

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

**STATE COMMITTEE MINUTES**

**September 15, 2009**

**State Office Building, Conference Room A  
207 Genesee Street  
Utica, New York**

Present: D. Stein, D. Brass, C. Colby, J. Dickinson, G. Proios, Voting Members; B. Steinmuller, Assistant Director; N. Lawler, L. Travis, L. Prezorski, C. Frasier, R. Lewis, B. Brower, J. TenEyck, SWCC Staff; P. Wright, NRCS; L. Telega, B. Moebius-Clune, H. van Es, G. Abawi, Cornell; K. Roberts, DEC; P. Kaczmarczyk, DOH; P. Giltner, Ag & Markets; P. Black, SUNYESF; S. Lorraine, President CDEA; B. Rogers, J. Littrell, NYACD; E. Mangle, Hamilton Co. SWCD

**Call to Order:**

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

Introductions made.

G. Proios mentioned he and Brad Rogers attended the NACD Annual Meeting in Washington, DC. The reinstating of 319 funding was discussed. He stated Dave White is the new NRCS Chief. He also attended the Northeast Regional meeting in Maryland. He stated Delaware and Maryland are way behind New York State with their CAFO programs.

G. Proios stated the new 2009-2010 NYS Soil and Water Conservation Districts Directory has federal and state emergency disaster phone numbers listed in the back and urged members to make a copy to keep it handy.

G. Proios and B. Rogers met with DEC Assistant Commissioner Jim Tierney regarding funding opportunities through Great Lakes Restoration Initiative. Projects which are closer to lakes, green infrastructure projects have better chance of receiving funding. There are approximately 40 Round 15 projects located within the Great Lakes Basin, Lake Ontario, Lake Erie and the Finger Lakes that would qualify. Personnel service needs should be included in these projects. G. Proios stated Brad will work with Judy Littrell and EPA in getting an announcement about this initiative sent to Districts.

L. Prezorski stated there are currently two RFP's available through the Great Lakes in which Districts can apply; one is a Stewardship Grant up to \$1.5 million with a minimum \$150,000 match and the second is a Community Grant with a range of \$25,000 - \$150,000. The deadline for submission of the Stewardship Grant is October 1 and the Community Grant deadline is October 15, 2009.

**Review and Approval of Minutes**

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

**Correspondence**

**Letters & Memos**

B. Steinmuller read a letter dated July 14, 2009 to Michael Latham from Mark Burger, Executive Director, Onondaga SWCD regarding their support for keeping the EPF Round 15 grant open.

## **Reports & Newsletters**

Albany SWCD District News – Fall 2009  
Cortland SWCD Newsletter – Summer 2009  
Madison SWCD newsletter, "For Lands Sake" – Summer 2009  
Onondaga SWCD "Conservation Quarterly" – Spring/Summer 2009  
Ontario SWCD "Conservation Plantings" – September 2009  
Schoharie SWCD "Conservation News" – Summer/Fall 2009  
Wyoming SWCD newsletter – Fall 2009  
Bay Journal – September 2009  
CFA News – Summer 2009  
ERS Report Summary – August 2009  
Finger Lakes RC&D July 2009 meeting minutes  
Government Technology publication– August 2009  
Nuggets & Nibbles – Cornell Local Roads Program – Summer 2009  
Public Works publication – August 2009  
The Upper Delaware Council, Inc. publication – Fall/Winter 2009  
Waterworks – NYS Federation of Lake Assocs., Inc. publication – August 2009

## **Conferences & Seminars**

2009 Northeast Private Well Water Symposium – November 16 and 17, 2009 – Holiday Inn By The Bay, Portland Maine.  
Questions: [alyson@uri.edu](mailto:alyson@uri.edu) or 401-874-5398;  
Registration: [usawaterquality.org/nesci/2009Symposium](http://usawaterquality.org/nesci/2009Symposium)

## **Agricultural NPS Abatement & Control Grant Program September 15, 2009 State Committee Meeting**

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

Of 515 contracts, 168 are active, 1 is pending and 331 are complete. 15 contracts have been cancelled during the life of the program.

### **Amendments for State Committee Consideration**

1. Washington SWCD – Lake Champlain Halfway Creek Ag Waste Mgt – Round 10 – C700770  
Request 1: time extension from 12/31/09 to 12/31/10  
Reason 1: the design for the Ag Waste Storage facility is in progress and scheduled for completion by 9/09. The contracting process and limited farmer cash flow may delay construction to late 2009. EPF cash flow may delay availability of cost-share funds for the remainder of 2009

Note: Steve Lanthier, Region 4 AEA, supports the proposed change.  
Previous amendments: 2 time extensions, 1 change to scope.

