

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

STATE COMMITTEE MINUTES

March 24, 2009

**NYS Dept. of Agriculture & Markets, Pride of New York Room
Albany, NY**

Present: B. Aman, D. Stein, G. Proios, D. Brass, Voting Members; M. Latham, Director; J. TenEyck, N. Lawler, L. Travis, B. Steinmuller, C. Frasier, L. Prezorski, B. Silvestri, SWCC Staff; M. Stephenson, NRCS; L. Telega, Cornell; F. Zagorski, DEC; T. O'Malley, K. Smith, DOS; P. Kaczmarczyk, DOH; J. Rusnica, J. Moody-Czub, Ag & Markets; P. Black, SUNYESF; J. Littrell, B. Rogers, NYACD; C. Nellis, Montgomery SWCD; B. Wohnsiedler, Jefferson SWCD; A. Barber, Cortland SWCD

Call to Order:

G. Proios, Vice Chairman, called the meeting to order at 10:10 a.m.

G. Proios introduced and welcomed new SWCC voting member, David Brass, who is replacing Dennis Hill as representative for the New York State Grange.

Introductions made.

Review and Approval of Minutes

G. Proios moved to approve the February minutes as presented; seconded by D. Brass. Motion passed; carried.

Correspondence

Reports & Newsletters

Bay Journal – February 2009

CFA News – Winter 2009

Oklahoma Conservation Conversation – January 2009

Innovations in Sustainable Agriculture – Winter 2008/2009

Herkimer County SWCD 2008 Annual Report

CWICNY 2008 Annual Report

The Lake Reporter – January 2009

Cattaraugus County SWCD Newsletter – Spring 2009 Issue

LEAD New York – Spring 2009

Chemung County SWCD – Natural Resource Activities of 2008

Warren County SWCD – 2008 Annual Report

Greater Adirondack Resource Conservation & Development Council – 2008 Annual Report

Finger Lakes RC&D Council, Inc. – 2008 Annual Report

Nuggets & Nibbles – Winter 2009

Headwaters – NYS Tug Hill Commission – 2008 Newsletter; 2007 Annual Report

Southern Tier East Regional Planning Development Board 2008 Annual Report

Maryland Conservation Partnership Press – Winter 2009

Steuben County SWCD 2008 Annual Newsletter

The Urban World of Trees – 2008 Annual Report from the National Urban and Community Forestry Advisory Council

Conferences & Seminars

New York State Urban Community Forestry Council Annual Conference – July 16-18, 2009, Pratt Institute, Brooklyn, NY

Rutgers New Jersey Agricultural Experiment Station, Office of Continuing Professional Education Spring 2009 Courses

The 2009 Lake Ontario Basin Forum, Thursday, April 9, 2009, SUNY Oswego Campus Center Complex, Oswego, NY

M. Latham stated a letter was sent by the Committee to Nassau County Executive Thomas Suozzi supporting the Nassau County Soil & Water Conservation District in helping to secure funding. The letter outlines the critical functions of the District and their need for a solid budget to continue their conservation efforts.

M. Latham read a letter from the Committee to Dennis Hill accepting his resignation and thanking him for all his support and enthusiasm in his work as Chairman of the Committee.

M. Latham circulated the AEM Earmark Final Report.

Agricultural NPS Abatement & Control Grant Program March 24, 2009 State Committee Meeting

STATUS OF ROUNDS 1-14

Of 515 contracts, 171 are active, 7 are pending and 322 are complete. 15 contracts have been cancelled during the life of the program.

Round 15

Pursuant to the Round 15 RFP, 87 proposals were submitted requesting a total of \$24,709,306. The proposals were ranked by the TAC proposal review committee. The committee met to discuss the proposals and scores. The Round 15 Evaluation Instrument requires that the group talk about proposals that received widely disparate scores. As a result of the discussion, the proposal reviewers are at liberty to modify their original score. At the conclusion of the meeting, the reviewers sign a copy of the revised score sheets. Each proposal score is subsequently listed and aggregated for a final score. The scoring sheet is then sorted in order from the highest to lowest aggregated score.

