

APPROVED

New York State Soil & Water Conservation Committee
10B Airline Drive, Albany, NY 12235 -- 518 457-3738

State Committee Meeting

NYS Department of Agriculture and Markets
10B Airline Drive, Albany, NY 12235

NYS Department of Agriculture and Markets
581 State Fair Blvd., Syracuse, NY 13209

Chairman Dale Stein
19484 Edgewater Drive, Port Charlotte, FL 33948

18 March 2019
10:00 am

At a Glance

- Agricultural Nonpoint Source (Ag NPS) Abatement and Control Program Update
- Climate Resilient Farming (CRF) Program Update
- Agricultural Environmental Management (AEM) Report
- Municipal Subcommittee Report
- Partnership Reports / Advisory Member Reports / Public Comments

Present

Albany location: Darin Hickling, Voting Member; Brian Steinmuller, Assistant Director; Bethany Bzduch, Jennifer Clifford, Judy Littrell, AJ Battaglia, SWCC Staff; Julie Berlinski, NYSDEC; Renee St. Jacques, NY Farm Bureau; Paul Kaczmarczyk, NYSDOH; Tim Sweeney, NYSDAM; Chastity Miller, Franklin County SWCD/Conservation District Employees' Association (CDEA); Kate Ziehm, Corrina Aldrich, Washington County SWCD.

Syracuse location: Dave Brass, Vice-Chair; Greg Albrecht, PJ Emerick, Ryan Cunningham, Ron Bush, SWCC Staff; Steve Lorraine, Madison County SWCD/CDEA; Blake Glover, Tammy Willis, NRCS; Brian Rahm, Cornell CALS.

Florida location: Dale Stein, Chair.

Review/Approval of Minutes

D. Brass made a motion to approve the January 15, 2019 draft minutes; seconded by D. Hickling. Motion passed; carried.

Correspondence and Staff Update

District Annual Reports, newsletters and periodicals were made available in the Albany office.

B. Steinmuller introduced Jason Kokkinos to the State Committee. Jason previously worked in the private sector for an environmental consulting firm. He will be working on data management, GIS mapping and many other projects during his time with the Department of Agriculture and Markets.

Soil Conservation and Cultural System Implementation Policy, Bethany Bzduch

B. Bzduch explained that for projects approved and contracted through New York State Soil and Water Conservation Committee Programs, component practices of the Soil Conservation Cultural System will be cost-shared for a three-year term to allow enough time to demonstrate the value of the practice to the farmer over multiple growing seasons. If funded in the current program round, farms may not reapply for subsequent cost-share of the same component practice(s) funded in through any NYSSWCC cost share program for three program rounds from contract completion. After three program rounds, farms may reapply based on new technologies being available, and/or the Soil Conservation-Cultural System practice is needed to address additional concerns than what were dealt with in the original contract.

The New York State Soil and Water Conservation Committee (State Committee) is continuing to add emphasis on field level conservation that is cost-effective relative to the anticipated environmental benefit. For the duration of the three-year contract, payments for component practices of the Soil Conservation Cultural System should be based on the 2019 NRCS EQIP flat per acre rates. Any proposal that is based on a flat rate above or below the NRCS rates must be justified by the applicant in the RFP. Funded proposals and ensuing contracts for Soil Conservation – Cultural Systems that are based on itemized costs must be documented and have paid receipts, time logs, etc. available for review upon project completion (*Please see appendix A for complete policy proposal*).

D. Brass made a motion to approve the implementation policy; seconded by D. Hickling. Motion passed; carried.

Ag NPS Abatement and Control Program Update, Bethany Bzduch
Program Status

B. Bzduch noted that the Ag NPS Round 25 RFP is currently in the process of being approved by Counsel's office and should be ready for review and approval consideration at the next SWCC meeting.

