

**New York State Soil & Water Conservation Committee**  
10B Airline Drive, Albany, NY 12235 -- Telephone (518) 457-3738  
**State Committee Meeting**  
**10B Airline Drive, Albany**  
July 15, 2014

**Meeting At A Glance:**

- Welcome to Gregory Kist, the new State Conservationist!
- The new Central NYS AEA will be Scott Fickbohm! He begins on July 31.
- Round 20 AgNPS letters have been released and Plans of Work are due August 18.
- The NYS Farmland Protection Program has a number of grants available to counties, municipalities, and Soil and Water Conservation Districts.
- The Technical Advisory Committee will be investigating the cost and water quality benefits to incorporating covers on Agricultural Waste Storage Systems

**Present:**

D. Stein, Vice-Chair; J. Dickinson, D. Brass, Voting Members; M. Latham, Director; B. Steinmuller, Assistant Director; J. Clifford, L. Lyons-Swift, G. Spitzer, SWCC; J. Moody-Czub, T. Sweeney, D. Behm, DAM; L. Williams, NYFB; J. Littrell, NYACD; N. Billhardt, NYCDEA; S. Wojtowicz, DOS; P. Kaczmarczyk, DOH; D. DeWeese, G. Kist, USDA-NRCS; D. Tuxill, DEC.

**Call to Order**

D. Stein called the meeting to order.

**Review/Approval of Minutes**

**D. Brass moved to approve the June 2014 minutes; 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, Newsletters and Reports. B. Steinmuller mentioned a request from Cornell to support an application entitled "Feast or Famine: Helping Farmers Adapt to Too Much or Too Little Water in Northern US," to see how this could work within AEM. J. Clifford distributed the [2013 SWCD Annual Report](#), which highlights the accomplishments of District programs.

**USDA-NRCS Partnership** G. Kist, D. DeWeese

Welcome to the new state conservationist, Gregory Kist! G. Kist's past experience is from West Virginia, where he was the Assistant State Conservationist for Operations, and Georgia, where he was the Acting State Conservationist.

He is at the apex of his career, and intends to stay in New York for the next six to ten years until he retires. He is excited to work with everyone and build the partnerships further—this was his second day on the job, and he is eager to listen and learn.

The pre-application period for the Regional Conservation Partnership Program just ended. There were over 600 applications nationally, in three categories. D. DeWeese is hopeful the applications from NY will be competitive. Any further questions about the RCPP grants and applications can be directed to NRCS staff.

EQIP and FRPP applications have closed and awardees have been selected. Contracts are in development now. A grant program based on "Rural development" funding, mentioned in the most recent Farm Bill, is currently being developed, but money is not yet available.

The federal fiscal year ends September 30<sup>th</sup>. There has not been much discussion of federal fiscal year 2015 yet, but the expectation is that there will be a continuing resolution and NRCS's budget will remain stable or increase

slightly. In addition, the NRCS staff have been working with the OMB to convert some 2014 funds into “no year” funds so that they can be retained.

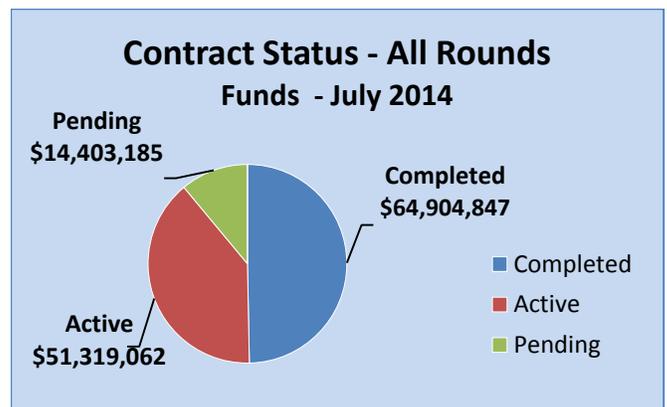
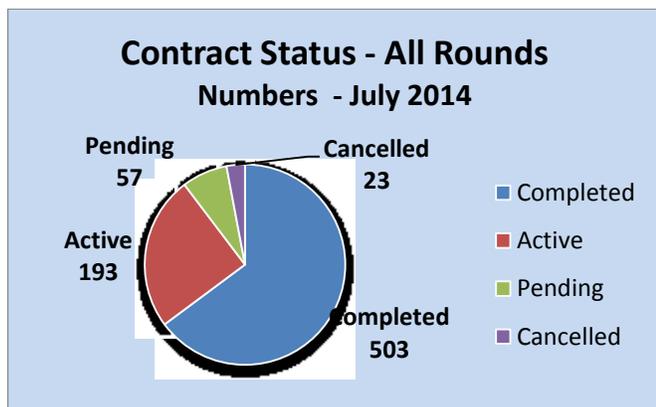
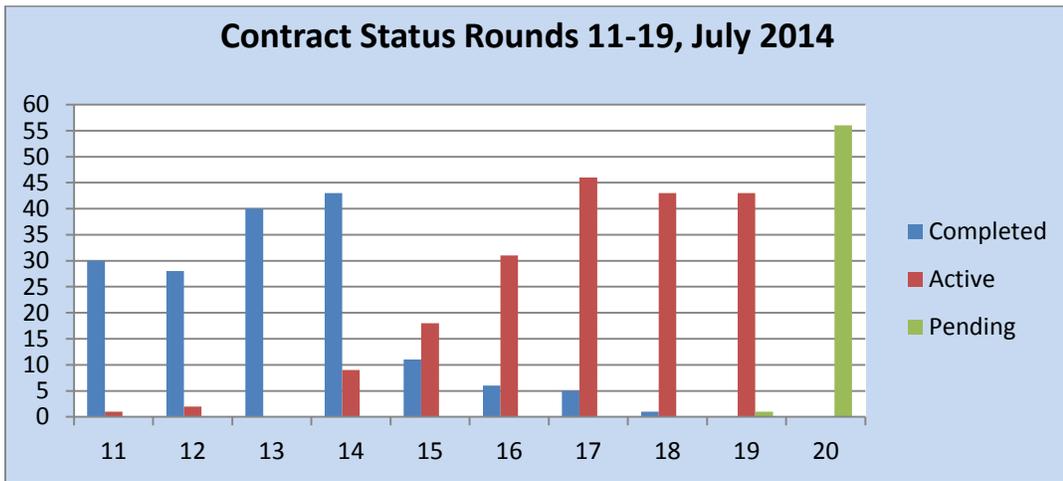
**Farmland Protection** G. Spitzer, D. Behm