After the appropriate recusal of District personnel and those who are personally involved with the Round 15 RFP process, the Round 15 list was distributed. Much discussion ensued. B. Steinmuller described the reviewing and ranking process, explaining the point system as it relates to penalties and bonuses, and answered questions.

Also as a part of the post-review process the TAC discussed potential changes for the next round of funding. These concepts will be explored more fully in the coming months. As changes may need full SWCC adoption, the TAC recommendations will be brought to the SWCC for consideration at the first opportunity.

The Director of the SWCC respectfully requests consideration of the following resolution:

Resolution 09-1

MOTION:

That subject to the availability of funds, the Committee shall award funding, pursuant to Round

15 of the Agricultural Nonpoint Source Abatement and Control Grant Program, for projects 1-87 in order ranked and in the amounts recommended by the advisory members of the Committee until funds available for this purpose are exhausted or the scoring threshold is reached, 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.

D. Stein moved to approve Resolution 09-1; seconded by D. Brass. Motion passed carried.

B. Steinmuller stated the TAC would be meeting April 15 and at this time, discussions on Round 16 would commence.

D. Stein moved to recommend the TAC consider the capping of funding per farm for Round 16 allowing the funding of more with less; seconded by D. Brass. Motion passed; carried.

Staff Approved Amendments

1. Schoharie SWCD – Schoharie County Tier IV Implementation – Round 11 – C700794

Request: change of landowners

Reason: original farm sold operation, new farm identified as a priority through AEM process

Approved by C. Frasier 2/26/09

2. Onondaga SWCD – Onondaga/Otisco Lake Watershed AEM Implementation Project – Round 12 – C700819

Request 1: change of landowners

Reason 1: original farm sold operation, new farm identified as a priority through AEM process

Request 2: change of BMPs

Reason 2: the high priority BMPs on the new farm are a prescribed grazing system and manure composting and handling system

Approved by L. Travis 3/16/09

3. Oneida SWCD – Oneida Lake Watershed BMP – Round 11 – C700786

Request: time extension from 3/25/08 to 12/31/09

Reason: additional time is needed to complete project deliverables

Approved by L. Travis 3/17/09

4. Montgomery SWCD – Flat Creek - Round 12 – C700817

Request 1: time extension 12/31/08 to 12/31/10

Reason 1: additional time is needed due to the passing of one of the participating farmers

Request 2: change of landowners

Reason 2: the farm has been transferred to a family member who is committed to continuing the project

Approved by C. Frasier 2/25/09

5. Orange SWCD – Nutrient and Agricultural Waste in the Wallkill River Watershed – Round 14 – C700922

Request: change of landowners

Reason: consultant engineering funds became available from a farm that no longer required those funds, the funds were transferred to another farm to complete the design of a waste management system. The completion of that system is a deliverable on the grant and will be funded by EQIP

Approved by L. Prezorski/B. Steinmuller 3/23/09

2007 Farm Census

Blair Smith, Assistant Director of the Department's Statistics Bureau, gave a presentation on the 2007 Census of Agriculture, State Profile. He indicated approximately 55,000 surveys were mailed. The total response rate was 79.6%; 1,801 of which were online responses. The census is taken every five years. The data collection for the 2007 Census started in May 2008 and was compiled through the fall. The release date for the Census was February 2009. B. Smith reported the response rate was down from 2002. The number of farms in New York is down 2% from 2002 and the acreage is dropping faster than the number of farms. The acreage is down 6%. The market value of production average per farm was \$83,689 in 2002 and was up 45% to \$121,551 in 2007.

He indicated the importance of farms reporting this information as funding from Cornell, USDA/NRCS and others is dependent on the census findings.

For further information on the 2007 Census, contact the Department of Agriculture and Markets website or www.agcensus.usda.gov.

