

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

STATE COMMITTEE MINUTES

August 11, 2009

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

Present: D. Stein, D. Brass, C. Colby, J. Dickinson, Voting Members; M. Latham, Director; B. Steinmuller, N. Lawler, L. Travis, L. Prezorski, SWCC Staff; M. Stephenson, NRCS; L. Telega, Cornell; F. Zagorski, DEC; K. Smith, DOS; P. Kaczmarczyk, DOH; J. Rusnica, J. Moody-Czub, P. Giltner, M. Brower, Ag & Markets; P. Black, SUNYESF; S. Lorraine, President CDEA; J. Barber, USDA/FSA; J. Tauzel, NYFB; J. Littrell, NYACD; S. Gordon, NYACD/SAGE Consulting

Call to Order:

D. Stein, Vice Chairman, called the meeting to order at 10:10 a.m.

D. Stein introduced and welcomed new SWCC voting member, Chuck Colby, who is replacing Bob Aman as Committee representative for NYACD.

Introductions made.

Review and Approval of Minutes

J. Dickinson moved to approve the June minutes as presented; seconded by D. Brass. Motion passed; carried.

Correspondence

Letters & Memos

Letter dated July 1, 2009 to Michael Latham from Winrock International regarding information on a recently completed project: "*Sustaining Small and Medium-sized Farms, Natural Resources, and Rural Communities: The Role of Rotational Grazing*".

Reports & Newsletters

Broome County SWCD Summer 2009 "Conservation Update"
Cattaraugus County SWCD Summer 2009 "Conservation Today...."
Cayuga County SWCD Summer 2009 "Conservation Highlights"
Clinton County SWCD Summer 2009 "Conservation News" newsletter
Columbia County SWCD Spring/Summer 2009 "The District Digest"
Erie County SWCD Semi-Annual District Newsletter, "Conservation Connections", Summer 2009
Herkimer County SWCD Summer 2009 "Conservation News", Summer 2009
Niagara County SWCD Summer 2009 "Niagara Nature News"
Ontario County SWCD June 2009 Newsletter
Otsego County SWCD 2009 Summer Newsletter
Seneca County SWCD Conservation District News for Summer 2009
Suffolk County SWCD News Bulletin: 2008 Year In Review
Tompkins County SWCD 2008 Annual Report
Tompkins County SWCD July 2009 Newsletter
The Hudson River Environmental Society Spring 2009 Newsletter
The New York Great Lakes Basin Advisory Council's draft report to Gov. Patterson and NYS Legislature public comment until 8/14/09. Access at: www.dec.ny.gov/lands/56095.html
CDEA News June 2009
The Market Newsletter, (Capital District Cooperative, Inc.), June 2009

Oklahoma Conservation Conversation; April/May 2009; June/July 2009
RCAP Solutions; Spring 2009
Innovations In Sustainable Agriculture; Spring/Summer 2009
Nuggets & Nibbles (from the Cornell Local Roads Program); Spring 2009
ERS Report Summary; March 2009
Rural Futures; Spring Issue 2009
USDA Beginning Farmers and Ranchers; May 2009
The Conservation Planner, June 2009
Directions (Newsletter of the Syracuse Metropolitan Transportation Council) Summer 2009
Erosion Control; July/August 2009
The Resource; (National Assoc. of Conservation Districts); Summer 2009
Bay Journal; June 2009; July/Aug. 2009
Poughkeepsie-Dutchess County Transportation Council: Transportation Update: April – June 2009
Northeast IPM Center "Insights"; Summer 2009
Estuary News; Summer 2009
The Lake Reporter (Publication of the Canandaigua Lake); July 2009
"Sea Grant New York"; Spring/Summer 2009
"Public Works"; June and July 2009

The New York State Soil and Water Conservation Committee Strategic Plan for 2009-2013 was distributed. L. Telega suggested the Strategic Plan should also be available electronically.

NYS Budget and SC Staff Update

M. Latham stated there may be movement regarding the waiver for webcasting the Committee meetings. This would result in significant cost savings to the Committee, somewhere in the neighborhood of \$20,000+ per webcast. The Secretary to the Governor makes the determination on whether the waiver is granted.

