

New York State Soil & Water Conservation Committee
10B Airline Drive, Albany, NY 12235 -- Telephone (518) 457-3738
State Committee Meeting
Holiday Inn
5206 State Highway 23, Oneonta, NY
October 17, 2013

Present:

G. Proios, Chair; D. Brass, J. Dickinson, Voting Members; B. Steinmuller, Assistant Director; C. Frasier, J. Ten Eyck, G. Albrecht, B. Brower, SWCC Staff; K. Roberts, DEC; N. Billhardt, NYSCDEA; J. Littrell, NYACD; L. Condon J. Gergela, Suffolk County SWCD/LIFB; J. Clifford, Dutchess SWCD, L. Lyons-Swift, Cortland SWCD; V. Reynolds, L. Lockwood, Chenango County SWCD; L. Gerstenslager, Wayne County SWCD; R. Dougherty, W. Walsh, Tioga County SWCD.

Call to Order

G. Proios called the meeting to order at 12:30 p.m.

Review/Approval of Minutes

J. Dickinson moved to approve the September 24, 2013 minutes as presented; seconded by D. Brass. 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 read a letter from Kevin Sumner, Orange County SWCD Manager, to G. Proios, Chair of the State Committee, regarding a request made by the Orange County SWCD to remove one of the SWCD Directors. At the time of the letter, the Orange County Executive had not yet responded to the request. The Orange County SWCD wanted to make the State Committee aware of the situation. The letter went on to state that it was the intention of the Manager and a quorum of the SWCD Board to take every action possible to exclude the individual from any association with, and functions related to, the Orange County SWCD.

The letter from the District Chair to the County Executive along with the referenced material was also attached. The District stated in the letter that the individual has been disruptive to the operation of the District and displayed behavior unbecoming of a public official.

Discussion ensued. B. Steinmuller has been in touch with the District Manager on this issue and advised the District and the State Committee that this issue is a local county matter and must be resolved at that level. The State Committee did not act on this matter any further but asked to remain informed on the developments and the county reaction.

Federal Shutdown Impacts on Conservation Districts – B. Steinmuller

B. Steinmuller advised the Committee on the various levels of impacts that the Federal Shutdown had on Conservation Districts across the state. Much of the NYACD Annual Meeting dealt with the need for Districts to engage in risk management planning to encompass continuity of operations whether the cause is a natural disaster, or a federal shutdown that restricts the District personnel from accessing the office, files, IT, equipment, etc. N. Billhardt reiterated the importance for Districts to become more self-reliant whether co-located with NRCS or not. To that end, the NYACD released a survey at the Annual Meeting to determine the extent that Districts have direct relationships with NRCS that would affect their daily operations when events such as a federal shutdown occur. Questions on the survey included whether a District is co-located, who pays the rent, what services and equipment is shared, financial questions, and questions regarding technical approvals.

N. Billhardt and B. Steinmuller reiterated that this information is intended to assist Districts to be able to develop and implement a continuity of operations. What must be avoided is the situations that many Districts found

themselves in, such as working out of a District vehicle, out of Managers' homes, or closing down completely. The importance of having an alternative location that the public can have ready access to was discussed. There were situations where Districts were able to access locations in County office buildings that are preferable to locations that are closed off to the public.

L. Lockwood offered a suggestion to reiterate the importance of preserving the District/NRCS partnership. He stated that the partnership remains strong and vital to serving the public in Chenango County and whatever guidance that is offered in the future should confirm the need to preserve and reinforce the partnership where it functions well locally.

G. Proios noted that the survey results will be gathered and discussed at a later date.

AEM Tier 2 Worksheet, Greenhouse Gas Mitigation Opportunities – G. Albrecht, B. Steinmuller

G. Albrecht and B. Steinmuller provided a briefing to the State Committee on a project being worked on with faculty at Cornell University involving the development of an AEM Tier 2 type Worksheet to prioritize greenhouse gas mitigation opportunities on farms in NYS. G. Albrecht has been engaged with a few faculty members who currently are working on a Hatch Grant that addresses climate change and agriculture. The development of a greenhouse gas mitigation tool is in the scope of the grant and development of this tool under the AEM umbrella makes sense but requires agreement from the State Committee. The project is in beginning phases and B. Steinmuller wanted to brief the State Committee and ask for a motion endorsing this expansion of the AEM Framework in keeping with the 2008 amendment to the legislation authorizing AEM to address climate change, greenhouse gases, other air quality concerns and renewable energy considerations.

