

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

**STATE COMMITTEE MINUTES**

**April 21, 2009**

**Cayuga County Cornell Cooperative Extension  
248 Grant Avenue, Auburn, NY 13021**

Present: B. Aman, D. Stein, G. Proios, D. Brass, Voting Members; M. Latham, Director; B. Steinmuller, R. Lewis, C. Frasier, G. Albrecht, B. Silvestri, SWCC Staff; P. Wright, NRCS; K. Smith, DOS; J. Moody-Czub, Ag & Markets; P. Black, SUNYESF; S. Lorraine, President, NYSCDEA; V. Green, USDA-FSA

**Call to Order:**

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

Introductions made.

**Review and Approval of Minutes**

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

**Correspondence**

**Letters and Memos**

M. Latham mentioned the letter from the Watershed Agricultural Council announcing they have accepted the resignation of Tom O'Brien as Executive Director and appointed Dr. Daniel Palm as Interim Executive Director.

**Reports & Newsletters**

The Upper Delaware Newsletter – Spring/Summer 2009

Fulton County SWCD Spring 2009 Newsletter

ERS Report Summary, US Dept. of Agriculture, March 2009

Bay Journal, March and April 2009

Waterworks, Newsletter from NYS Federation of Lake Associations, Inc., March 2009

CWICNY 2008 Annual Report

Oklahoma Conservation Conversation, February/March 2009

Watershed Journal, Skaneateles Lake Watershed Newsletter, Winter 2009

Conservation Quarterly, Onondaga SWCD Newsletter, Winter 2009

Erosion Control, May 2009

Steuben County SWCD 2008 Annual Newsletter

Public Works, March 2009

The Volunteer Monitor, Spring 2009

**NYS Budget and SC Staff Update**

M. Latham stated the Western NY AEA position was offered to an individual but he declined the position. The waiver has since been rescinded. M. Latham is hopeful once the state moves beyond the recent layoff discussion, that there may be an opportunity to bring this position back to the table.. The Assistant Director waiver is still moving forward.

He is working on a plan for statewide coverage pending possible vacancies, retirements, etc.

The general fund appropriation for the Division reflects a slight increase from where we were last year. M. Latham had requested extra funding for training to offset the loss of Federal 319. He reports that the State Committee and Division of Soil and Water are at level funding plus training dollars.

M. Latham distributed the 2009-10 Environmental Protection Fund summary. There is no appropriation for EPF yet. The Department of Budget requested that agencies receiving EPF funding develop a spending plan for the next four years outlining how funds will be dispersed. Our plan indicated we have EPF liabilities of approximately 15.6 million dollars. DOB has directed State Agencies to address existing funding obligations first. DOB asked the Department not to make any new awards, and no new RFPs. Round 15 award announcements and AEM Year 5 are on hold for the moment. The Department has requested that the State Committee revisit amendment policies for NPS contracts.

Regarding District reimbursement, Part A, standard reimbursement for \$30,000, has been processed by the Division. Once we have EPF allocation from DOB, Part A will be paid.

### **Agricultural NPS Abatement & Control Grant Program April 21, 2009 State Committee Meeting**

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

Of 515 contracts, 170 are active, 7 are pending and 323 are complete. 15 contracts have been cancelled during the life of the program.

B. Steinmuller distributed a copy of the minutes of the Technical Advisory Committee Meeting which was held on April 15, 1009. Judy Littrell, NYACD, was present and will be added to the attendance list. It was the first time in recent memory that there was active participation from NYACD at the Technical Advisory level and it is appreciated. A major focus point of the TAC meeting was the discussion on the feasibility of capping EPF funds for individual farms. If under Round 15, the SWCC awards funds to 22 proposals, the total would be approximately \$7 million dollars in State funds, and 74 farms would potentially receive cost-share for conservation practices. Under Rounds 14 and 13 respectively, 160 and 130 received cost-share funds through the first 22 ranked proposals with roughly the same amount of state funds requested. The TAC engaged in discussion over what may have caused this result observed in the Round 15 ranked list. Factors may include NRCS standards have become more stringent over the last few years, cost of practices getting more expensive, CAFO compliance may have resulted in fewer farms and more expensive projects. Round 15 was the first round where only implementation projects were proposed. AEM Base Funding Program has been proven effective for planning projects.