B. Bzduch presented the following amendments for State Committee Consideration:

Region 1

Monroe County SWCD – Agricultural Erosion Control in the Irondequoit Creek Watershed – Round 21 – C701219

Contract Start: 09/28/2015

Contract End: 06/01/2019

Request: Time Extension to 12/31/2020

Reason: There are four farms in this contract, however, one farm will be withdrawing. The remaining three farms have started implementing their projects but have experienced construction delays. One landowner is awaiting engineer approval for a stream crossing, as well as, a town permit for the project. The second landowner has completed one component practice and is currently assessing alternatives for a second component to keep the project within budget. The third landowner has one best management practice remaining to implement. The SWCD is requesting an 18-month extension to provide 2 additional construction seasons to complete all of the remaining BMP's in the contract.

*Note: Victor DiGiacomo, Region 1 AEA, supports the request, but refers to the State Committee
Previous Amendments: None*

D. Hickling made a motion to approve the time extension amendment; seconded by D. Brass. Motion passed; carried.

Region 2

Cayuga County SWCD – Cayuga Lake Nutrient & Sediment Reduction – Round 21 – C701203

Contract Start: 09/28/2015

Contract End: 06/01/2019

Request: Time Extension to 12/31/2019

Reason: The contract is a joint project with Seneca County. Two farms in Seneca County will be installing the proposed best management practices in 2019. Both farms are designs in place and are committed to implementing the projects. Weather and the financial climate have both played a part in causing delays with these projects. The SWCD is requesting a 6 month extension to have an entire construction season to complete projects.

Note: PJ Emerick, Region 2 AEA, supports the request, but refers to the State Committee

Previous Amendments: None

D. Brass made a motion to approve the time extension amendment; seconded by D. Hickling. Motion passed; carried.

Region 3

Montgomery County SWCD – Briggs Run – Round 21 – C701220

Contract Start: 09/28/2015

Contract End: 06/01/2019

Request: Time Extension to 9/27/2020

Reason: The participant in the contract had a positive archeological finding during a phase one study. Once clearance was issued and the design for the project was being completed changes to the geologic considerations were put in place requiring further approval from NRCS. In October 2018, all approvals obtained, designs complete, and bids procured. Due to rain and extreme cold, the project could not progress as anticipated. To date, the proposed manure storage is complete and rough grading has been completed for the heavy use area protection. Weather permitting, work will continue in March 2019.

Note: Scott Fickbohm, Region 3 AEA, supports the request, but refers to the State Committee

Previous Amendments: None

D. Hickling made a motion to approve the time extension amendment; seconded by D. Brass. Motion passed; carried.

Climate Resilient Farming Program Update, Brian Steinmuller, AJ Battaglia

Program Status

B. Steinmuller noted that most CRF Round 3 projects are now active. Due to leftover Round 2 allocations, several additional Round 3 projects were funded. This resulted in their contract dates starting and ending

later. Because CRF is an Environmental Protection Fund (EPF) program, any funds that are not expended are returned to the program and are eligible for use in the following rounds.

The CRF Round 4 RFP has been released. The due date for applications is May 13th, 2019. Steinmuller noted that he has fielded some questions so far from both Districts and farmers alike. The first Questions & Answers document will be released shortly. Round 4 will allow for track 2 “Water Management” projects to take place on nonfarm land that will directly impact the farm i.e. floodplain management and stream restoration. The COMET Planner will also be utilized as a quantification tool for greenhouse gas reduction related to sequestration.

AJ Battaglia presented the following amendment for State Committee Consideration:

Region 2

Cortland County SWCD – New Hope View Farm CRF Project – Round 1 – C00075GG

Contract Start: 04/18/2016

Contract End: 12/31/2019

Request: Time Extension to 12/31/2021

Reason: Due to the current long-term economic dairy crisis affecting the NY dairy industry, the farm is unable to move forward with project implementation. New Hope View Farm is struggling to keep up with daily operations and the farm owners are currently unable to undertake any large expenditures. Cortland SWCD and the farm owner hope that by requesting a two-year extension, the dairy economy will stabilize during that time and the farm will be able to implement the project during the 2020 construction season.

Note: PJ Emerick and The Cortland County SWCD Board of Directors supports this extension request.