G. Spitzer and D. Behm gave an overview of the [Farmland Protection Program](#), especially with regard to the planning and implementation grants. They reviewed the basics to the programs, and noted changes that have been made in the latest round of solicitations. [Farmland Protection Planning Grants](#) are available to counties and municipalities to create or amend local plans for supporting agriculture. [Farmland Protection Implementation Grants](#) are now available, after a five year hiatus, with three options: a non-competitive grant for municipalities to amend local laws in order to make them more farm friendly; a non-competitive grant for municipalities to develop a transfer of development rights program; and a [competitive grant program](#) (due Aug. 4) for purchase of development rights and incentive payments to protect agricultural land at risk of being lost to development. D. Behm emphasized that the changes have been made in order to meet the needs expressed in local farmland protection plans, to allow more options for a variety of applicants, and to speed up the process of moving from contract to closing. G. Spitzer highlighted changes to the website, including a new [interactive map](#) which shows completed farmland protection projects since 2005, and distributed the [2012-2013 Biennial Report](#).

**Agricultural NPS Abatement & Control Grant Program** – B. Steinmuller, L. Lyons-Swift

**Status of Rounds 1-20**, L. Lyons-Swift

L. Lyons-Swift shared the status of Agricultural NPS grants. Of 776 contracts, 503 are complete, 193 are active, 57 are pending (1 from Round 19, 56 from Round 20), and 23 contracts have been cancelled. The Round 20 contract period is June 25, 2014 – Dec. 31, 2018. Plans of Work must be submitted by August 18, 2014.



**Round 20 Ranked List Approval – Resolution 14-02, B. Steinmuller**

A few minor errors on the initial ranked list approved through Resolution 14-01 came to the attention of the SWCC staff. They were formula errors related to the necessity for recusals on specific projects, and did not result in any projects losing funding.

**MOTION:**

That subject to the availability of funds, the Committee shall award funding, pursuant to Round 20 of the Agricultural Nonpoint Source Abatement and Control Grant Program, for projects 1-92 in order ranked and in the amounts recommended by the advisory members of the Committee until funds available for this purpose are exhausted or the scoring threshold is reached, consistent with the Soil and Water Conservation District Law, the RFP, and any other law applicable to funding of such projects. Consistent with the RFP, the Committee authorizes the Department of Agriculture and Markets to negotiate the terms of the contract with the project sponsors and to make minor adjustments to the project description and budget as necessary to achieve project goals, conform to applicable laws and regulations, and to serve the best interests of the State.

**D. Brass moved to approve Resolution 14-01; seconded by J. Dickinson. Motion passed; carried.**

**Agricultural Resource Mapper, L. Lyons-Swift**

L. Lyons-Swift gave a presentation on plans to improve access to place-based data. She has presented in the past on the AEM and AgNPS databases, particularly on the limits of the GIS data currently in the system and the difficulties of some counties of finding the required GIS data. She is collaborating with T. Clark and IT staff to develop an Ag Resources Mapper, which would collect data from multiple sources (e.g. surficial geology, soils, HUCs, PWLs, counties, etc.) to load on the map together. The goal is that the Mapper would be a “one stop shop” for agricultural GIS data, and could produce a file with all of the appropriate information to be appended to grant applications. The GIS IT staff for the cluster are currently discussing the best ways to set this up technologically. There should be more information to report in the fall.

