

New York State Soil & Water Conservation Committee

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STATE COMMITTEE MINUTES

June 19, 2012

New York Farm Bureau Office, Albany, NY

Present

G. Proios, D. Stein, D. Brass, C. Colby - Voting Members; M. Latham, Director, B. Steinmuller, B. Silvestri, T. Clark - State Committee; P. Kaczmarczyk - DOH; R. Rausch - DA&M; Don Pettit - USDA NRCS; J. Littrell - NYACD; Jim Lieberum, CDEA; C. Mural - NYFB; B. Wohnsiedler - Jefferson Co. Conservation District; L. Telega - Cornell CALS/CCE; Don Tuxill - DEC; John Santacrose - Albany County Conservation District Board Chairman.

Call to Order: G. Proios, Chairman, called the meeting to order at 10:15 am. Introductions were made around the room. G. Proios welcomed Don Pettit back to New York State as the new NRCS State Conservationist.

Review and Approval of Minutes:

A motion was made by D. Stein to approve the May 2012 Minutes; seconded by D. Brass. Motion passed; carried.

Correspondence:

M. Latham reported that the book "Waterdrops" by Peter Black has been published.

He highlighted a thank you letter from NASCA regarding state dues including resources, technical programs and webinars available, and the Annual Meeting being held in Alaska on September 2-6, 2012.

The NE NACD Annual Meeting will be held August 19-21 in Corning, New York. Potential interest was canvassed among committee members.

The SWCC was copied on correspondence from Wayne County SWCD to Assemblyman Robert C. Oaks asking about progress of legislation to increase District reimbursement to 60,000. They have a list of project needs and are hoping to address these priorities with the increase in funds. K. Mural reported on the progress of Bill #9464, which was voted on and passed later that day. J. Littrell explained that the bill, which would raise the cap and allocate additional funds, was based on availability of funds, which needed to be clarified before the bill could move forward.

SWCC Budget – Environmental Protection Fund

M. Latham reported on EPF allocations to the Department. \$26 M is being allocated to the Department for SFY 2012-2013. The Division currently has approximately \$8M in vouchered expenditures since February. The first allocation was released on June 15th and we are waiting for transfer of cash to the Department to begin payments.

M. Latham noted that there are no new developments with the state budget.

Department Operations:

M. Latham reported that the Department has been selected by the state to implement a new fiscal management system. It has been a difficult transition going through this pilot program moving from an internet based to paperless process. This has generated a delay of payments, but anticipates that in the long-term it will be very beneficial. State Committee members were directed to conduct their voucher process through Virginia Weston in the Albany Office as soon as possible.

DEC MOU:

M. Latham reported on the lengthy negotiation process, which has led to a final MOU for the Department's review and consideration. The loss of the Department's First Deputy has caused a delay, but everyone is interested in getting this new partnership underway to advance natural resource protection by supporting local County Conservation District activity. G. Proios asked about 319 funding of projects as in the past. M. Latham explained the types of projects that would be eligible, which would include any NPS program/project that DEC deemed appropriate. They are interested mainly in project focused activity such as: BMP Documentation in Chesapeake, Weed Harvesting in Lake Champlain, emergency stream restoration, and the development of an "Emergency Response Manual" modeled after Delaware County's manual. There is interest in piloting it in the Susquehanna first and then expanding statewide. Considering involvement of Districts in Marcellus Shale gas drilling mitigation, there have been discussions about WQCC funding. The Asian Clam issue in Lake George is also among potential ideas. The agreement is \$5M over 5 years and is completely amendable. Funding can come from a variety of sources. This MOU contains a 5% charge on all funds administered by the DA&M. M. Latham expects to have a copy of the MOU for signature by Chairman Proios shortly. Latham expressed how pleased the State Committee and the Department are to rekindle the relationship with DEC in broad support of Districts in their efforts to protect the landscape across New York.

NRCS Field Offices for the Future:

D. Pettit expressed how excited he is to be back in New York serving as State Conservationist. He has hit the ground running and getting up to speed quickly. Pettit discussed the correspondence jointly issued by NACD and NRCS Chief White outlining a plan of how to best work in partnership to meet the needs specific to each state. He is not expecting a template approach, but given the current fiscal situation, there will be even fewer resources available in the future. It is a good time to take stock of where we see ourselves, planning 3-5 years into the future. The 4-Way partnership may have had one brief discussion, and Pettit hopes to establish a mechanism to discuss this issue in order to meet the September 1st deadline. Dennis DeWeese will initiate a call with the 4-Way partnership to have a discussion as to how New York can best move forward in time to meet this forthcoming deadline.

