

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

STATE COMMITTEE MINUTES

May 18, 2010

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

Present: G. Proios, D. Stein, D. Brass, C. Colby, Voting Members; M. Latham, Director; B. Steinmuller, N. Lawler, C. Frasier, R. Lewis, L. Travis, G. Albrecht, B. Brower, J. Schumacher, SWCC Staff; P. Wright, NRCS; L. Telega, Cornell; P. Kaczmarczyk, DOH; J. Lendrum, C. Norton, DEC; K. Smith, DOS; J. Rusnica, J. Moody-Czub, Ag & Markets; S. Lorraine, President CDEA; W. Walsh, Tioga Co. SWCD; B. Silvestri, Schenectady Co. SWCD; S. Mahoney, Clinton Co. SWCD; M. Burger, Onondaga Co. SWCD; V. Green, FSA; K. Czymmek, Cornell University; B. Kappel, USGS

Call to Order:

G. Proios, Chairman, called the meeting to order at 10:05 a.m.
Introductions made.

Review and Approval of Minutes

D. Stein moved to approve the March minutes with one small change; seconded by C. Colby. Motion passed; carried.

Correspondence

Letters & Memos

Letter to George Proios from Steve Mahoney, Clinton SWCD, dated 3/25/10 regarding a Round XIII grant for the evaluation of undesigned manure storages in the Lake Champlain Watershed.

Much discussion ensued on whether engineering design costs would be paid for in the event that the practice was not constructed. During the discussion it was noted that the engineering cost was associated with the design work to upgrade the storage system to meet NRCS Standard 312. The farmer elected to close the storage and downsize his herd in order to comply with the deliverables of the grant which stated that the undesigned manure storage facilities would be to either upgrade or close the impoundment following NRCS Standard 360. The Committee decided that the engineer design costs should be eligible for reimbursement because it was necessary for the farmer to make a decision on whether to upgrade the facility or close the storage. The result was to close the storage completing the necessary deliverables of the contract.

D. Stein moved to approve the payment to the engineer for design work as part of the closure process; seconded by D. Brass. Motion passed and carried.

Letter to Mike Latham from P.J. Emerick, Ontario SWCD, dated 5/6/10 thanking Mike & staff for all their work to ensure the SWCDs receive the 2010 Performance Measure Award reimbursements

Letter to Mike Latham from Khris Dodson, Environmental Finance Center at Syracuse, RE: submission of the application "Analysis of NYS Agriculture Environmental Management Program Results." Congratulations on being awarded the mini-grant for Projects on Agricultural & Water Concerns, offered by Environmental Finance Center at Syracuse University.

Letter to Mike Latham from Paul TeNyenhuis, Suffolk SWCD, dated 5/3/10 to appeal the rejection of proposal for Round XVI. M. Latham indicated he would reply to Suffolk County citing appropriate references in the Q & A for eligibility.

Reports & Newsletters

County SWCD Newsletters from Columbia and Tompkins
2009 Annual Reports from Franklin, Steuben and Chemung
Oklahoma Conservation – April 2010
Bay Journal – March & April 2010
Northeast SARE - Spring 2010
USDA Small Farms in the United States – February 2010
Sea Grant Coast Watch
The Upper Delaware – Spring/Summer 2010
NACD - Spring 2010
Leatherstock Regional Envirothon Newsletter – May 2010
ERS USDA Report - April 2010
Integrated Pest Management – Winter 2010

Conferences & Seminars

Great Lakes Restoration Conference Sept. 22-24, 2010

Marcellus Shale Gas Exploration and Groundwater

Bill Kappel, representing the United States Geological Survey (USGS), New York Water Science Center in Ithaca, New York gave a PowerPoint presentation on Marcellus Shale formations and gas exploration. His discussion included an explanation and definition of Marcellus Shale, the water-resource questions and concerns about developing natural gas wells in the Marcellus Shale, hydraulic fracturing and why the Marcellus Shale is an important gas resource. For information, contact: Director, MD-DE-DC Water Science Center, U.S. Geological Survey, 5522 Research Park Drive, Baltimore, MD 21228 or <http://md.water.usgs.gov>.

Ground Water Resources and Protection (Karst Landscapes)

In response to groundwater events in Genesee County, a CAFO workgroup, subgroup was formed to develop guidelines and tools to help identify steps that need to be taken to safeguard ground water resources. A pilot GIS analysis has aided, as a tool, in determining where appraisals would require further field assessment to evaluate and protect both surface and ground water resources. A systematic methodology to collect, verify, store and make available the karst features and previous contamination locations will provide another useful tool for all water and land resource managers. G. Proios recommended a joint partnership, one-day groundwater session be held brainstorming and discussing karst GIS data reporting and storing. Representatives from the Water Resources Bureau, Nonpoint Source Coordinating Committee, the Committee and others should attend.

