

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

STATE COMMITTEE MINUTES

June 18, 2013

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

Present:

G. Proios, Chair, D. Stein Vice-Chair, D. Brass, C. Colby, J. Dickinson, Voting Members; M. Latham, Director, B. Steinmuller, Assistant Director; B. Brower, C. Frasier, SWCC Staff; D. Pettit, NRCS; K. Roberts, DEC; J. Clifford, Dutchess SWCD; L. Lyons-Swift, Cortland SWCD; P. Kaczmarczyk, DOH; N. Billhardt, NYSCDEA; V. Green, USDA-FSA.

Call to Order

G. Proios called the meeting to order at 10:00 a.m. Introductions made.

Review/Approval of Minutes

D. Stein moved to approve the May 2013 minutes as presented; seconded by J. Dickinson. Motion passed; carried.

Correspondence

B. Steinmuller made the correspondence available. Correspondence included a variety of Soil and Water Conservation periodicals, reports and District Newsletters and Reports. B. Steinmuller also passed along a copy of the NYS 2100 Commission Report for review.

Budget / Staffing / EPF / Legislative Update – M. Latham

M. Latham provided an update on the NYS Budget, staffing, EPF, and pending legislation. M. Latham told the Committee that the Department received its annual EPF allocation totaling \$29.1 million. This is split between, consultant services, AgNPS, ABF, and Farmland Protection Programming. Discussion regarding multiple legislative bills that could potentially impact Conservation Districts ensued. The only bill that passed both the NYS Senate and Assembly for the Governor's signature was 07555, an omnibus bill that will allow Conservation Districts to enter into municipal led intermunicipal agreements, and allow Conservation Districts to directly apply for Farmland Protection Grants through the Department of Agriculture and Markets.

Ag Nonpoint Source Abatement and Control Program - Brian Steinmuller

STATUS OF ROUNDS 1-19

Of 720 contracts, 188 are active, and 465 are complete. 22 contracts have been cancelled during the life of the program. There are 45 Round 18/19 NPS projects pending. 21 NPS projects have been closed out in 2013 to date.

Amendment for State Committee Consideration

Schoharie SWCD – CDS Tillapaugh BMP Implementation – Round 14 – C700921

Request: time extension from 12/31/12 to 12/31/13

Reason: extension needed due to farm suffered financial hardship. District workload due to Hurricane Irene delayed assistance. Original request dated 11/8/12

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

Previous amendments: one time extension

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

Staff Approved Amendment

Chautauqua SWCD – French Creek Nutrient Management Project – Round 18 – C701061

Request 1: change in landowner

Reason 1: Several owners in grant are partnerships. The landowner change is one partner dropping out and leaving the other to implement the project.

Request 2: change in BMP's

Reason 2: Original plan of work was to install a silage leachate collection and irrigation system.

Since then a survey has been conducted and it has been determined there is sufficient area to install a vegetated treatment area.

Jeff Ten Eyck, Region 3 AEA, approved both the change in landowners and change in BMPs Previous amendments: none

Round 20 Timeline Approval and TAC Update

The NYS Ethics Commission Opinion 03-09 states that any Conservation District present at the meeting or SWCC Voting Members that plan to apply for funding through their Conservation District must recuse themselves from all discussion that pertains to the development of the competitive RFP. C. Colby, Voting Member left the meeting room at this time when the Round 20 RFP development and associated discussions occurred.

B. Steinmuller discussed the Round 20 timeline for development, TAC notes from the May 8th meeting, and a TAC recommended AgNPS/AEM Base Funding suballocation proposal.

D. Stein moved to approve the Round 20 Timeline; seconded by J. Dickinson. Motion Passed; carried.

D. Brass moved to approve the TAC recommend AgNPS/AEM Base Funding suballocation of \$11.65 million and \$2.55 million respectively; seconded by D. Stein. Motion passed; carried.

B. Steinmuller also discussed TAC recommendations for producer's cover crop eligibility under the AgNPS Program. After a meeting of SWCC Staff and District practitioners was held to discuss cover crop policies the TAC addressed a number of those points at their June 11th meeting. The TAC recommended clarifying farmer eligibility for cover crop cost share:

- Requiring that interested farms apply through their Conservation District for a 3 year term. Removing the term "up to" 3 years.
- Making eligible any farm who previously received cost-share for cover crops for a one year period only.
- Farms may reapply for a subsequent contract for cover crops after 5 AgNPS Rounds based on new technologies being available, and/or cover crops needed to address different concerns than original contract.
- Payments for cover crops should be based on the NRCS flat per acre rate instead of itemized. Any proposal that is proposed above or below the rate would have to be justified by the applicant.

Discussion ensued; D. Stein noted that farms should be eligible for cover crop cost share again after 3 funding rounds instead of the TAC recommended 5 rounds based on an identified need or opportunity to implement cover crops through improved technologies, or to address a different concern than what was explained in the prior contract.

J. Dickinson moved to approve the three TAC recommendations for cover crop eligibility with D. Stein's suggested change; seconded by D. Stein. Motion passed; carried.