M. Latham discussed various remote and mobile conservation delivery systems being used in other states. NY prefers one-on-one customized delivery, but it seems it will be necessary to utilize these types of efficiencies. Pros and cons of various on-line methods were discussed. Latham also noted that New York has provided ideas in the past that Washington has not been opened to addressing, and that it may be time to revisit these creative concepts.

D. Pettit noted that each state is in the midst of submitting their fiscal 2013 budget request. NRCS went to a timely and efficient process last year that asked each state to submit a budget for what they needed based on a statewide resource inventory. NY NRCS is currently involved in completing that same process for this year. Funding decisions are being made based on the President's 2012 budget proposal that has not been finalized yet.

It is an important time for the partnership to look at how to leverage resources to address priority concerns in NYS. Other states have asked producers for feedback and this information can be used as a launching point that can be tailored to New York's needs.

G. Proios pointed out that it is important for legislators to have a list of priorities that are critical to maintain for health and safety reasons, which would help in their decision-making. J. Littrell noted that workshops at the upcoming NE NACD Annual Meeting to be held August in Corning, NY will include a session on Field Offices of the Future.

John Santacrose, Chairman, Albany County Soil and Water Conservation District

G. Proios introduced Santacrose who provided detailed feedback from the field related to FSA office closures. In Albany County, the District will lose their computer communications when FSA leaves the Service Center. In 2007, the District worked out a cooperative agreement when NRCS left, which helped to offset some issues. Now with FSA closing, there is an opportunity for the District to become a Conservation Service Center in and of itself. Districts have a great deal of interaction with citizens and made the comparison to a library or Chamber of Commerce. Districts are doing education every day, and the front line for one-stop conservation. Districts are the conduit to the public, and the navigator for meeting a landowner's natural resource needs. He noted that libraries that have grown to utilize new

technologies have seen an increase in visitors and programs. However, landowners will need more than a kiosk. Santacrose discussed various models that should be considered in light of the previous discussion regarding Field Offices of the Future. With change ahead, he encouraged the group to be ahead of the curve of what the change should look like. He requested that the State Committee support a concept, with the District being the point of contact with the public, to coordinate the assistance needed from partner agencies. In this manner their offices may close, but not their presence. This would help to eliminate duplication of effort, and conserve limited resources of each agency. Over the years there have been major cuts in local services and Districts keep standing. Santacrose urged the group to work with that and to build on the strength already within the system. He offered to meet with FSA to explore ways to retain their presence. M. Latham asked Santacrose to copy the State Committee if he writes a letter to FSA. Discussion ensued among the partners. J. Littrell noted that relationships vary from county to county. Silvestri reported how the communications training and support program has been instrumental in helping many Districts maintain or increase their budget this past year.

Partner Reports:

B. Silvestri – SWCC: Silvestri distributed the newest article, the fourth in a series published in the NYS Association of Counties NYSAC News Magazine, titled "Soil and Water Conservation Districts: Meeting Local Needs," which is mailed directly to the Governor, state lawmakers, county elected officials and department heads.

Silvestri provided an overview of the statewide Outreach and Communications Program. New partnerships and collaborations were formed to fund all strategic initiatives, incurring no expense to the Department. The training, materials, tips and on-going support provided through this program has helped Conservation Districts develop and implement effective communication strategies to enhance their notoriety, improve their image, and inform elected officials about their value. Especially vital has been helping Districts to more effectively convey the benefits of the work they do with the funds from county appropriations, state contract dollars and grants in order to maintain conservation funding, which is yielding positive results.

G. Proios reported that the Schenectady County Soil and Water District will not be renewing the contract with the Department for the Information & Education Program Coordinator position.

Proios relayed the positive results of the workshop that he attended with his Suffolk County District employee who handles public relations. Coming back with hundreds of new ideas has led to increased press and public attention. This successful program is getting the best kept secret out, and even if Districts are now on the right track, they can't stop or coast or they will get run over.

J. Lieberum – CDEA: The planning meeting for the 2013 Water Quality Symposium is in July. The hotel bids have not been finalized and a decision is expected by the August meeting. CDEA Treasurer Kristin White took charge of the State Fair booth last year. Attendance to man the booth has dropped, so this year the CDEA Board members will each share shifts. The State Envirothon was won by Orange County for the second year in a row. They will go on to the Cannon Envirothon in Pennsylvania. Orange County Soil and Water District Educator Kris Breitenfeld, who has been a great resource for their team, will be retiring at the end of the month. D. Pettit noted how poised and professional the winning team was and that he will be rooting for a winner from New York at the national competition.