M. Latham stated he recently submitted the Soil & Water budget to the Department. The budget request includes the need for us to develop a technical delivery program for training of Conservation Districts. He emphasized this need and requested approximately \$361,000 in personnel services to support five engineers. He also requested an increase in State Committee travel expenses to \$5,000. As in past years, we have justified a \$20 million request for the ag nonpoint source program. Regarding the State Soil & Water Conservation District reimbursements, there is an initiative to double that reimbursement of which we are supportive, and have requested in the budget. The budget includes a request for \$2 million for Soil & Water Conservation Districts for Stormwater Specialists. He also requested \$250,000 for AEM initiative to advance research particular to the AEM program.

J. Dickinson asked the status of Barbara Silvestri's employment. M. Latham stated a one year contract renewal is underway and Barb is returning on Friday, August 14. Following the renewal, we are pursuing a five-year contract through an RFP process. We are awaiting determinations on waivers for Western New York AEA position and for Brian's former Senior Environmental Analyst position. Along with waiting on these waivers, retirement incentives may also present staffing challenges.

D. Stein asked Les Travis how the regional staffing reorganization is working. Les stated he is in the process of acclimating himself to new Districts and new people. M. Latham stated once we can get the field staff whole again, permanent assignments of field staff to Districts will fall in place.

**Agricultural NPS Abatement & Control Grant Program
August 11, 2009 State Committee Meeting**

STATUS OF ROUNDS 1-14

Of 515 contracts, 172 are active, 3 are pending and 325 are complete. 15 contracts have been cancelled during the life of the program.

Staff Approved Amendments

1. Cortland SWCD – Otselic River Watershed 2007 Ag Management – Round 14 – C700907
Request: change of BMPs
Reason: change in BMP should result in equal water quality benefit
Approved by J. Ten Eyck 7/27/09
2. Jefferson SWCD – Central Jefferson County Barnyard Mgmt Project – Round 14 – C700928
Request: change of BMPs
Reason: change in BMP should result in equal if not greater water quality benefit
Approved by S. Lanthier 6/10/09
3. Onondaga SWCD – Seneca River WS AEM Implementation Project – Round 13 – C700857
Request: time extension from 12/31/09 to 11/15/11
Reason: Extension needed due to economically challenging times
Approved by J. Ten Eyck 8/4/09
4. Onondaga SWCD – Onondaga Lake WS AEM Implementation Project – Round 14 – C700914
Request: time extension from 12/31/11 to 2/22/13
Reason: Extension needed due to economically challenging times
Approved by J. Ten Eyck 8/4/09
5. Onondaga SWCD – Implementation of Pathogen, Nutrient & Pest Mgt in Skaneateles Lake WS – Round 14 – C700915
Request: time extension from 12/31/11 to 2/22/13
Reason: Extension needed due to economically challenging times
Approved by J. Ten Eyck 8/4/09
6. Onondaga SWCD – Seneca River WS AEM Implementation Project – Round 14 – C700916
Request: time extension from 12/31/11 to 2/22/13
Reason: Extension needed due to economically challenging times
Approved by J. Ten Eyck 8/4/09
7. Ontario SWCD – Northern Watersheds Ag Program Phase IIIB– Round 12 – C700820
Request: time extension from 12/31/09 to 12/31/10
Reason: Extension needed due to poor economy and lower milk prices and other duties required on the farm
Approved by L. Travis 7/16/09
8. Ontario SWCD – Finger Lakes Watersheds AEM Phase III Implementation – Round 12 – C700821
Request: time extension from 12/31/09 to 12/31/10
Reason: Extension needed due to poor economy and lower milk prices and other duties required on the farm
Approved by L. Travis 7/16/09