**D. Brass moved to approve the amendment request for a time extension to 12/31/10. This will be the final time extension for this grant. No further time extensions will be approved; seconded by D. Stein. Motion passed; carried.**

2. Rensselaer SWCD – Tomhannock Reservoir WS Ag NPS Partner V Project – Round 10 – C700764  
Request 1: time extension from 9/30/09 to 12/31/09  
Reason 1: There are six farms participating in grant; five have finished projects. The last

is a medium CAFO and the BMPs are necessary for CAFO compliance

Note: Cliff Frasier, Region 5 AEA, supports the proposed change.

Previous amendments: 2 time extensions, 3 changes to scope

**J. Dickinson moved to approve the amendment request for a time extension to 12/31/09; seconded by D. Stein. Motion passed; carried.**

### **Staff Approved Amendments**

1. Delaware SWCD – Controlled & Ltd Livestock Access Using Riparian Buffers – Round 13 – C700842

Request: time extension from 12/31/09 to 12/31/10

Reason: 2009 wet construction season causing delays

Approved by R. Lewis 9/2/09

2. Jefferson SWCD – Lake Ontario Tributaries CAFO BMP Imp Grant – Round 11 – C700781

Request: time extension from 12/31/09 to 12/31/10

Reason: extension required to allow farm time to acquire the financial resources to complete project; one practice remaining to implement

Approved by S. Lanthier 9/09

3. Niagara SWCD – Johnson Creek BMP Imp Project – Round 13 – C700852

Request: time extension from 12/31/09 to 11/14/11

Reason: waiting to receive 65% funding for new landowner

Approved by L. Travis 8/5/09

4. Niagara SWCD – Twelve Mile Creek BMP Imp Project – Round 13 – C700853

Request: time extension from 12/31/09 to 11/14/11

Reason: waiting to receive 65% funding for new landowner

Approved by L. Travis 8/5/09

5. Madison SWCD – Upper Tioughnioga River NPS Reduction Project – Round 13 – C700847

Request: time extension from 12/31/09 to 11/15/11

Reason: extension due to difficult time for dairy farmers

Approved by C. Frasier 8/20/09

6. Madison SWCD – Upper Chenango River AG NPS Reduction Project – Round 13 – C700846

Request: time extension from 2/10/10 to 12/31/10

Reason: extension due to current economic times

Approved by C. Frasier 9/10/09

7. Madison SWCD – Upper Susquehanna Grazing Initiative – Round 13 – C700848

Request: time extension from 2/10/10 to 12/31/10

Reason: extension due to current economic times

Approved by C. Frasier 9/10/09

8. Sullivan SWCD – Callicoon Creek WS Ag Imp Project – Round 12 – C700827

Request: change in BMP

Reason: due to flooding, existing laneway destroyed

Approved by J. Schumacher 8/18/09

9. Washington SWCD – Champlain CAFO Waste Storage Evaluation – Round 13 – C700874  
Request: time extension from 12/31/09 to 12/31/10  
Reason: extension due to EPF cash flow and low milk prices  
Approved by S. Lanthier 8/13/09
10. Washington SWCD – Hudson Basin CAFO Ag Waste Storage – Round 13 – C700873  
Request: time extension from 12/31/09 to 12/31/10  
Reason: extension due to delay in storage upgrades for certification due mainly to very low milk prices  
Approved by S. Lanthier 8/13/09
11. Cayuga SWCD – Satellite Waste Storage – Round 12 – C700804  
Request: time extension from 6/30/10 to 3/29/11  
Reason: time and funding is needed to install the irrigation system for the digester effluent  
Approved by J. TenEyck 7/28/09

**The following Round 7 and Round 14 no-cost time extensions have been approved by the November 30, 2009 deadline. They will be resubmitted in 2011 when they can be reviewed by the Office of the State Comptroller.**

1. Niagara SWCD – Eighteen Mile Creek BMP Imp Project – Round 14 – C700878  
Request: time extension from 12/31/11 to 12/31/12  
Reason: extension needed due to poor economy and lower milk prices  
Approved by L. Travis 8/5/09
2. Cayuga SWCD – On Farm Waste Storage for Regional Digester – Round 14 – C700881  
Request: time extension from 12/31/11 to 2/22/13  
Reason: landowners cannot front the cost of BMPs, EPF funding delays  
Approved by J. TenEyck 7/28/09
3. Cayuga SWCD – Cuddeback Reception Waste Storage Facility – Round 14 – C700882  
Request: time extension from 12/31/11 to 2/22/13  
Reason: landowner cannot front the cost of the BMP, needs cost share assistance  
Approved by J. TenEyck 7/28/09
4. Cayuga SWCD – Cayuga Lake WS Tier IV – Round 14 – C700883  
Request: time extension from 12/31/11 to 2/22/13  
Reason: extension needed due to poor economy and EPF payments delayed  
Approved by J. TenEyck 8/3/09
5. Cayuga SWCD – Prescribed Grazing – Round 14 – C700884  
Request: time extension from 12/31/11 to 2/22/13  
Reason: extension needed due to poor economy and EPF payments delayed  
Approved by J. TenEyck 8/3/09
6. Cayuga SWCD – Spruce Haven Manure Management Project – Round 7 - C700053  
Request: time extension from 12/31/10 to 1/1/13  
Reason: obtaining long term contracts for project is taking longer than anticipated  
Approved by J. TenEyck 8/3/09

