Request: change of landowners  
Reason: two landowners withdrew due to lack of funds; two new landowners identified as a priority due to distance to streams and watercourses  
Approved by L. Travis 5/7/08
5. Ontario SWCD – Northern Watersheds Phase III – Round 10 – C700761  
Request: change of landowners and change of BMPs  
Reason: original landowner withdrew due to financial/retirement reasons; new landowner identified as a priority to construct similar practices to address the same pollutant  
Approved by T. Brace/B. Steinmuller 5/22/08
6. Orange SWCD – Wallkill River Farm Runoff Control – Round 14 – Plan of Work  
Request: change of landowners resulting an in increase of one  
Reason: landowner will be utilizing state funds to compliment EQIP funding to install a

- grassed waterway to control erosion  
Approved by R. Lewis 4/14/08
7. Orleans SWCD – Oak Orchard Watershed Phase: IV Small Dairies – Round 12 – C700823  
Request: change of landowner and change of BMPs  
Reason: original landowner sold cows; new landowner identified as a priority to install a covered barnyard to exclude clean water instead of a milkhouse waste system  
Approved by T. Brace/B. Steinmuller 5/15/08
  8. Steuben SWCD – Chemung River Basin Prescribed Grazing 3 – Round 10 – C700766  
Request: change of landowner  
Reason: original landowner withdrew due to financial constraints; new landowner identified as a priority through the AEM process  
Approved by T. Brace/B. Steinmuller 5/8/08
  9. Steuben SWCD – Chemung River Basin Grazing Project #6 – Round 13 – C700867  
Request: change of landowner  
Reason: original landowner withdrew due to work was completed under USDA program; new landowner identified as a priority through the AEM process  
Approved by T. Brace/B. Steinmuller 6/16/08
  10. Sullivan SWCD – Callicoon Creek Watershed Ag. Improvement Project – Round 10 – C700767  
Request: change of landowner  
Reason: original landowner sold herd; new landowner identified as a priority through the AEM process/proximity to stream and potential for water quality contamination  
Approved by J. Schumacher 5/27/08
  11. Tompkins SWCD – Owasco Lake Watershed Protection Project for Cayuga and Tompkins County – Round 12 – C700829  
Request: change of BMPs  
Reason: new BMP is for a roof water management for clean water exclusion instead of a barnyard runoff management system  
Approved by J. Schumacher 4/15/08
  12. Wyoming SWCD – Letchworth State Park Public Water Supply Protection Project – Round 11 – C700802  
Request: change of BMPs  
Reason: the landowner will be installing a silage leachate control systems instead of a diversion. The diversion will be addressed via agronomic practices and the silage leachate addresses a high priority groundwater contamination issue.  
Approved by T. Brace/B. Steinmuller 4/23/08

### **Round 15 Request for Proposals (RFP) and Proposal Rating Sheet Approval**

B. Steinmuller reported on the Ag Nonpoint Source Abatement and Control Program and amendments. An additional amendment request for a landowner change was submitted for Steuben County. B. Steinmuller was scheduled to speak on the RFP and rating sheet for the upcoming Round 15. When he asked voting members who may be contemplating participation in Round 15 to recuse themselves, three exited the meeting necessitating a five-minute recess seek counsel and evaluate the lack of a voting quorum. The meeting resumed and D. Hill announced that discussion on the Round 15 RFP and rating sheet would continue at a future meeting when a quorum could be obtained.

### **Advancing Groundwater Risk Assessment Tools for Agriculture**

G. Albrecht and B. Brower gave a PowerPoint presentation on the issues regarding water well

contamination including the challenges involved with identifying source(s) of such contamination and how GIS data and mapping could assist land users to better identify where groundwater supplies may be vulnerable to contamination. Genesee, Livingston and Monroe counties will be participating in a Pilot Program.

**D. Stein moved the State Committee would endorse and support G. Albrecht and B. Brower’s proposal on their program regarding Advancing Groundwater Risk Assessment Tools for Agriculture in any way the Committee can in the future; seconded by G. Proios, who in addition volunteered his assistance with the program; motion passed and carried.**

An email and letter from Frederick Sinclair, Executive Director Allegany County SWCD, to Chairman D. Hill was discussed. The email pertained to the Hazard Mitigation Project involving NYS Route 19. The District’s question was whether the District can use performance measure money for the interest on note, bridge loan/municipal revenue bond or 60-day to pay contractors, as a legitimate use of such funds. After discussing this with Counsel’s office, performance money may be used for this purpose. R. Kaplewicz will respond on Chairman Hill’s behalf. Additional discussion ensued on the inability of Districts to incur debt and the potential for getting a dialogue started over the existing Attorney General Opinion. J. Rusnica stated that a legislative change would most likely be necessary to remedy the issue.