“What is the goal of the program?” Is it to allocate funds to as many farms as possible, or to fund projects that will have the greatest impact on water quality? The TAC agreed the latter is the most appropriate goal. B. Steinmuller attended J. TenEyck’s manager’s meeting. The meeting was well attended and he briefed the TAC on comments received by various District Managers. There was lots of immediate feedback and written comments through Steve Lorraine, President CDEA. As a whole, the Districts who commented did not support funding cap.

Proposed cap policy recommendations were brought forward. Peter Wright stated NRCS has the same issues. Trying to determine what projects are most beneficial, make best use of funds, identifying environmental risks to ensure the greatest water quality benefit is achieved

through the most cost effective means. G. Proios suggested funding some smaller projects for 12-month period. B. Steinmuller stated there were several Round 15 proposals with 1-2 farms per project. He stated he expects smaller contracts to get completed in a one-two year time period. M. Latham stated projects funded in Rounds 1 and 2 were ready to go before they were funded due to preparation such as pre-design work. The TAC agreed training for district personnel is key on what types of projects should be priorities. The future of farm(s) in a project should also be considered. This in conjunction with communication and coordination between districts and field staff will help to identify those projects most beneficial to Districts and watersheds.

There is also the need for field level training to the proposal reviewers to better understand practices and conditions on farms and watersheds. Having field staff present at post review meetings to debrief on proposal reviews could also be beneficial on which projects are funded and how Districts could improve proposals for the future.

B. Steinmuller stated an issue for the upcoming TAC meeting is the Districts need to determine how to document water quality needs of the farms better through their own AEM strategies.

M. Latham – Do we want to continue to explore a funding cap? B. Steinmuller stated the TAC will continue to discuss options and training needs to determine that EPF funding is spent to benefit as many farms as possible to achieve the greatest water quality through the most cost effective means.

B. Steinmuller stated the need to review the amendment policies. He distributed the Amendment Request Procedure currently in place (12/29/06). He discussed the recommended revisions to the Amendment Request Procedure discussed at the TAC meeting. He also indicated the TAC was not in full agreement with the revisions, but in accordance with the current EPF financial status, recommended revised amendment policies.

**D. Stein moved to approve the TAC's amendment policy revisions regarding changes in scope and the assignment of unused funds be effective May 19, 2009 and the TAC's amendment policy revisions relative to no-cost time extensions be effective November 30, 2009; seconded by D. Brass. Motion passed and carried.**

Next TAC meeting will be held June 23, 2009.

### **SWCC Strategic Plan**

R. Lewis distributed fact sheets on Strategic Plan goals as they relate to Comprehensive Natural Resources Management, Agricultural Conservation, Assistance to District Operations and Cooperative Conservation. He had presented the Agricultural Conservation goal sheet to the TAC meeting. There were several desired results listed under this goal. The TAC recommended the desired results be condensed. R. Lewis reformatted and redrafted the desired results which reduced the list considerably. R. Lewis asked for the SWCC to review the four goal pages and make suggestions and/or recommendations. He plans to have one more meeting of the Strategic Plan subcommittee and will present the final draft Strategic Plan to the SWCC at the May meeting. An evaluation of our annual action plan of what we are doing this year should be studied to see how it ties into the Strategic Plan. R. Lewis suggested sharing Strategic Plan with Districts to see if the plan is meeting their needs. Districts need to know this is a five-year strategy plan.

### **Cayuga SWCD Presentation**

R. Podolak, Executive Director of the Cayuga County SWCD, delivered an informative PowerPoint presentation regarding the "State of the District" of Cayuga County displaying

month-by-month progress of projects in various stages. He also provided a copy of Cayuga County's 2008 Annual Report.

### **AEM Program Multi Media Inclusion**

B. Steinmuller stated at the last TAC meeting, he and Greg Albrecht discussed the need to develop a strategy for the update of the AEM Tier 2 Worksheets to address a more comprehensive natural resources perspective. It was recommended that the SWCC select a worksheet that can be broadened to address comprehensive issues and piloted along with those needing water quality updates in the short term. G. Proios mentioned the need to develop energy conservation worksheets. The TAC is looking for partnerships to help update these worksheets. B. Steinmuller stated he developed a draft climate change AEM reference sheet which was piloted at a session at the Water Quality Symposium in March. He plans to present this reference sheet to the SWCC next month for review and suggestions. He stated along with the climate change reference sheet, an energy conservation type information or worksheet would be beneficial.

### **AEM Worksheet Approval**

The AEM Tier II Worksheet referencing Irrigation Water Management has been revised and was distributed.