NYS Budget and SC Staff Update

M. Latham stated he expected the Assembly to have a bill or resolution on the budget either Friday or Monday. He announced that a waiver for the Western NY AEA position was received. This process is moving forward and he should be making an announcement shortly. He also expects the waiver for the Assistant Director position to be approved in the next few days.

AEM Worksheet Approval

L. Prezorski distributed the six Tier II AEM Worksheets which are in addition to the AEM core worksheets. The worksheets were discussed and changes to the Irrigation Water Management worksheet will be reviewed. G. Proios stated the need to differentiate between "down slope" and "down grade".

D. Stein moved to approve the AEM Worksheets, with the exception of the Irrigation Water Management; seconded by B. Aman. Motion passed carried.

D. Stein moved to enter into Executive Session to discuss personnel issues; seconded by B. Aman. Motion passed carried.

D. Stein moved to call SWCC back to order; seconded by D. Brass. Motion passed carried.

G. Proios stated the Executive Session was held to discuss the Assistant Director position. The Committee's recommendation for Assistant Director has been forwarded to the Commissioner. No further information is available at this time.

Invasive Species

Diane Goetke, from the Department's Division of Plant Industry, gave a PowerPoint presentation on her work as Invasive Species Coordinator for the Department. She distributed informational packets explaining the New York Invasive Species Council which was developed about a year

ago through Title 17. The Council is co-chaired by the Agriculture and Markets and Environmental Conservation Departments. She serves as a liaison to the Council, the New York Invasive Species Advisory Committee and Partnerships for Regional Invasive Species Management (PRISMs). The New York Association of Conservations Districts is a member of the New York Invasive Species Advisory Committee. She discussed invasive plants and insects such as the Asian Long Horned Beetle whose damage required the removal of 18,000 trees and Japanese knotweed, which displaces native vegetation and exposes agricultural and natural areas to excessive erosion. As coordinator, she is highly involved with research, funding and grant projects.

Working on Pest Risk Analysis with the Four-Tier List Team, the council will be submitting a report to the legislature and the governor recommending species to be listed as prohibited, regulated and unregulated, and a procedure for reviewing nonnative species. This report is due January 1, 2010. They are hopeful that legislation will be enacted which would provide a specific process that addresses limiting movement, plantings and determining how strict the use and sale of invasive species should be. The Council has developed draft voluntary codes of conduct. They are working to develop one format of voluntary codes for all State agencies which details ways of identifying, preventing and minimizing the spread of invasive species. The PRISM group for each District would be able to provide information on what plants and insects are invasive to that specific area. M. Latham mentioned this will be beneficial for the District's tree and shrub sales.

G. Proios requested Advisory Members of the SWCC representing Cornell University and Cooperative Extension work with the New York Invasive Species Advisory Committee to coordinate how local Districts can be involved with the invasive species program. P. Black mentioned he would contact Dr. Dylan Parry at the SUNY College of Environmental Science & Forestry.

For more information on Invasive Species contact diane.goetke@agmkt.state.ny.us.

Stormwater Program Update/Annual Survey of Districts

C. Frasier delivered a stormwater update and distributed a report outlining the Stormwater Reimbursement Program over the last five years. The report outlines the referrals and site visits per DEC Region. The Districts will not be reimbursed for assistance to DEC as of December 2008. A survey was conducted to determine Districts availability to continue assistance to DEC and their interest in providing 4-hour contractor training courses. The next meeting of the Stormwater Committee will be held in June 2009.

2008 State Aid to Districts – Part A and C Update

M. Latham stated the review for Part A District reimbursement is about halfway through. M. Latham stated there is a broad set of performance issues in Part C and a few key issues came up that need to be resolved to help set the stage for next year. He stated only 27 counties met Performance Measure (PM) 1. He stated under PM1 a bulk of the denials were attributed to training plans and District Law Training. A letter will be sent to all Districts indicating they didn't meet, met or substantially met the criteria for Performance Measures.

For PM2, 3 Districts did not meet the criteria; 2 Districts did not meet 2b and 1 District did not submit their Annual Plan of Work until well into the year.