B. Steinmuller explained the time extensions for Round 14 have been approved by the field staff, but they will need to be resubmitted in 2011 as the current end date is December 2011 and the State Comptroller's office will not approve time extensions requested this far in advance. They must be submitted no sooner than six months before the original end date.

B. Steinmuller referred to the above mentioned correspondence from Mark Burger regarding Round 15. B. Steinmuller stated that monthly disbursements of EPF funding have been made and are continuing. Discussion on AEM payments and EPF contract payments took place. The Round 15 project awards were discussed. S. Lorraine stated the Round 15 projects should be awarded. B. Steinmuller said Districts would need to be diligent in reviewing projects and submitting Plans of Work.

**D. Stein moved to give staff the option to award Round 15 projects if conditions are met as discussed and funding is available; seconded by J. Dickinson. Motion passed carried.**

G. Proios asked if we could check to see how much revenue the real estate transfer tax has brought in over previous years.

### **Soil Health Test Presentation**

Harold van Es, George Ibawi and Bianca Moebius-Clune from Cornell University delivered a PowerPoint presentation on soil health assessment. Their presentation provided an overview of the concept of soil health, describing how to conduct qualitative and quantitative soil health assessment, soil sampling and laboratory methods used to assess the health status of soil. This was a very informative presentation with many questions asked and much discussion. G. Proios stated soil health management could be incorporated in an AEM Tier 2/Tier 3 assessment. J. TenEyck stated the soil health practices management AEM worksheet should be reworked and will forward the Cornell soil health staff a copy for their comments and suggestions. He will also look into adding this presentation to the Water Quality Symposium curriculum. D. Stein indicated this presentation would be valuable at CNMP meetings. Additional information is available at: <http://soilhealth.cals.cornell.edu>.

### **Hamilton County SWCD Presentation**

Elizabeth Mangle, District Manager from the Hamilton County Soil and Water Conservation District gave a PowerPoint presentation on Hamilton County's history, background, programs and services they provide. She stated interesting facts about Hamilton County such as it is the least populated county in New York with a population of 5,000, third largest county in the State, 63% of the county is State-owned and there are no traffic lights, hospitals or universities in the county. Tourism is the main industry in Hamilton County. She distributed a fact sheet outlining Hamilton County's accomplishments in 2009. Some programs at Hamilton County include hydroseeder program, fish passage assessment, water monitoring and an extensive invasive species program. Hamilton County also has an expanded GIS system featuring online mapping which has been instrumental in providing assistance to the county with their FEMA hazard mitigation plan effort and towns with rural address numbering. More information on Hamilton County may be obtained at [www.hamiltoncountyswcd.com](http://www.hamiltoncountyswcd.com) and their GIS Site can be accessed at [www.hamcomaps.net](http://www.hamcomaps.net).

### **AEM Report**

J. TenEyck gave a report on the AEM base program and the progress from 2005 – 2009. He distributed a report indicating money requested and money earned over the period. He also reported on cumulative comparison of accomplishments by tier and year. Fifty-two Districts are participating in AEM Year 5. Seven of the nine eligible Districts are participating at the

enhanced level. He also mentioned there could be as many as 13 Districts eligible for enhanced payments in AEM Year 6.

### **CAFO/CNMP Certification Report**

Bob Brower distributed a Certified AEM Planner Update sheet. There are 44 Certified AEM Planners to date. There were five CAFO training sessions held across the State. About 325 people attended; 20-25% were farmers. There were many questions asked at these sessions, and DEC will be compiling a list of those to be available online. B. Brower conducted a planner training session on barnyard training in Auburn where approximately 30 people attended. G. Albrecht will be conducting a fields training. P. Wright is working on an AEM tool for the evaluation of existing manure transfers on farms. He may have this available for the Committee's review next month to adopt as an official AEM tool. Under the new CAFO permit process, B. Brower is working on the development of AEM worksheets for concentrated sources to be done by planner. He is currently working on a worksheet for vegetative treatment areas. So that there is uniform direction and understanding, plans for setting up training around the State for engineers, planners and DEC inspectors are underway. The Clean Water Act Permit is not out yet. Farmers aren't sure if they fall under the Environmental Conservation Law Permit or the Clean Water Act Permit. The field staff is spending a lot of time on CAFO permits when they have plan reviews to be conducted. L. Telega asked if SWCC staff were doing DEC work. If so, DEC should be compensating them.