Previous Amendments: None

D. Brass made a motion to approve the time extension amendment; seconded by D. Hickling. Motion passed; carried.

AEM Report, Greg Albrecht

G. Albrecht presented the following AEM Base Program Re-Design Concept Tracker:

AEM Base Element		Change
1	AEM Base Funding Enhancement	• Restructure the AEM Base Program to include two, non-competitive funding components operated over a two-year contract period for: (1) a technical assistance (TA) fund for work through the Tiers (aka the current AEM Base structure) <u>and</u> (2) a Tier 4 cost-share (CS) fund for on-farm implementation projects.

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AEM Base Element		Change
1A	Funding, Action Plans, and Eligibility	<ul style="list-style-type: none"> • Districts apply for AEM Base via an AEM Action Plan to include: <ul style="list-style-type: none"> • a two-year budget and goals for TA via Options A (up to \$130K), B (up to \$220K), or C (up to \$170K) and • a simple project proposal(s) and budget(s) for Tier 4 CS implementation projects to be completed within two-years <ul style="list-style-type: none"> ○ up to \$100K in State share total <ul style="list-style-type: none"> ▪ individual projects capped at \$50K State share ○ projects based on Tier 3 Plan ○ open to all BMP Systems in the Catalogue • SWCC decision to approve an AEM Action Plan serves as State support for local decision to advance the project for funding. • Eligibility limits for T4 CS: <ul style="list-style-type: none"> • due to the non-competitive status of the Tier 4 CS funds, District employees and Directors are excluded from application (note, they'd remain eligible for SWCC competitive programs, following recusal guidelines).
1B	AEM Base "Year" Program Calendar	<ul style="list-style-type: none"> • Shift AEM Base Program to a Jan. 1 through Dec. 31 calendar to allow time to execute contracts before construction seasons. • <u>AEM Base Year 15</u> will run as the traditional TA-focused program, but on a shortened timeline from May 7, 2019, until Dec. 31, 2019, with funds prorated to that 34-week period. • For the new two-year AEM Base Program (aka <u>AEM Base Round 16</u>): <ul style="list-style-type: none"> • Runs Jan. 1, 2020, until Dec. 31, 2021 • Action Plans due Nov. 1, 2019, to allow for timely contract execution
1C	Cost Share Rate	<ul style="list-style-type: none"> • Up to 87.5%.
1D	Match Allowances	<ul style="list-style-type: none"> • Non-State funds: Yes. • State funds: No.
1E	Tier 4 CS Fund Use	<ul style="list-style-type: none"> • Tier 4 CS project expenses external to District Staff time (AEM TA funds used for District staff time). • If a District owns equipment, the use of that equipment by District staff for the implementation of a T4 CS project may be included in the T4 CS budget and reimbursement.
1F	Advance Payments	<ul style="list-style-type: none"> • 25% advance for entire budget (TA + CS). Would not need to spend down the 25% to voucher for 65%. • May also add 65% of CS budget when ready to build (or voucher later when ready). • Regardless, Districts will need a dedicated, separate account to house the TA and CS funds associated with that round's AEM Base contract.
1G	Amendments	<ul style="list-style-type: none"> • Allow amendments within the approved, budgeted amount (e.g., for left over funds from under budget projects; for shifts to another farm if the original doesn't work out; and the like). <ul style="list-style-type: none"> • A revised Action Plan application would be submitted, reviewed, and approved by SWCC staff. • Could allow farmers not present in the initial AEM Action Plan to participate.