In reviewing PM 3, 2 counties were not successful in meeting PM(3) 4. The interpretation was that there should be a physical connection demonstrating a grant, cooperative agreement or other external funding agreement was obtained during 2008 by leveraging the 2007

Performance Measure Award. Much discussion ensued regarding the interpretation of the criteria. M. Latham explained the need to discuss the clarity of what is expected to meet this criterion so it may be addressed for the future.

Regarding PM(3) under Part C, G. Proios moved to clarify the interpretation of leveraging to include any funding used in order to bring other projects to the county; seconded by D. Stein. Motion passed and carried.

Annual Plans of Work

M. Latham announced the following Annual Plans of Work for approval: Annual Plans of Work are to be approved by Region prior to April 1, 2009. Forty-six Plans of Work have been approved to date.

Broome	Clinton	Greene	Oneida	Saratoga	Tompkins
Cayuga	Columbia	Hamilton	Onondaga	Seneca	Ulster
Chemung	Cortland	Herkimer	Orange	Sullivan	Yates
Chenango	Franklin	Lewis	Putnam	Tioga	

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

Proposed Travel Plan

M. Latham presented the proposed travel plan for Division and State Committee staff for 2009-2010.

D. Stein moved to approve the travel plan; seconded by D. Brass. Motion passed and carried.

Ecosystem Based Management

L. Prezorski announced the EBM final report is complete. The NYS Soil and Water Conservation Committee did get a recommendation that it be added to the Council along with the Department of Health and Environmental Facilities Corporation. The report also highlighted the utility or watershed coalitions. Most recently fourteen Conservation Districts are involved in forming a new coalition, for the Mohawk River Basin. Per this fiscal year’s budget reduction plan, it is proposed that each agency will take a 10% cut in EBM funded projects.

SWCC Strategic Plan

B. Steinmuller reported a Strategic Plan meeting was held March 19. Consensus on goals and strategies to get results were discussed. R. Lewis hopes to have a completed draft to present to the Committee at the April meeting.

Chairman and Vice Chairman Announcements

D. Stein moved to elect G. Proios Chairman of the NYSSWCC; seconded by D. Brass. Motion passed and carried.

B. Aman moved to elect D. Stein Vice Chairman of the NYSSWCC; seconded by G. Proios. Motion passed and carried.

Other Reports

G. Proios distributed the Community Conservation Assistance Guide. He thanked B. Silvestri, R. Lewis and Sarah Gordon for compiling and producing the pamphlet.

M. Latham distributed the NYSSWCC 2008 Annual Report.

B. Rogers announced the annual NYACD meeting will be held October 18-20, 2009 at the Adirondack Lodge at Six Flags in Queensbury, New York.

B. Silvestri updated the media training workshop schedule. She distributed March 2009 Outreach & Education and AEM Small Farms Quarterly January 2009.

L. Travis is holding Region 3 Manager's Meeting April 1 in Auburn.

J. TenEyck announced AEM Year 5 will begin in May. The same program as last year will be in place with the exception of 8 enhanced counties eligible for \$75,000.

C. Frasier announced Region 5 Manager's Meeting will be April 9.

M. Stephenson announced USDA-NRCS has a budget approved for 2009. They will be rolling out a new program, EWP Floodplain Easement Program, similar to wetland preserve project. Farm Bill Rulemaking has been extended for additional time for public comment. New EQIP Program Activity Plans includes four plans – CNMPs, forestry, transition to organic and grazing or energy audit. Activity plans will only be done by technical services providers. They will be rolling out EQIP Air Quality Program soon, followed by EQIP.

F. Zagorski stated Jackie Lendrum was reviewing over 120 comments received on the CAFO permits. The deadline is June 30, 2009.

Next Meeting – Tuesday, April 21, 2009, Auburn, New York

Meeting adjourned at 3:25 p.m.

This web cast may be viewed in its entirety at: <http://www.webcasting.com/soil-water/03.24.2009soil.html>