9. Ontario SWCD – Canandaigua Lake WS Ag Program Phase VI – Round 13 – C700858
Request: time extension from 12/31/09 to 12/31/10
Reason: Extension needed due to poor economy and lower milk prices and other duties required on the farm
Approved by L. Travis 7/16/09
10. Ontario SWCD – Will-O-Crest Farms Ag Project – Round 13 – C700859
Request: time extension from 12/31/09 to 12/31/10
Reason: Extension needed due to project going slower than expected. Will be completed within the requested time extension
Approved by L. Travis 7/16/09
11. Ontario SWCD – Northern WS Ag Program Phase IIIC – Round 13 – C700860
Request: time extension from 12/31/09 to 12/31/10
Reason: Additional time needed so contractors can return to the sites and complete projects
Approved by L. Travis 7/16/09
12. Orleans SWCD – Sandy Creek Watershed BMP Implementation – Round 13 – C700863
Request: time extension from 12/31/09 to 11/15/11
Reason: Extension needed for time to complete projects in the plan of work
Approved by L. Travis 7/14/09
13. Tompkins SWCD – Owasco Lake WS Protection Project – Round 12 – C700829
Request: time extension from 12/31/09 to 3/29/11
Reason: Extension needed due to milk prices low and future state of economy
Approved by J. Ten Eyck 7/31/09
14. Tompkins SWCD – Upper Susquehanna River Basin Mgt Int Grazing – Round 12 – C700830
Request: time extension from 6/30/09 to 3/28/11
Reason: Extension needed as farmers need more time due to financial instability
Approved by J. Ten Eyck 6/30/09
15. Tompkins SWCD – Short Duration Grazing Imp Susquehanna River – Round 13 – C700870
Request: time extension from 12/31/09 to 11/15/11
Reason: Extension needed as farmers need more time due to financial instability
Approved by J. Ten Eyck 7/31/09
16. Tompkins SWCD – Pasture Mgt of Cayuga & Owasco Lake WS – Round 13 – C700871
Request: time extension from 12/31/09 to 11/15/11
Reason: Extension needed as farmers need more time due to financial instability
Approved by J. Ten Eyck 6/30/09
17. Tompkins SWCD – Salmon Creek Waste Storage Imp at Jeff Cook Farm – Round 14 – C700891
Request: time extension from 12/31/11 to 2/22/13
Reason: Extension needed as farmers need more time due to financial instability
Approved by J. Ten Eyck 7/31/09
18. Tompkins SWCD – BMP Imp in Salmon Creek Watershed – Round 14 – C700893
Request: time extension from 12/31/11 to 2/22/13
Reason: Extension needed as farmers need more time due to financial instability

Approved by J. Ten Eyck 7/31/09

19. Tompkins SWCD – Owasco Lake WS Project Phase II – Round 14 – C700894
Request: time extension from 12/31/11 to 2/22/13
Reason: Extension needed as farmers need more time due to financial instability
Approved by J. Ten Eyck 7/31/09

20. Wyoming SWCD – Tonawanda Creek WS Ag BMP Imp Project – Round 13 – C700875
Request 1: change of BMPs
Reason 1: change in BMP will result in keeping clean water clean and reducing total nutrient runoff
Request 2: time extension from 12/31/09 to 11/15/11
Reason 2: Time extension needed for remaining farms to complete proposed BMPs
Approved by L. Travis 6/18/09

21. Wyoming SWCD – East Koy Wiscoy Creek WS Ag BMP Imp Project Phase II – Round 13 – C700876
Request 1: time extension from 12/31/09 to 11/15/11
Reason 1: Time extension needed for remaining farms to complete proposed BMP
Approved by L. Travis 7/24/09

22. Wyoming SWCD – Lake Erie Drainage Basin Ag BMP Imp Project – Round 14 – C700880
Request: change of BMPs
Reason: change in BMP will result in water quality benefits at least equal if not greater
Request 2: time extension from 12/31/11 to 2/22/13
Reason 2: Time extension needed for remaining farms to complete proposed BMPs
Approved by L. Travis 7/24/09

23. Yates SWCD – Seneca Lake WS Phase 2 AEM Implementation – Round 14 – C700895
Request: time extension from 12/31/11 to 2/22/13
Reason: Extension needed due to delay in receiving funds to begin construction
Approved by L. Travis 7/7/09

24. Yates SWCD – Keuka Lake WS Phase 3 AEM Implementation – Round 14 – C700895
Request: time extension from 12/31/11 to 2/22/13
Reason: Extension needed due to delay in receiving funds to begin construction
Approved by L. Travis 7/7/09

D. Stein asked what we are hearing from Districts regarding EPF payments. M. Latham stated Tompkins County is waiting for approximately \$1 million from mostly DEC. J. Littrell stated this fall, we might hear that more Districts are suffering. S. Lorraine said while the Districts received their AEM payments, it won't be long before some Districts are feeling the cash pinch once again. He stated slow distribution of payments is severely affecting implementation, therefore, resulting in amendment requests for no-cost time extensions. M. Latham stated the priorities for EPF payments are District reimbursement first, followed by AEM Year 4 closeout payments, then Ag Nonpoint Source payments. D. Stein said there needs to be political awareness regarding how EPF funding is affecting Districts. M. Latham stated the announcements for Round 15 would occur before an RFP would be developed for Round 16.