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AEM Base Element		Change
		<ul style="list-style-type: none"> No deadline during the two-year contract period for an amendment, but SWCC staff may discuss feasibility with District during review of the amendment. No time extensions; emphasis should be for projects that can be completed in two years. <ul style="list-style-type: none"> Incomplete projects should be included in the Action Plan for the next two-year AEM Base Program for the remainder of the project.
1H	Interim Reports	<ul style="list-style-type: none"> Submit interim report when requesting reimbursement (i.e., the sole interim reporting requirement).
1I	Close-Out and Final Report Procedures	<ul style="list-style-type: none"> Based on familiar close-out tools/processes from AgNPS/CRF; working to further simplify. Able to be performed remotely, with documents and photos (onsite QA review of a portion of projects). In the case of an incomplete project at the end of a round (note, goal is to select projects to minimize this occurrence), the District could close out the contract and apply for the remainder of the project using the full Action Plan application process for the next round of AEM Base Funding.
1J	Planner Certification within a two-year AEM Base Program	<ul style="list-style-type: none"> A District that gains a CCA and/or Certified Planner during the two-year contract may submit an amendment to revise their contract to the higher AEM Base Program funding option for the remainder of the round. Note, if a District loses a CCA or Certified Planner during the contract period: <ul style="list-style-type: none"> District continues with the contracted funding option for TA (Option B or C) for the remainder of the contract period and may reimburse for TA work up to their originally budgeted amount. The District's Action Plan for the next two-year contract would reflect their staff credentials at that time.

Technical discussion ensued. The SWCC discussed the feedback received by SWCDs in reference to 1A, eligibility. The SWCC chose to accept the eligibility policy as written above.

D. Brass made a motion to accept the policy and procedural elements to the enhanced AEM Base Program as described on the AEM Base Program Re-Design concept tracker; seconded by D. Hickling. Motion passed; carried.

2	AEM Base TA Option C	<ul style="list-style-type: none"> Allow Districts with a full time <u>CCA</u> or NRCS Certified Planner on staff access to Option C (up to \$170K).
3	Tier 3A Plans	<ul style="list-style-type: none"> Add "NM - Core" Tier 3A component as a pilot. CCA, NRCS Certified Planner, or AEM Certified Planner required for NM-Core. Change name of existing Tier 3A NM component to "Full 590 Nutrient Management" for distinction and accuracy (still requires AEM Certified Planner).
4	Tier 3A Plans	<ul style="list-style-type: none"> Add "Forest Conservation Plan" Tier 3A component as a pilot. Minimum criteria focus on soil and water conservation aspects of forest management planning (roads, stream crossings, landings, buffers for

		sensitive areas, etc.); other resources may be added per District best professional judgement based on planner skill, landowner interest, and compatibility with local consulting forester activity.
5	Tier 3A Plans	<ul style="list-style-type: none"> • The District planner may develop Tier 3A Cropland Conservation Plans for all cropland operated by a farm (current approach) or any portion of the cropland (new) based on planner best professional judgement, resource concerns, and farmer interest. • Similar change to allow planning for all or individual animal groups in the Tier 3A Pasture Management component (pasture acres required determined by proper planning using NRCS standards).

Considering all recommendations from CDEA, the Technical Advisory Committee and District staff, Technical discussion ensued. Additional information can be found in Appendix B.

D. Brass made a motion to accept the AEM Base Program planning components; seconded by D. Hickling. Motion passed; carried.

Municipal Subcommittee Report, Jennifer Clifford, PJ Emerick, Ryan Cunningham

J. Clifford reported that there was a Municipal Subcommittee Meeting held in Albany on February 28th, 2019. A Rural Roads Active Management Program (RRAMP) booklet was distributed by The Champlain Watershed Improvement Coalition of New York (CWIPNY). The overarching message was that better roads lead to cleaner streams. A three-prong approach was recommended: develop a statewide manual, develop an assessment form for road side erosion and develop a training program which will be utilized at the Conservation Skills Workshop in September.

Regular meetings will be taking place with SWCC, Districts, CWICNY, DEC and any other interested parties. The next meeting date has not been set as J. Clifford is waiting for more resources to come in from supporting Districts.

Partnership Reports / Advisory Member Reports / Public Comments

Darin Hickling, Voting Member – D. Hickling sits on the Water Issues Advisory Committee for Farm Bureau and attended the recent meeting Washington, DC with members from EPA. The EPA seeks to meet directly with farmers to deal with water issues going on nationwide.

PJ Emerick, SWCC – PJ Emerick will be attending board trainings and working on closeouts in Region 2.

Ryan Cunningham, SWCC – R. Cunningham will be assisting the Hamilton County SWCD to fill a Technician position. He also spoke at the forestry class at the 2019 Water Quality Symposium and was encouraged by the great discussion and involvement, especially by Districts in the North Country. He also congratulated B. Steinmuller on winning the Partnership Award at Water Quality Symposium.