An email was sent to Dave Gasper of DEC who is in charge of Erosion and Sediment Control Training Program for Districts. CDEA would like to offer DEC help putting in some of the new technology developed over the past few years into the current training program. Many District trainers that have done this training 20 or 30 times would like to begin an approval process for customizing photos specific to the areas where the trainings are being offered. They would like DEC to allow them the ability to update and modify slides using approved materials. M. Latham asked Lieberum to inform Cliff Frasier and copy him on the progress. Lieberum also thanked DOS for doing away with 'pink cards' or code enforcement cards.

D. Tuxill – DEC: Will be working with EPA regarding 319 funding. As a result of the national meeting on NPS/319 funding, EPA is seeking greater accountability. There is a strong push to go to a 9 point watershed plan. New York already has a statewide NPS management plan, and successful NPS Programs. Though this plan and program is highly successful, it is not targeted on a watershed basis as the 9 point watershed plan would require. The Chesapeake Bay Watershed Implementation Plan (WIP) is currently the only plan in the state that would meet their 9 point criteria, and that's an implementation plan. They are interested in documenting success by 'de-listing' impaired waterbodies, which

doesn't consider waterbody protection, preventing water from getting on the PWL impaired water bodies list in the first place. They will be open for comments and DEC will continue to communicate with EPA headquarters that flexibility to address state specific strategies needs to be maintained.

B. Steinmuller thanked the Conservation Districts in the Tonawanda Creek Watersheds that provided project information that led to the de-listing and success stories necessary for EPA.

J. Littrell – NYACD: Provided an update on the Reimbursement Cap Bill, which is new this year. The bill passed the full Senate, but the Assembly was concerned that Districts would automatically receive \$60,000 each year, which is not the case. It is based on availability of funds.

The NE NACD Annual Meeting will be held August 19th – 21st. in Corning, NY. Planning is underway for workshops sessions including that will include Field Offices of the Future, Local Foods - Farm to Plate, and Flooding Emergencies. The Annual NYACD Conference and Administrative Managers Conference will be held October 15-16 in Auburn.

P. Kaczmarczyk – NYS DOH: The Department's move to the Empire State Plaza is expected in the near future. P. Kaczmarczyk discussed the NYC FAD and potential impacts from hydrologic fracturing near the watersheds. Their primary concerns at this time are baseline monitoring for drinking water wells and NYC infrastructure, especially aqueducts, and DOH is currently in negotiation with DEC regarding setback distances for drilling. Kaczmarczyk is also involved in a working group regarding the Esopus Creek which is below the Ashokan Reservoir. In recent years there have been three major flooding events at times when the reservoir was at head space, but water kept coming in so it had to be released with extremely high turbidity. This has caused the Esopus Creek to be turbid most of the time. It clears in a few days, but the recent flooding events have caused many complaints that are getting more attention now that the creek remains turbid for longer periods of time. Stream mitigation work is being considered by various groups below and above the dam. In Ulster County, DEC considered turbid water as a release and fined the city for being out of compliance with their SPEDES permit. Alum is being considered to clear the turbidity, which requires dredging due to the impact on fish in the long-term.

R. Rauch – DA&M: Gave the SWCC an update on the State's flood and emergency response programs. Rausch discussed the key dates for the Regional Economic Development Councils projects in the state. The Department is monitoring state legislation as the session winds down and the Farm Bill negotiations at the federal level.

D. Pettit – NRCS: NRCS is going through changes with a new financial system which is slowly coming back on line. NY NRCS is working to obligate Farm Bill funds by the deadline at the end of the month. Pettit discussed an issue affecting Districts regarding computer programs on NRCS network computers. "QuickBooks" software can no longer be connected to NRCS systems. The issue is personally identifiable privacy information that the program system cannot guarantee. The timeline for this change to take effect is expected to be fairly rapid.

Pettit advised the Committee of a potential upgrade to computer software that integrates current software into a single desktop with a module producers can use. This is scheduled to come on-line at the end of this federal fiscal year (September 30th). The software has been piloted and their hope is that this will reduce the administrative work behind the computer in order to help keep boots on the ground conservation delivery viable.

C. Mural – NYFB: Focused on end of session and provided an overview of the legislative process this year. The Farm Bill is moving forward and with the House is expected to do its mark-up today. They are monitoring the progress hourly. They are also addressing policy action related to EPA Clean Water Act (CWA) guidance as there is an attempt to remove the word 'navigable' out of the CWA. This would greatly influence New York's policies and permitting systems and have a negative impact on farmers.