Great Lakes Restoration Initiative (GLRI)

P. Giltner reported that one of the current federal administration priorities is improving the ecological health in the Great Lakes. The proposed 2010 budget includes a Great Lakes Restoration Initiative 5-year program. This initiative is for \$5 billion dollars for states in the Great Lakes Basin. The first year may make available \$470-475 million dollars through EPA. The initiative is a multi-State, multi-agency project. Currently DEC, who is the lead agency, has put together meetings and a working group involving several State agencies as well as non-governmental organizations. The Great Lakes Restoration Initiative's key areas include projects involving toxic substances, invasive species – mostly aquatic – nonpoint source health pollution and habitat wildlife protection restoration. EPA came to Albany the end of July to present an overview. The Great Lakes Restoration Initiative will be used for projects, not programs or staffing. Projects in New York would involve farmland preservation and nonpoint source projects. There are approximately 40 Round 15 projects located within the Great Lakes Basin, Lake Ontario, Lake Erie and the Finger lakes that would qualify. B. Steinmuller hoped that the initiative could fund these Round 15 projects allowing EPF funding to be expanded. The initiative would cover both interagency projects and private/public projects. A preliminary announcement should be public this fall coinciding with the 2010 fiscal year which begins October 1, 2010.

State Aid to Districts Report

M. Latham stated the Rules and Regulations sub-committee which makes recommendations to the State Committee for performance measure criteria and standards met on August 3rd. There were long discussions on a variety of topics regarding State aid to Districts. At this meeting today, the Committee needs to adopt the percentage distribution for the four Performance Standards, and determine the 2010 Performance Standards. M. Latham recapped the 2008 performance measures. He distributed Performance Measure Evaluation Worksheets outlining changes to 2010 Performance Standards.

The 2009 Performance Standard percentages were broken down as follows: Performance Measure 1 – 10%, Performance Measure 2 – 10%, Performance Measure 3 – 40% and Performance Measure 4 – 40%.

D. Brass moved to approve the 2009 Performance Standard percentage distribution for 2009 as identified; seconded by D. Stein. Motion passed carried.

The Performance Standard criteria for 2010 were discussed.

J. Dickinson moved to approve the 2010 Performance Standard Criteria with slight changes as identified; seconded by C. Colby. Motion passed carried.

M. Latham stated the sub-committee elected not to change the deadlines for performance measures (6 months).

Community Conservation Assistance Toolkit (CCAT) Presentation

S. Gordon presented a power point on Community Conservation Assistance. She distributed a packet of information explaining the mission, challenges, the association with EBM, goals, deliverables, current events and the future of CCA. Much discussion ensued. She will be meeting with the CDEA to discuss the CCA Training Curriculum and District training needs and objectives. P. Black announced he will be moderating a seminar for Lorman Education Services January 19, 2010 regarding current issues in stormwater management. He will coordinate with Sarah on some issues. M. Latham stated we are looking for funding sources to continue this program locally. More information on Community Conservation Assistance can be obtained by

contacting www.nyacd.org or SAGE.Consulting@yahoo.com.

Washington County SWCD Presentation

Joseph Driscoll, District Manager, and Corrina Aldrich, Natural Resources Agricultural Technician, from the Washington County Soil and Water Conservation District gave a power point presentation on Washington County's history, background, programs and services they provide. There are approximately 160 dairy farms in Washington County. The dry hydrant program has been in place for about 15 years. They provided packets of information detailing highlights from their 2008 annual report, 2009 accomplishments to date, information on their dry hydrant program, culvert assessments and agricultural plastics baler. Demonstrations of the agricultural plastics baler will be held at the Washington County Fairgrounds.

Ecosystem-base Management and Coastal and Inland Waterfront Revitalization

Ken Smith from the NY Department of State delivered an update on New York Ocean and Great Lakes Ecosystem Conservation Council activities. These included a Stakeholder Report for the Sandy Creeks Demonstration Area that will be released in the next few weeks. He also reported the New York Ocean and Great Lakes Ecosystem Conservation Council will be holding an Agency Steering Committee meeting in late August, with agenda items including funding for Council projects, status reports and priority next steps based on the Council's report issues in April of this year.