Steve Lorraine, CDEA – S. Lorraine noted that the CDEA Croney Award was awarded to Jim Lieberum of Warren County SWCD. Karl Czymmek was awarded the President’s Award for his dedication to assisting farms and SWCDs in the field of conservation throughout NYS. Lorraine also announced the Conservation Partnership Appreciation Award was presented to Brian Steinmuller. Chastity Miller, Franklin County SWCD Manager, will now be attending State Committee Meetings, replacing Steve Lorraine as CDEA President. Dustin Lewis, Saratoga County SWCD Manager was elected Vice President of the CDEA and he will be sharing leadership duties with President Miller.

Bethany Bzduch, SWCC – Round 3 of the Concentrated Animal Feeding Operation (CAFO) Waste Storage and Transfer System Program is currently open and applications are due April 16th, 2019.

Chastity Miller, Franklin County SWCD/CDEA – The 2019 Water Quality Symposium was a great success. Over 300 people attended and there were 18 different vendors on site during the resource fair. C. Miller thanked all for their help and support.

Brian Steinmuller, Assistant Director – B. Steinmuller dedicated the SWCC Partnership Award to the SWCC staff and the entire State Committee. He stated that working with Conservation Districts is the greatest pleasure of his professional life.

Paul Kaczmarczyk, NYSDOH – The National Cattleman’s Association awarded their Stewardship award to an angus beef farm in the New York City watershed. This is a great honor and exemplifies the incredible stewardship efforts of farms in the NYC Watershed.

Blake Glover, NRCS – B. Glover announced that four student intern positions were posted at NRCS. Applications will remain open for five days via www.USAJobs.com. He expects NRCS to receive approximately \$16 million in EQIP funds in 2019. B. Steinmuller led the SWCC in welcoming Mr. Glover to NYS as the new NRCS State Conservationist.

Tammy Willis, NRCS – T. Willis announced that NRCS will soon be releasing their annual easement programs. She also requested more information on the Climate Resilient Farming program which B. Steinmuller will provide her with.

Ron Bush, SWCC – The CNMP class was offered at the 2019 Water Quality Symposium. The class serves as a comprehensive course in all aspects of agricultural planning. R. Bush thanked all the speakers that presented at the CNMP Training course and noted that the class was made up both public and private sector students.

Jennifer Clifford, SWCC – J. Clifford presented some 2018 State Aid statistics. All but two Districts met their maximum allowable reimbursement under Part A. \$5,660,808.24 was distributed via Part C alone. Districts that maximized their Part C received nearly \$100,000.00 each. Districts that maximized their Part A, B and C appropriations will be receiving \$165,595.23. Roughly \$87,000 was returned in unused funds. Jennifer Clifford will make a more comprehensive State Aid report at the next SWCC meeting.

Renee St. Jacques, NYFB – Elizabeth Murray is no longer with Farm Bureau. R. St. Jacques reported that Farm Bureau is continuing to work on Farm Bill implementation policy and the new Clean Water Act.

Judy Littrell, SWCC – J. Littrell distributed cover crop signs to 24 Districts at the Water Quality Symposium. If additional Districts want cover crop signs, they are still available. She is also working on the AEM Award, featured stories on farms and a project with Cornell Cooperative Extension on the benefits of manure storage cover and flare projects.

Next meeting: Tuesday, April 16th in Utica, NY

Meeting adjourned at 12:40 pm.

Please contact Brian Steinmuller, Assistant Director of the New York State Soil and Water Conservation Committee, if you have questions or would like to propose agenda items for the Committee to address.

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Audiocast: <https://www.agriculture.ny.gov/webcasting.html>

Appendix A – New York State Soil and Water Conservation Committee Soil Conservation - Cultural System Implementation Guidelines

Appendix B – AEM Tier 3A Components

Appendix C – Ag NPS Dashboard

Appendix D – CRF Dashboard

Appendix E – Cover Crop Statistics