D. Stein moved to write a letter from the Committee to state and federal partners regarding identified ground water resources issue and needs; seconded by D. Brass. Motion passed and carried.

D. Stein moved to proceed to executive session to discuss employment status of particular persons; seconded by D. Brass. Motion passed and carried.

D. Stein moved to exit from executive session; seconded by G. Proios. Motion passed and carried.

M. Latham reported no formal action was taken in executive session.

Rounds 15/16 Update

B. Steinmuller stated that we are currently awaiting the approval of a budget certification from the Department of Budget before Round 15 contracts will be executed. He stated there will be a TAC Meeting held in Albany on May 26, 2010 to discuss the scoring of Round 16 proposals. Eighty-three proposals were submitted; eighty-two were determined to be eligible. He will report at the next meeting with the Round 16 ranked list to be approved by the SWCC.

Agricultural NPS Abatement & Control Grant Program May 18, 2010 State Committee Meeting

STATUS OF ROUNDS 1-15

Of 541 contracts, 144 are active, 26 are pending and 356 are complete. 15 contracts have been cancelled during the life of the program.

Staff Approved Amendments

1. Cayuga SWCD – Cuddeback Reception Waste Storage Facility – Round 14 – C700882

Request: Change in location of construction of BMP

Reason: the construction of the storage facility will be moved from the Owasco Lake Watershed to the Seneca River Watershed. The Owasco Lake Watershed Association and the townspeople have openly campaigned against the facility begin constructed there since the grant award was announced.

*Note: John Schumacher, Region 2 AEA, supports the change in location of BMP construction
Previous amendments: A no-cost time extension was approved at the September 15, 2009 SWCC meeting is pending extending this grant to 2/22/13, the full five years.*

Onondaga County SWCD Presentation

Mark Burger, District Manager of the Onondaga County SWCD, delivered a PowerPoint presentation in which he outlined the diversity of the District.

Highlights include:

- Onondaga County is approximately 500,000 acres; a little over 156,000 acres are farmland. The population in Onondaga County is approximately 450,000 people. It is located in the middle of New York State in the Finger Lakes region.
- Agriculture is the 14th largest employer in the county. Onondaga County is in the top 10% of best places to farm in the United States. Onondaga also ranks in the top 4% for total pounds of milk produced in all dairy counties in the country.
- There are six major watersheds within the County; Otisco Lake, Onondaga Lake, Oneida Lake, Upper Tioughnioga, Seneca/Oswego River and the Skaneateles Lake.
- The District has a strong AEM program. There are about 230 farms in the county participating in AEM. In 2009, Trinder Farm along with the Onondaga Soil & Water Conservation District received New York agriculture's highest environmental honor, the 16th Annual AEM Award.

- Onondaga County has a popular hydro seeding program as part of their erosion control services available.
- The District credits their qualified, experienced staff, board of directors and partnerships with NRCS, the City of Syracuse, neighboring Soil and Water Conservation Districts and others as responsible to achieving all that they do.
- The District is a strong supporter of Envirothon.

Please contact the State Committee office for a copy of Onondaga SWCD's presentation.

Marcellus Shale Gas Drilling and Production

B. Steinmuller reviewed the "Draft" policy position document prepared by the Upper Susquehanna Coalition. B. Steinmuller thanked Matt Brower of the Department's Ag Protection office for his review and comments. Small changes were made and discussed. He also emailed Soil and Water Conservation Districts asking for their comments, and received none. The document explains several potential local Conservation District roles that will advance the protection of natural resources in areas where gas exploration is to occur. Identified roles cover all phases of this land use activity emphasizing the availability of technical assistance, ongoing monitoring, environmental testing, mitigation, training and education. NYS in partnership with over 300 Conservation District employees can provide a valuable and meaningful framework to prevent natural resource impacts. J. Schumacher and W. Walsh emphasized the need for the Committee to adopt the guidelines outlining the role of the districts regarding natural gas development.

D. Stein moved to approve and adopt the Soil and Water Conservation Districts Role In Natural Gas Development in NYS policy position prepared by the Upper Susquehanna Coalition ; seconded by C. Colby. Motion passed and carried.

NOTE: Page 2 of 3, under Construction Phase: 5. "The Department of Agriculture and Markets" spelling to be corrected.