L. Telega – Cornell CALS/CCE: County agencies are partnering to save positions related to non-programmatic, business services, including more sharing of directors statewide. They are moving toward having 'regional teams' providing extension services, such as Dairy Teams, Fruit Teams, Grape Teams and Vegetable Teams. G. Proios stated the need for joining together to investigate duplication of services, and matching services to find more efficiencies. Telega noted that the system connected within Cooperative Extension could be more coordinated with County Soil and Water Districts and other partners in many areas. This administration is re-vamping economic development priorities, and is

now seeing some renewed efforts underway for farm businesses, such as doing work for high tunnels, on-farm cooling shed and group feeding of calves. Work to help communities deal with changes in economic development priorities is underway.

T. Clark, Environmental Engineer– DA&M: Clark has been out visiting farms and meeting with Districts and NRCS staff as well as job shadowing with NRCS Area Engineers. He has been attending ACRF grant close-outs and Ag. NPS grant close-outs to help put together how everything works together through the process. His position responsibilities are two-fold: Train Districts on engineering related topics including surveying, hydrology and construction inspection; and help District staff attain Job Approval Authority to sign-off on "Conservation" Best Management Practices" once they have had the required training, and the NRCS area engineer signs-off on their capacity. M. Latham noted that he met with Peter Wright to go over NRCS components and expressed the Department's appreciation for the NRCS support for these activities. T. Clark will be providing a Construction Materials Workshop at Boot Camp for new technicians next week, as well as a Construction Inspection Course and Beginners Surveying Course at the Conservation Skills Workshop in the fall. G. Proios suggested developing a session to inform District Managers and staff as to when to call in additional engineering expertise.

M. Latham – SWCC/DA&M: Senator Ritchie has been instrumental in the Department receiving funding to work with Otsego County Soil and Water District and surrounding Districts to develop mosquito borne equine encephalitis procedures for the inoculation of horses and aerial application of insecticides. \$120,000 has been made available for 6 County Soil and Water Districts where this insect virus has been detected.

Through the Governor's ACRF for disaster response, the Department is working with DEC, DOT and other partners to advance stream intervention after natural disasters. M. Latham noted that the close-out for ACRF work done by the Delaware County Soil and Water District has been completed and praised their outstanding job. It was more than could ever be expected and the State Committee plans to showcase their work and the work of other Conservation Districts at upcoming meetings.

Farm Bill: Discussion in Congress appears to be focused on social, dairy and commodity programs. Conservation programs appear to be in the middle of the triangle and not seeing much adjustment. The House is expected to reconvene discussions in July. For a complete SWCC update on the proposed Conservation Title, please review the minutes from the May 2012 meeting.

D. Brass – SWCC Voting Member: New Grange Master will be visiting Adams Center as he tours New York.

Agricultural NPS Abatement & Control Grant Program – B. Steinmuller

STATUS OF ROUNDS 1-17

Of 629 contracts, 167 are active, and 437 are complete. 22 contracts have been cancelled during the life of the program. There are 3 Round 17 NPS projects pending. There have been 18 contracts closed out in 2012.

Amendments for State Committee Consideration

Madison SWCD – Upper Tioughnioga River Ag NPS Reduction Project – Round 14 – C700910

Request: time extension from 3/31/12 to 12/31/12

Reason: extension needed due to financial restraints last year. Landowner is committed to completing this project this summer.

Note: Cliff Frasier, Region 5 AEA, supports the time extension.

Previous amendments: none

D. Stein moved to approve the time extension; seconded by D. Brass. Motion passed; carried.

Next Meeting:

G. Proios suggested having a future meeting at Cornell to meet with the Dean of CALS. The Committee agreed and will look into the appropriate month to meet in Ithaca. M. Latham also reported that they are looking to coordinate the September meeting with a NASCA-led native pollinators meeting. Committee presence was requested and their meeting will be held in Schoharie County, which will tie in nicely with an ACRF focused State Committee meeting and Stakeholder Tour.

The next meeting was scheduled for 10:00 a.m. on July 17, 2012 at a location to be announced.

Executive Session:

D. Brass moved to convene executive session to discuss employment status of a particular person; seconded by D. Stein. Motion approved; carried.

D. Stein moved to explore options with the Department of Agriculture and Markets for the Information and Education Services contract to be continued with another District; seconded by D. Brass. Motion passed; carried.

D. Brass moved to adjourn out of executive session; seconded by D. Stein. Motion passed; carried.

D. Stein moved to reconvene the meeting and adjourn; seconded by D. Brass. Motion passed; carried.

To access the audio-cast of this meeting, please visit the New York State Department of Agriculture website at: www.agriculture.ny.gov.

Meeting adjourned at 4:00