B. Steinmuller discussed the concept of considering on-farm food processing waste eligible for AgNPS funding. This has been an increasing concern amongst particular agricultural sectors such as vineyard/wineries. There has been some discussion regarding the divergent nature of food processing waste. Processing waste is generally categorized by DEC as either recognizable (non-permitted) or unrecognizable (permitted). SWCDL Section 11B, authorizing the AgNPS Program may be expansive enough without a statute change to address pollution concerns dealing with recognizable food processing wastes. The Committee was asked if this is something that should be explored by the TAC for a possible recommendation on which way to proceed through the AgNPS Program.

The Committee was in consensus that they would like the SWCC Staff and TAC to develop a recommendation on the AgNPS eligibility to address on-farm food processing waste.

This concluded the AgNPS Discussion. C. Colby reentered the meeting at this time.

SWCC Strategic Plan Review and Update for 2014 – 2018 – M. Latham, B. Steinmuller

B. Steinmuller distributed copies of the current 2009-2013 SWCC Strategic Plan. B. Steinmuller reviewed the Strategy with the group noting that much of it has been incredibly effective in guiding SWCC efforts through very trying times of staff shortages, funding reductions, and ailing state and county budgets. It was noted that parts of the plan may be more tactical rather than strategic. Discussion ensued regarding the framework of the existing plan and the concepts for the 2014-2018 update. G. Proios provided suggestions for evaluating the existing plan and documenting what was done and not done as an addendum to the 2014-2018 Strategy. B. Steinmuller asked the group to take the plan home and provide comments to him between meetings. It was noted that a timeline and framework for the update will be developed soon.

NYSSWCC 2012 Annual Report – Jennifer Clifford

J. Clifford distributed copies of the draft 2012 Annual Report (the full report can be downloaded at: http://www.nys-soilandwater.org/aem/forms/2012_Annual_Report.pdf). J. Clifford discussed the contents of the report and asked for feedback or additional comments. Discussion ensued, and it was agreed that the product from layout to content is very well done. The report should be released via the web and limited printing by next week.

Advisory Member / Partnership Reports / Public Comments - ALL

USDA-NRCS – D. Pettit advised the Committee about a number of items impacting USDA-NRCS. Pettit discussed the status of the recent Conservation Innovation Grants (CIG) round of proposals.

Pettit provided an update to the Committee on the USDA-NRCS Soil Health Initiative. Pettit told the Committee that demonstrations are being planned for Empire State Farm Days in August to show farmers the importance and value of soil health. Pettit advised the Committee that an employee meeting on soil health is being planned for August. Experts from the National Soil Health and Sustainability Team at Greensboro NC will be on hand to instruct NRCS employees on Soil Health. In addition on August 21st a train-the-trainer event will be held with a smaller group of NRCS, Conservation Districts, and Cornell Cooperative Extension.

Pettit discussed details including funding formulas and ways to distribute limited resources to various programs. Finally, Pettit discussed the status for NY-USDA's 2014 Budget request submitted last week. Pettit provided an update on the proposal submitted for the special project. Pettit told the Committee that they are asking for 3.5 million for a special project focusing on farmland protection in the Hudson Valley.

NYSCDEA – N. Billhardt provided a report on CDEA efforts. Billhardt noted that the RFP for the 2014 Water Quality Symposium is currently out. She also noted that the next CDEA Executive Meeting will be held on July 11th – 12th, in Western NY. The CDEA is prioritizing an effort to assist the SWCC in redeveloping and publishing the Administrative Manual. Billhardt noted that the CDEA is planning a Managers' Certification track at the NYACD Annual Meeting and has asked Doug Kierst, Executive Director of Cayuga County SWCD.

NYSSWCC Staff Update – B. Brower advised the Committee that he will be providing assistance to NYACD on the planning committee for the annual meeting. B. Brower also provided an update on the situation in Jefferson County.

NYSSWCC Staff Update – C. Frasier advised the Committee that the Municipal Subcommittee will be meeting on July 16th. An agenda has gone out to participants.

NYS DEC – K. Roberts provided an update to the Committee about the U.S. EPA's Nonpoint Source Guidelines to the States that are currently out. DEC is working in response to the guidelines with partner agencies. Roberts told the Committee that the NPSCC will be meeting by September 2013.

USDA-FSA – V. Greene distributed a copy of the NYS CREP Report as of 9/30/12 (Attached). The total acres approved are 11,355.62. Greene also distributed a series of maps showing the expanded CREP eligible watersheds in the Susquehanna River and Lake Champlain.

SWCC Staff Update – B. Steinmuller advised the Committee that he, Mike, and SWCC Field Staff will be convening a series of SWCD Managers' Meetings starting next week - June 26th (Millbrook), June 27th (Cortland), June 28th (Ray Brook), and July 10th (Batavia).

Next Meeting – July 17, 2013 at the NY Farm Bureau, 159 Wolf Road, Albany, NY.

The Meeting adjourned at 2:30 pm.

Audiocast available at: <http://www.agriculture.ny.gov/webcasting.html>