DEC has requested a copy of the position paper and is currently reviewing options for advancing these concepts. The Committee will send a letter to DEC outlining the Soil and Water Conservation Districts role in natural gas development.

Strategic Planning/Annual Action Plan

B. Steinmuller distributed a summary of Strategic Planning goals, tasks, objectives, desired results and target strategies recently completed by the staff. The results should enable an annual action plan be established for this fiscal year. He asked for comments and will discuss these at a future meeting.

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. All Plans of Work have been submitted.

Allegany	Fulton	Livingston	Orange	Tompkins
Clinton	Greene	Nassau	Saratoga	Wayne
Delaware	Jefferson	Niagara	Schenectady	
Erie	Lewis	Oneida	Schoharie	

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

Partnership / Advisory Reports

M. Latham mentioned the AEM Award nominations are due June 18, 2010. He stated the attorney general's office released \$500,000 available as a shared agreement for Vermont and New York farmers located in the Lake Champlain Basin as a result of a settlement involving American Electric Power. He reported Conservation Districts would be receiving State aid payments for Parts A & C soon. The NASCA annual meeting will be held in Durango, Colorado August 29 through September 1, 2010.

D. Stein moved to seek approval for two staff and one voting member to attend; seconded by D. Brass. Motion passed and carried.

L. Telega stated the announcement of a new Dean of CALS should occur in the next few days. He suggested the Committee could meet the new Dean in either July or October at Cornell at a monthly or principals meeting. He also indicated sharing services and merging/combining county cooperative extension offices is being discussed.

B. Silvestri stated communications training is on-going. She attended the southeast manager's meeting with R. Lewis. Together they developed a binder on marketing Districts, "Communicating Your Value" which she hopes to put on the Soil & Water website. She indicated a 70th Anniversary of Conservation Districts in New York State together with the 75th Anniversary of Natural Resource Conservation Services is being planned for the first Tuesday after Labor Day. Schoharie County's 70th Anniversary will also be recognized. She is currently working on the Annual AEM Report.

M. Burger thanked the Committee for the invitation to showcase Onondaga County. He thanked Lauren Prezorski for her help in writing the Great Lakes Restoration Initiative grant RFP. He appreciates the AEM base funding and EPF grant opportunities which help to implement great projects.

P. Wright reported NRCS has \$14.5 million to provide financial assistance, two-thirds of this amount is obligated for previously written contracts. There is a big demand for participation in the EQIP Livestock Waste program with only one-tenth of the farmers receiving funding. Soon there will be news releases on the Conservation Stewardship Program. NRCS is making available \$60,000 for energy audits on farms in NYS. Onondaga County is hosting a planning meeting for Conservations Skills Workshop Thursday, May 20, 2010.

G. Green distributed the CREP report. Containerized trees will be planting will be implemented this fall. Tree planting is a cost sharable item. Sign up for trees will be in late July/early August. FSA is waiting for the Environmental Impact Statement for CRP Program before making changes that were addressed in the Farm Bill. She is the northeast regional representative for FSA on the Energy Environmental Leadership Team. B-Cap program has ended and they have

received 23,000 comments which have been cataloged. The Rule is to be published this fall.

G. Albrecht indicated he and Bob Brower will continue with the groundwater protection work. He indicated cropland field practice training is scheduled for June 17 with a spillover date of June 23 at the Cayuga County Soil & Water Conservation District. A meeting is scheduled for June 9 with representatives from AEM, SWCC and NRCS to discuss federal planning requirements and compliance issues.

L. Travis indicated Scott Tory is the new District Manager at Allegany County Soil & Water Conservation District.

C. Frasier indicated a Stormwater Committee meeting will be held June 17th. Stormwater training is ongoing.

K. Smith mentioned Water Pollution Control rule provides subsidized loans for property owners for septic systems repair and replacement. The Rulemaking will be published in the May 19th State Register. Program will be available through September 15, 2011.

G. Proios stated NACD Northeast Regional held a teleconference, only 5 people participated; 2 of which were from New York. NYACD had 31 participants in attendance at National Meeting. Beginning listening sessions are being held for Farm Bill. G. Proios stated NACD and EPA should have an active role with USGS in Marcellus shale. He stated the TSP provision in the Farm Bill should be clear as to what Districts can and cannot do and what access to farmers is available through Freedom of Information Act. G. Green stated she is the FOIL representative for FSA.

Next Meeting – Tuesday, June 15, 2010, Cayuga County Soil and Water Conservation District office, Auburn, New York

Meeting adjourned at 3:25 p.m.