### **NYSCDEA/NYSSWCC Technical Advancement Program**

L. Prezorski reported on the Technical Advancement Program. NASCA held a national teleconference which indicated Ohio had the most advanced training plan with five engineers and one engineer overseeing the training. Most states rely on job approval authority from NRCS. The NYSSWCC is waiting for approval of five engineers. The engineers would be environmental/agricultural engineers with the title of Natural Resource Engineer. The committee is currently working on a list of courses for training at the Water Quality Symposium. The three phases of training would be technical implementation, agricultural planning and a non-agriculture track. The Conservation District Employees' Association is reviewing this training plan.

### **EBM Program Update**

L. Prezorski stated the Jefferson County, Sandy Creek Watershed riparian buffer pilot program was completed. A pollution prevention component to Jefferson County under EBM is underway. This project involves no-till cover cropping and fuel storage secondary containment and upgrades. Also under EBM, Tioga County is working on a riparian buffer project. A steering committee meeting of the nine agencies involved in Ecosystem Based Management will be held in October. The Department of State and the Department of Environmental Conservation are the primary agencies heading the EBM Program. A list of proposals for projects will be discussed at this meeting. DEC is in charge of action areas and the Mohawk River was chosen. There is a draft action agenda and the Mohawk River Coalition of Conservation Districts will be meeting with Paul Bray from DEC's Commissioner's office on September 18, 2009 to discuss goals for the agricultural community and District involvement.

### **Other Reports**

L. Telega announced 645 new freshmen at CALS; 250 of which are transfers and 53% are New York State residents. G. Proios asked what money from Agriculture and Markets goes to CALS and vet school. L. Telega stated the Department's Fiscal Management could provide that information.

P. Black stated he will be moderating a seminar in Syracuse put on by Lorman Seminars on January 19, 2010 discussing current issues in stormwater runoff. P. Wright is also on the panel. The Sustainability Design Assignment Team (SDAT) asked Peter to participate in future land use planning for Eagle County, Colorado. He will be attending this meeting next week.

P. Wright announced NRCS is finalizing their fiscal year. He anticipates the announcement of a new budget in October 2009.

B. Silvestri is back with "Down to Earth Briefs". District Director training modules are available on website.

G. Proios thanked Sarah Gordon for her work on CCAT program. Final printing of CCAT brochure will be available next week.

### **Department of State Agency Report**

The *Watershed Plans: Protecting and Restoring Water Quality* multimedia informational package has been released by the Department of State. The informational package, prepared by the Department of State in partnership with the Department of Environmental Conservation, is designed to provide guidance to municipal officials, planning boards, watershed group, and others who can make a difference in their watershed. The package includes a motivational video, which showcases communities throughout the State successfully preparing and implementing their watershed plans; a website, which provides technical information and links to additional resources; and a guidebook, which frames a flexible process for preparing and implementing watershed plans.

For more information visit the [http://www.nyswaterfronts.com/watershed\\_home.html](http://www.nyswaterfronts.com/watershed_home.html)

### **Ecosystem Based Management- NYS Ocean and Great Lakes Ecosystem Conservation Council**

The Agency Steering Committee of the New York Ocean and Great Lakes Ecosystem Conservation Council met on August 23, 2009. The Agencies were asked to develop work plans and budgets for FY09-10 to advance Council implementation priorities

S. Lorraine stated over 130 people have signed up for Conservation Skills Workshop, which is a record number of attendees. The Administrative Skills Conference will hold a two-day meeting in Waterloo. B. Steinmuller stated no overnight travel, but it is possible some SWCC staff may be available to attend. Registration fees and overnights stays have been severely restricted. S. Lorraine stated planning for Water Quality Symposium is underway and he is hopeful that the State Committee will be available to provide staff for training.

P. Kaczmarczyk stated strict travel restrictions have been in place at the Department of Health for some time and he is concerned how this will affect the Department of Health's participation on the Committee.

K. Roberts stated a new Division Director may be announced in the next few months.

**Next Meeting** – Tuesday, October 20, 2009, Fort William Henry, Lake George, New York at 11:30 a.m.

Meeting adjourned at 3:10 p.m.

This web cast may be viewed in its entirety at: <http://www.webcasting.com/soil-water/09.15.2009soil-board.html>