**The State Committee Meeting Schedule 2008:**

Tuesday, July 15	Hotel Utica, Utica, NY – Round 15 RFP Discussion
August	* NO MEETING *
Monday & Tuesday, Sept. 15 & 16	Southeastern NY Area - Fishkill
Tuesday, October 21	Geneva, NY (NYACD) - Ramada
Tuesday, November 18	Albany, NY
Tuesday, December 16	Utica, NY – Hotel Utica

**Other Reports – All**

M. Latham announced all Performance Measure resources and State aid to districts for Part A & Part B have been distributed for both SFY ‘06 and ‘07 years and that several projects are underway.

J. Ten Eyck reported that AEM Year 3 closeouts were being processed. He reported that 51 districts are participating in AEM Year 4 with the addition of Hamilton and Livingston counties. Seven districts; Cayuga, Jefferson, Madison, Oneida, Onondaga, Schuyler and Yates have Year 4 funding strategies higher than \$40,000. Most AEM Year 4 strategies will involve implementation of existing projects. He will be asking Districts to update AEM strategic plans for final year.

L. Telega announced Cornell University Renewable Energy Initiative (CUREI) program will be receiving an award end of the week from USDA at bi-energy awareness day. Empire Farm Days will also have a display on the program as well as the NYS Fair in August.

D. DeWeese stated biggest challenge of NRCS is providing technical assistance to districts. He will be attending a meeting of the State Technical Committee Meeting in Onondaga on Tuesday, June 24. They will be touring projects in the Onondaga area.

B. Rogers announced the NYACD will hold their annual meeting October 19-21, 2008 in Geneva, New York.

L. Brooks stated that a NRCS representative will provide a 30-45 minute presentation at a future SWCC meeting on Title 2 of the Farm Bill.

J. Carmichael stated a Conservation Skills Workshop will be held the week of October 6, 2008. Tom DeRue's sub-committee met last week to discuss district employee training programs. He mentioned the use of mentoring between districts and the employee association website listing of a talent pool to help district employees with training in specific areas. J. Carmichael will be traveling to Ohio to see how their training program is working and whether a similar program will work in New York. M. Latham mentioned regional training monies were available for use in mentoring and sharing resources between districts.

P. Kaczmarczyk mentioned the Health Department will be appointing a new Center for Environmental Health Director starting the end of summer.

P. Black will be participating at the Hydrogeology Conference. He also mentioned his books are available for sale at his website [www.watershedhydrology.com](http://www.watershedhydrology.com).

G. Proios announced he will be retiring as ***Chief Environmental Analyst for Suffolk County, but will remain as Chairman of the County's Soil & Water District.*** He mentioned that the Lower Hudson/Long Island RC&D received two grants for pelletizers. One pelletizer is stationary. The other, a mobile pelletizer, will be used at farms in Dutchess and Orange Counties to harvest grasses.

B. Aman announced Candor High School from Tioga County won the NYS Envirothon for the fourth title in a row, seven since 1990. They will compete in the Canon Envirothon in Flagstaff Arizona the end of July.

R. Kaplewicz mentioned he received a call from Dan Murphy regarding letters sent to Senators Clinton and Schumer and Congressman Hinchey asking for the Committee's endorsement of an ESF Proposal Shrub Willow Flood Plain Stabilization Project.

**G. Proios moved to support ESF appropriation request for Shrub Willow Flood Plain Stabilization Project; seconded by B. Aman; motion passed and carried.**

R. Kaplewicz announced Tom Brace would be retiring effective August 1, 2008.

The Committee members discussed Bills which are currently under consideration by the State Legislature.

**Next Meeting** – Tuesday, July 15 2008, Utica, New York at 10:00 a.m.

Meeting adjourned at Noon.

This web cast may be viewed in its entirety at:

<http://www.webcasting.com/soil-water/06.17.2008soil.html>