D. Brass moved to approve this project; seconded by J. Dickinson. Motion passed; carried.

AgNPS Abatement and Control Program – B. Steinmuller, Bob Brower

Of 721 contracts, 178 are active, and 476 are complete. 22 contracts have been cancelled during the life of the program. There are 45 Round 19 NPS projects pending. 24 NPS projects have been closed out in 2013 to date

B. Steinmuller provided an update on the release of the Round 20 RFP. Currently the RFP is under review by the Office of the State Comptroller and there is no target date for the release known at this time. Steinmuller advised the Committee that internally the RFP is ready to go pending approval by the OSC.

Agricultural Practices Catalog Revisions – B. Brower

B. Brower gave a presentation to the Committee on the SWCC's efforts to revise the Ag Practices Catalog. The revisions were drafted by the staff of the State Committee and the edits are focused on condensing the previous agricultural practices sheets into more intuitive and applied BMP systems. Applicable USDA-NRCS component conservation practices are listed with each system. The catalog was also updated to catch up with numerous policies and decisions made during open RFP Questions and Answers. The staff gave a presentation to the TAC back in the spring on the proposed changes and concepts and the draft is being presented for State Committee consideration for use with the Round 20 RFP when released.

Discussion ensued. G. Proios raised concerns that the Committee did not have enough notice to review the changes to ensure that no policies or precedents were being set with the revisions. B. Steinmuller reiterated that the staff was clear with the TAC back in the spring that the intent of the current changes is not to make any rulings on eligibility of practices. Eligibility of practices can only be determined by resolution of the State Committee or through the official Q&A during an open RFP. Brower and Steinmuller reiterated that the current draft catalog and the condensed system listings have been piloted with Round 19 plans of work and did not pose any significant challenge to Districts to implement the changes. K. Roberts also provided advisement to the Voting Members that it would be a shame to miss a year of funding when the changes were made to improve the current catalog and so much time and effort has already gone into the draft's development.

L. Lyons-Swift added that from a data management standpoint the effort to standardize BMP system reporting through the draft catalog has already been helpful in reporting to our partners and approving its use through Round 20 will aid in data management from the start of the Round.

As stated at the SWCC meeting, the revisions do not expand eligibility to any practice system that was not already a part of the AgNPS Program, nor has any existing eligible practice system been deemed ineligible as a result of the changes. Brower did state that during the work on the revisions, a number of items that could be clarified or modified regarding eligibility were identified for future consideration.

J. Dickinson moved to approve the Draft Agricultural Practices Catalog for use with the Round 20 RFP; seconded by D. Brass. Motion passed; carried.

NYACD Conference Report / Advisory Members / Partnership Reports

NYACD – J. Littrell provided an overview of the NYACD Conference and reiterated the importance of the discussion on District continuity in the event of federal shutdowns. J. Littrell also wanted to publicly thank Bob Brower and Jennifer Clifford for their work in assisting with the NYACD Conference.

Long Island Farm Bureau/Suffolk County SWCD - J. Gergela apprised the Committee of high priority nutrient and pest management concerns on Long Island. Gergela noted that legislation introduced in the State Assembly would propose to decrease the tolerable nitrogen levels in groundwater and numerous environmental groups are attributing detections of pesticide and nutrients, specifically nitrogen in the sole source aquifer on farms in Suffolk County. Gergela noted that nitrogen levels in the ground water come primarily from faulty septic systems and sewage, but noted that agriculture is often a target because farms are easily identifiable and on the east end and north fork where farms are located levels are higher than what the Health Department and other regulators would like to see. Gergela noted that there are gaps in the amount of technical service providers (TSPs) to help the agricultural community to address nitrogen and pest concerns. Gergela asked the Committee what could be done to build capacity on the Island to provide enhanced assistance in nutrient and pest management.

Discussion ensued regarding the lack of available Technical Service Providers (TSPs) on Long Island. Discussion continued on the Agricultural Environmental Management (AEM) framework and the resources that could be brought to bear on these critical issues. The AEM Certification and the AEM Base Program were discussed as potential vehicles for assisting the District to increase capacity to provide nutrient and pest management technical services. The State Committee decided to provide staff resources to assist the District in identifying opportunities to build capacity where the private sector TSPs are not present to address pest and nutrient concerns.

NYSDEC – K. Roberts spoke about the Division of Water’s intention to convene the Nonpoint Source Coordinating Committee (NPSCC) to meet to discuss the EPA required updates to the NY NPS Management Plan. Roberts thanked the Committee for their input in the process thus far.

NYSCDEA – N. Billhardt spoke again about the need to set a meeting up to discuss the procedures for the update of the Soil and Water Conservation District Office or “Administrative” Manual.

Next Meeting – December 17, 2013, NYS Department of Agriculture and Markets, 10B Airline Drive, Albany, NY 12235

The Meeting adjourned at 2:30 pm.

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