K. Smith noted under the Local Waterfront Revitalization Program, there is \$23 million available through Title 11 of the Environmental Protection Fund for the 2009-1010 grant round. He indicated that Soil and Water Conservation Districts may be interested in participating with eligible applicants in the grant category, preparing or implementing a local or regional watershed management plan. He distributed applications, RFA's, the list of coastal waterbodies and designated inland waterways, and a New York State Department of State grant program regional representative contact List. The deadline to apply for this funding is September 16, 2009 at 4:00 pm. Application materials are available online at http://www.nyswaterfronts.com/grantopps_EPF.asp or by email request to coastal@dos.state.ny.us.

Water Quality Improvement Projects

F. Zagorski spoke about an RFP for Water Quality Improvement Projects. The deadline to apply is October 16, 2009. The total funding available is not yet known.

Dairy Economy/CAFO Update

M. Latham reported the blend price for milk is 11.52 per cwt. The Senate has dairy legislation in place. Regarding MILC program, Senator Kirsten Gillibrand has introduced legislation to aid dairy farmers. J. Dickinson said it is a supply and demand issue and he said never has the price been depressed for so long. Five sessions were held across the State on CAFO worksheets and permits.

Other Reports

P. Black announced he will be receiving The National Award for Extraordinary Service in surface water hydrology from the American Institute of Hydrology in Scottsdale, Arizona.

P. Kaczmarczk stated the Hudson River dredging continues. The Groundwater Rule is nearing completion.

J. Barber distributed the CREP Report.

L. Telega announced Dean Henry is stepping down after nine years and not seeking a third term. Her term ends 7/31/10. Cornell University is reorganizing and offered an early retirement incentive. Four hundred thirty people took advantage of the incentive. Out of the 60 employees CALS who took advantage of the incentive, they will be able to hire back 20%. 2011 marks the 100th year of Cornell Cooperative Extension.

F. Zagorski stated CAFO permit is out. They have not yet received any NOI's. Of the 64 large CAFOs which have been sent NOV's, 63 are completed or have schedules that indicate they will be completed by November 30, 2009. Clean Water Permit is being finalized.

J. Tazuel stated policy development for next year is beginning with milk pricing and farm labor issues being discussed as priorities.

J. Littrell announced the annual NYACD meeting will be held October 18-20, 2009 at the Fort William Henry, Lake George Village, Warren County. The new Director of NACD will be present at the meeting. She also stated she will be meeting with Judith Enck on the future of EPF. A highlight of discussion at the meeting will be alternative funding for Districts.

B. Steinmuller distributed a Resolution to be adopted by the Committee resolving that it is the policy of the State Committee to offer preference to Districts when contracting through the Department for the purposes of carrying out personnel and other contractual agreements.

J. Dickinson moved to pass Resolution #2009-02; seconded by D. Brass. Resolution passed carried.

M. Stephenson stated NRCS is presently obligating program contracts. The budget looks good. There will be some additional EQIP dollars. They are not closing any field offices. She distributed Conservation Stewardship Program (CSP), Producer Self-Screening Checklist. Sign up through September 30, 2009. This is a brand new program. From August 10 – September 30, 2009 NRCS is informing the public and accepting applications. October 1, 2009 they will begin evaluation and ranking of applications. Applicants should pre-screen themselves. To participate in CSP, you must meet applicant eligibility, land eligibility and meet the stewardship threshold requirement. There will be three separate funding pools; 1) Great Lakes Watershed, 2) Susquehanna Watershed/Lower Hudson/Long Island, and 3) St. Lawrence/Lake Champlain Watershed. NRCS training is scheduled for September 9 and 10. NRCS can assist you by contacting your local NRCS office or www.nrcs.usda.gov/programs. M. Latham asked about continuing stewardship. M. Stephenson said stewardship must continue for five years. She said she is not certain on payment system, but it may be an annual payment. They may sign up ag land and forest land separately. No financial assistance dollars have been announced for New York State yet. Usually, New York State receives approximately 2% of the nationwide allocation.

J. Moody-Czub reported on Wine Grape Task Force. She stated winery wastewater is an issue needing attention, and would like to see it as an agenda item in the future. F. Zagorski stated DEC is looking at a possible permit regulating winery wastewater.

Next Meeting – Tuesday, September 15, 2009, Utica, New York at 10:00 a.m.

Meeting adjourned at 2:20 p.m.

This web cast may be viewed in its entirety at: <http://www.webcasting.com/soil-water/player.php?clientname=soil&eventname=-board&eventdate=08.11.2009>