

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

STATE COMMITTEE MINUTES

March 16, 2010

**State Office Bldg., Conference Room A
207 Genesee Street
Utica, NY**

Present: G. Proios, D. Stein, D. Brass, C. Colby, J. Dickinson, Voting Members; M. Latham, Director; B. Steinmuller, C. Frasier, R. Lewis, L. Prezorski, J. Ten Eyck, J. Schumacher, SWCC Staff; B. Hopkins, NRCS; L. Telega, Cornell; P. Kaczmarczyk, DOH; J. Rusnica, M. Brower, P. Giltner, Ag & Markets; P. Black, SUNYESF; S. Lorraine, President CDEA; J. Littrell, NYACD; S. Fickbohm, Otsego Co. SWCD; B. Wohnsiedler, Jefferson Co. SWCD; J. Tauzel, NYFB; V. Green, FSA; J. Wright, American Farmland Trust.

Call to Order:

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

Review and Approval of Minutes

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

Correspondence

Letters & Memos

Letter to George Proios from Dave Wick, Warren SWCD, dated 2/22/10 expressing thanks to Barb Silvestri for her time & efforts. B. Steinmuller read Dave's letter.

Letter to George Proios from Kevin Sumner, Orange SWCD, dated 3/12/10

RE: Ag NPS Abatement and Control Program and amendment requests.

B. Steinmuller read, in part, this letter which led to discussion regarding Ag NPS grant amendments current policies. He indicated a response would be sent to Kevin Sumner.

D. Stein moved to review landowner amendment policy for Ag NPS grants; seconded by J. Dickinson. Motion passed; carried.

Letter to Commissioner Pete Grannis from Commissioner Patrick Hooker, dated 3/1/10

RE: DRAFT MOU between DEC, Ag & Markets & SWCC to formalize the time extension review process for medium-size permitted farms.

Letter from Harold van Es, Cornell University, complimentary copy of Building Soils for Better Crops Sustainable Soil Management by Fred Magdoff and Harold van Es.

G. Proios mentioned another letter from Dave Wick, Warren SWCD, addressing concern about receiving SWCC meeting minutes well after the meeting was held. It was discussed that this happened with the November 2009 minutes due to the fact that the next SWCC meeting was not held until February. It was agreed that draft minutes would be sent out sooner following the SWCC meeting, clearly marked "Draft". B. Steinmuller indicated the final SWCC minutes would not be emailed, but posted on the website.

G. Proios stated he sent correspondence to Cornell University regarding the search for a new dean for CALS. He voiced concern about how there is no State representation on CALS Dean Search Committee.

Concern was raised regarding pending budget cuts to the NY Farm Viability Institute. It was noted that the Institute has funded many valuable research items and programs that impact the Committee mission.

D. Stein moved to support the funding of the Farm Viability Institute; seconded by D. Brass. Motion passed; carried.

It was agreed one letter expressing support of the Farm Viability Institute would be signed and submitted outside of the committee's formal purview by each individual voting member.

Reports & Newsletters

County SWCD Newsletters from Cattaraugus, Delaware, Erie, Fulton, Madison and Ontario
2009 Annual Reports from Herkimer, Lewis, Saratoga, Warren and Wyoming
Maryland Conservation Partnership Press – Winter 2010
Economic Research Service – February and March 2010
Catskill Forest Association News – Winter 2010
Oklahoma Conservation – February 2010
Bay Journal – February 2010
The Lake Reporter – January 2010
Waterworks – February 2010
Bedded Pack Management System Case Study, Cornell University – September 2009
Hudson Mohawk RC&D 2009 Annual Report
Finger Lakes Resource Conservation & Development Council 2009 Annual Report

S. Lorraine reported the Water Quality Symposium was held in Binghamton the second week in March. It was very successful. He stated 28 courses were conducted and there were over 300 attendees. Sandy Huey, from Cayuga County SWCD, received the Crony Award for her lifelong conservation efforts.

EPF Status

M. Latham stated the EPF voucher backlog will be caught up and all paid shortly for the first time in about a year. He understands there will be EPF monies available for April/May. Exact EPF dollars will be determined once the budget is passed.

Staff Succession Planning

M. Latham stated the Western New York AEA position waiver is back on the table for discussion. He stated many veteran experienced staff will be eligible for retirement soon and he has informed the Department so planning for the future could be discussed. He stated there are currently 13 employees, two contractual. At least five or six of these individuals will become eligible for retirement this year. Should these retirements occur, a majority of the field resources could become significantly and rapidly depleted. He is requesting that the Committee understand and support our efforts as we deal with the possibility of these retirements in the future. He will continue the positive discussions with the Department. These discussions will include contingency plans should these retirements take place and ways to continue to provide the successful level of professional services to Districts. G. Proios asked everyone to refer to the Strategic Plan. *He recommended we evaluate what is important, and what projects/programs we are and are not going to do in a crisis situation. He said the Districts should prepare to do the same.*

Round 15 Update

B. Steinmuller stated that a recent audit report from the Department's Fiscal Management Division indicated additional EPF funds are available. This enabled the Committee to fund three additional Round 15 NPS grants. They were awarded going in order of the ranked projects as follows; Albany – Rotational Grazing Implementation, \$53,445; Orange – Wallkill River Watershed Farm Runoff Control, \$111,750 and Yates County – Seneca Lake Watershed AEM, \$242,929. The EPF funds available amounted to just over \$400,000.