**D. Stein moved to approve the Irrigation Water Management; seconded by B. Aman. Motion passed carried.**

M. Latham noted the District and Cornell approved this worksheet.

### **Cooperative Conservation Partnership Initiative**

M. Latham mentioned a new program under the Farm Bill – Cooperative Conservation Partnership Initiative. It is a grant program with no exchange of funds. It is a commitment of partnership rather to work together in certain regions to accomplish specific environmental goals. It is like an extension of EQIP for a specific geographic area and purpose. We are in the process of developing applications. There is a 10-day turnaround. We are pursuing \$500,000 for Jefferson County EBM Sandy Creek project to partner with existing program dollars.

### **Comprehensive State Committee History**

P. Black gave a presentation on the history of Soil and Water Conservation in New York. He circulated photos and plans to put together a book. He has contacted several people to contribute stories, articles and short essays of their personal involvements in soil and water conservation over the years. He was told it will cost approximately \$10,000 to develop such a book, possibly paperback or on line, on a non-commercial basis. He expressed that perhaps the book could be sold and the proceeds received by the SWCC could be used for scholarships, etc. in the soil and water field. G. Proios mentioned Ed Hoxie has also expressed interest in soil and water history and could be a contact person. G. Proios also mentioned a proposal should be developed in coordination with NYACD and Senator Kirsten Gillibrand could be a contact person. P. Black mentioned many other states have such historical publications on soil and water. P. Black will prepare a proposal and submit to M. Latham.

### **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. Fifty-five Plans of Work have been approved to date.

Albany	Fulton	Niagara
Chautauqua	Jefferson	Rensselaer
Essex	Nassau	Schenectady

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

### **Engineering vs. Conservation Update**

P. Wright, State Conservation Engineer for NRCS, distributed a list of NRCS practices which provides a table that identifies which practices are new and whether they are engineering or conservation practices. Much discussion on job approval authority ensued.

**D. Stein moved to recommend continuing to work with NRCS and the New York State Board for Engineering and Land Surveying to change the designation of three practices from Engineering to Conservation practices – Access Road Standard (FT)(560), Animal Mortality Facility Standard (316) and Composting Facility Standard (NO) (317); seconded by B. Aman. Motion passed and carried.**

### **Other Reports**

D. Stein expressed concern about certified planners due to new CAFO permits.

B. Aman is recommending his Board President send a letter to the Governor requesting a moratorium for a year or two on State CAFO Permits. Those farms involved will be subject to comply with emission standards. Use CAFO workforce to work on gas explorations which could bring revenue into the State. M. Latham stated the best that may be achieved is an extension of the current CAFO permit deadline.

M. Latham stated CAFO issues will be on agenda for the next State Committee meeting.

B. Silvestri announced an AEM Working with the Media training was held in April in Ithaca which was well attended. She also announced two upcoming AEM in the Media training sessions to be held in June; June 11 in Batavia and June 18 in Tully. There will be discussion with AEM Certified Planners and farmers to assist with new CAFO regulations awareness. She distributed a packet of letters from various Districts to Commissioner Hooker supporting the assistance received from attendance at AEM Working with the Media Workshops. She also distributed the spring 2009 Small Farm Quarterly.

G. Green announced FSA has not yet announced a new director. She distributed the NYS CREP Report as of 4/21/09. CREP sign up this fiscal year has been slow. April 1 MILC payments were made for February production. Biomass crop assistance program manager will be hired soon. G. Proios asked about whether harvest grasses in CREP program can be put into harvester. G. Green said it was not permitted. Employees of Districts will need to sign a Cooperator Agreement in order to receive copies or records on farmers that NRCS or FSA has on file to participate in conservation programs. This went into effect March 31, 2009. With the Cooperative Agreement, FSA can provide a copy of a CLU on a farm-by-farm basis to

Districts. M. Latham understood if a district has a signed Cooperator Agreement, there are no restrictions in getting a paper copy of a CLU or producer's file. G. Green agreed. M. Latham stated there have been issues where some locations are insisting districts do a background check before gaining access to information in addition to signing a waiver. She stated if Districts have a signed Cooperator Agreement and are experiencing problems obtaining CLU's or producer information, to contact her or Heather Grady, the FSA GIS contact person.

Meeting adjourned at 2:30 p.m.

Immediately following the meeting, a group of meeting attendees toured the Cayuga County regional anaerobic digester facility.

**Next Meeting** – Tuesday, May 19, 2009, Albany, New York

This web cast may be viewed in its entirety at <http://www.webcasting.com/soil-water/04.21.2009soil.html>.