Agricultural NPS Abatement & Control Grant Program March 16, 2010 State Committee Meeting

STATUS OF ROUNDS 1-15

Of 534 contracts, 155 are active, 19 are pending and 345 are complete. 15 contracts have been cancelled during the life of the program.

Amendments for State Committee Approval

1. Orange SWCD - Nutrient & Ag Waste Mgt. in the Moodna Creek Watershed – Round 11 – C700792

Request: time extension from 3/7/10 to 3/7/11

Reason: extension needed due to economic climate and current dairy financial crisis; farm is a medium CAFO and has implemented one of their practices

Note: The District is requesting an extension through December 2010. This time extension will extend the contract beyond five years.

*Rich Lewis, Region 6 AEA, recommends the approval of time extension
Previous amendments: 2 time extensions, 1 change of budget*

**D. Stein moved to approve a final no-cost time extension; seconded by C. Colby.
Motion passed; carried.**

2. Suffolk SWCD – Sole Source Aquifer Protection – Round 13 – C700868

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

Reason: landowner experienced time delays with the design approval from DEC. Landowner has obtained preliminary approval for the design in December and broke ground before the end of the year.

*Rich Lewis, Region 6 AEA, recommends approval of time extension
Previous amendments: none*

More information is needed to evaluate the above amendment request. This time extension has been tabled for a future SWCC meeting.

Round 16 RFP Update

B. Steinmuller distributed the Round 16 Questions and Answers received to date. He reviewed each of them.

**D. Brass moved to approve Round 16 Questions and Answers; seconded by C. Colby.
Motion passed; carried.**

Otsego County SWCD Presentation

Scott Fickbohm, District Manager of the Otsego County SWCD, delivered a PowerPoint presentation in which he outlined the diversity of the District.

Highlights include:

- Otsego County is approximately a little over 1,000 square miles, largely rural. The main urban centers are Oneonta and Cooperstown. Otsego County population is about 63,000. There are many small hamlets and towns with rolling hills and seven or eight major valleys.
- Main industries in Otsego County are agriculture and tourism. Largest employers in the county are colleges and hospitals.
- The District is responsible for mitigating erosion/sediment control and leaching by providing assistance to the agricultural community, county and town municipalities, contractors and construction and residential interests.
- The District has a strong AEM program. Most farms in the county are at least at the Tier 2 level. 90% of farms are dairies with 6 CAFOs in the county. Ten farms in the county are receiving funding through the Ag NPS program. GrazeNY will be a new program for the District in June 2010.
- The District credits their partnerships with NRCS and others as responsible to achieving all that they do. With three District employees, they rely heavily on these strong partnerships.
- The District is involved with the Envirothon, both at the regional and State levels. Blanche Hurlbutt, office manager at Otsego SWCD, received special recognition for her work on the Envirothon over the years.
- The District is currently compiling data on water quality monitoring by 11-digit HUC.
- Through their SWOT (Strengths, Weaknesses, Opportunities, and Threats) analysis, strengths include their partnerships, flexibility and programming potential to do more. A weakness is the good water quality in that they miss some funding opportunities as these tend to be awarded to the worst/first. Opportunities due to their diversity are program potential for work in grazing, stream rehabilitation and wetland restoration. Some threats could be lack of funding blocking their ability to expand programs and training.
- The Otsego SWCD will remain at level county funding for 2010.

CREP Annual Report and Status

R. Lewis distributed the NYS CREP Annual Report. He reviewed a summary of CREP from Year 1, 2004 through Year 6, 2009. Year 3, 2006 represented the most contracts covering the greatest amount of acreage which was due to more extensive training. Chenango County had the most CREP contracts within the State for 2009. The most CREP contracts total to date are in Chenango and Orange Counties. G. Green distributed a summary of the CREP Steering Committee Meeting in January. She spoke about authorization of containerized trees versus bare root seedlings for CRP with the goal being planting less, but larger trees because these

have a higher survivability than bare root stock. The cost is more per tree than the seedlings. G. Green stated there hasn't been an increase in cost-share rates for any CREP practices since 2006. B. Wohnsiedler from Jefferson County indicated positive feedback using containerized trees in Sandy Creek stating that the cost is roughly the same to bare root stock because you need far less. The CREP Steering Committee also discussed meshing CREP and EQIP together. FSA will be meeting with NRCS program staff late spring/early summer to discuss a plan involving CREP into the 2011 EQIP program. J. Schumacher suggested J. Curatolo be included at this meeting. G. Green indicated FSA is working on ways to revitalize interest in CREP to increase acreage such as rolling out NRCS-EQIP/CSP, FSA-CREP as a package demonstrating ways the programs can work together. FSA plans to develop a one-page CREP fact sheet for both cropland practices and pasture land practices.

Agricultural BMP Challenge

Judy Wright, from the American Farmland Trust, gave a PowerPoint presentation on The BMP Challenge. They are working together with the New York Farm Viability Institute and are currently rolling out the awareness/outreach component. This year, the program is primarily concentrating on the nutrient management of corn crops; grain corn or corn silage. If participants lower one of three nutrients on corn reduction and do not reach economic goal, the insurance program will pay the balance. Requirements for participation are owner/operator must be NRCS EQIP eligible. Farmers may apply by completing the ten-page application. The goal for American Farmland Trust is for ten farmers across NYS to participate.

For more information, contact Judy Wright, American Farmland Trust Consultant, 315-730-4505, jlw4220@yahoo.com.

Marcellus Shale Gas Drilling and Production

The Draft Resolution was distributed and discussed. M. Brower stated Agriculture and Markets should be listed as an interested agency. Discussion ensued regarding how Article 7, Public Service Commission (PSC) funds had historically been available for monitoring pipeline impacts. This funding is no longer available. It was suggested that SWCDs could lobby for Article 7 funding to be restored or the development of a permit and fee for gas drilling. P. Black asked about the SEQR process. M. Brower said it usually results in a negative declaration.

J. Schumacher stated stormwater funding through DEC could possibly be revitalized to cover the reimbursement costs to Districts for monitoring erosion/sediment control impacts. He stated we should not get hung up on the money as much as the process. M. Latham stated the Committee received an invitation from the Upper Susquehanna Coalition to attend a sponsored congressional briefing on this subject April 22, 2010 and asked if any members would like to attend. He will email this invitation information. M. Latham stated a meeting was planned for March 30, 2010 to discuss county level involvement with Tioga County and Bradford County, Pennsylvania on collaborating ideas, education resources and roundtable discussion.

D. Stein moved to adopt Resolution #2010-01: To determine the potential role of the Upper Susquehanna Coalition and its member Soil and Water Conservation Districts in providing technical assistance for all parties concerned in the development of natural gas production in the Upper Susquehanna Region; seconded by D. Brass. Motion passed; carried.

The CAFO MOU Review and Approval was postponed.

Annual Plans of Work

M. Latham announced the following Annual Plans of Work for approval: Annual Plans of Work are to be approved by AEA's prior to April 1, 2010. To date we have 40 approved. The remaining 28 are to be approved at the April meeting.

Albany	Franklin	Monroe	Putnam	Sullivan
Cattaraugus	Hamilton	Onondaga	Rensselaer	Ulster
Chautauqua	Herkimer	Orleans	Rockland	Wyoming
Dutchess	Madison	Otsego	Suffolk	Yates

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

Partnership / Advisory Reports

D. Stein mentioned a groundwater contamination issue in Genesee County involving manure spreading in deep, wet snow conditions. E.coli testing results were found positive in some cases. No one became ill. DEC was involved immediately and the water cleared up quickly. Fines will be assessed as this is a second offense for the farm.

J. Littrell reported NYACD is working on lobbying for EPF funds. Conference committees are to be appointed this week. She will be updating by email as details become available.

L. Prezorski reported the first implementation project under the EBM Sandy Creek was completed last fall.

J. Ten Eyck stated the Agricultural BMP Challenge may complement conservation efforts through the Ag NPS Grant Program and encouraged all to research the possibilities.

L. Telega stated the new Dean of CALS should be announced by the end of June or beginning of July. The candidates have been narrowed down to four. He also reported the 26 departments at CALS are in the process of reorganization to approve efficiency. CCE is a big concern due to local dollars being reduced. Some county offices may be combined.

B. Hopkins stated NRCS is in the process of ranking EQIP, air quality, forestry and organic applications. He reported a lot of interest shown in AMA irrigation and high tunnels. They have issued some pre-approvals and are in the quality assurance phase. NRCS should have all funding obligated by May 1, 2010. They are waiting for final word on GLRI funding. NRCS is revitalizing issues regarding compliance with Food Security Act which has been in existence since 1985. NRCS and FSA are attending training on this Act.

R. Lewis announced the 40th anniversary of Earth Day is in April and Conservation Districts and the State Committee are celebrating 70 year anniversary in July and August respectively. Schoharie was the first Soil Conservation District in the State. B. Steinmuller stated Schoharie County SWCD is planning a celebration and Barb has been in regular contact with them to potentially combine effort to pull off a State Committee celebration as well. G. Proios suggested the Committee should present Schoharie with recognition honoring this anniversary.

R. Lewis stated he and Les Travis presented a session at the WQS on Strategic Planning. Six districts attended and have asked for follow-up training.

B. Steinmuller asked if everyone is receiving the emails on SWCC agendas and minutes and able to open all. It appears satisfactory to all.

M. Latham distributed the 2009 Annual Report from the State Committee. He thanked all involved in the Water Quality Symposium.

Next Meeting – Tuesday, April 20, 2010, NYS Department of Health, Troy, NY at 10:00 a.m.

Meeting adjourned at 3:15 p.m.

This web cast may be viewed in its entirety at:

<http://www.webcasting.com/soil-water/03.16.2010soil-board.html>