**Meeting with Cornell, B. Steinmuller**

There will be a meeting in October or November at Cornell with the Director of Cornell Cooperative Extension and the Dean of Cornell. The meeting will focus on shared goals between the SWCC and Cornell, including specific technical discussion on BMP effectiveness, adaptation in more extreme weather events, and research and implementation needs; a discussion about the new Center for Climate Studies and how the SWCC and Cornell can collaborate on agricultural climatic issues; and potential collaboration opportunities for CCE offices and SWCDs. More details to follow on the date and specific agenda topics and presentations.

**Division/SWCC Staffing – M. Latham**

The new Central NYS AEA will be Scott Fickbohm, current District Manager for the Otsego County SWCD. He begins on July 31. The division is working with the department to pursue waivers from DOB to backfill the Secretary position and to have a south eastern NY AEA.

**AEM award, J. Clifford**

The SWCC received 8 nominations for the 2014 AEM award from a diverse set of Districts. The award will go to Tre-G Farm and the Onondaga County SWCD. The award will be presented on August 6<sup>th</sup> at the Agricultural Leadership Luncheon at Empire Farm Days. M. Latham requested to know which Voting Members would like to attend.

**TAC meeting, B. Steinmuller**

The Technical Advisory Committee to the SWCC will meet on Thursday, July 17. B. Steinmuller asked the SWCC about policy issues they would like the TAC to discuss, research, and make recommendations. D. Stein brought up the issue of covered manure storage lagoons. Discussion ensued on the mechanics and cost of covering lagoons, as well as the justification from a water quality perspective for the covers. The AgNPS funding is specifically intended for water quality, so all policy must be based on water quality concerns. This winter saw a number of extremely

intense precipitation events in addition to record precipitation overall. A number of farmers were concerned that their manure storage facilities might overflow, and the DEC advised them to spread manure rather than let the storage overflow. The spreading unfortunately led to contaminated runoff and water quality concerns, including contaminated wells in some cases. Covering the manure storage facilities would eliminate the rainfall that currently falls in them, creating effectively more storage, while also eliminating the uncertainty farmers experience about how much storage they need in any given timeframe. ***The TAC will discuss the possibility of allowing retrofitting manure storage lagoons with covers to be an option for AgNPS funding, potentially requiring all new lagoons built to have covers, and the cost effectiveness of the covers at all scales.***

#### **EPA's Interpretive Rule**, M. Latham and B. Steinmuller

M. Latham presented a letter by the New York Departments of Agriculture and Markets and Environmental Conservation to the US Environmental Protection Agency regarding the recently released Interpretive Rule intended to clarify the Clean Water Act. The [letter](#) raised five major areas of concern regarding the IR. A discussion ensued about the possible implications of the rule, particularly the possibilities for multiple interpretations of vague sections regarding agriculture and the ways in which agriculture in NY differs from agriculture in other regions (e.g. in NY, there are drainage ditches that are wet all year round). The SWCC concluded that it supports the efforts of the DAM and the DEC to seek additional clarification of the IR, and will defer to departments and other groups to formally approach the EPA.

#### **Partnership Reports**

##### **NYSCDEA**, N. Billhardt

- The Conservation District Employees Association met last week. The Water Quality Symposium will be at Crown Plaza in Syracuse next March. They are looking for an administrative chair to coordinate the administrative track.
- The planning for the conservation skills workshop in September is well underway.
- The issues pertaining to rental agreements with NRCS will continue, so some CDEA members are interested in exploring whether rent can be a reimbursable expenditure under Part A of the State Aid to Districts Program. The SWCC Staff will look into this request.
- Conservation District employees who completed the Emergency Stream Intervention Train the Trainers workshop pledged to (funds permitting) lead at least one ESI training this year, and they are looking for more information as well as more support materials. B. Steinmuller responded that the SWCC will be sending out disks with the manual, the 90 minute course, the 4 hour course, and videos. SWCC staff are available to help with preparations for the trainings, including assembling the manuals.
- There was also a question on the status of job approval authority. M. Latham responded that T. Clark has been working on developing a model for all practices, starting with animal trails and walkways. As discussed at the SWCC May meeting, it will be a hierarchy for how to give job approval authority for conservation practice systems, starting with five conservation practices. This will be discussed further at a future meeting, but the current goal is to have a certification system for designated conservation practices.
- Concerns were raised regarding funding for the Envirothon.

##### **Farm Bureau**, L. Williams

- NYFB is working on response to the EPA's Interpretive Rule of the Clean Water Act.
- NYFB is engaging in policy planning for next year.

##### **NYACD**, J. Littrell

- Invasives and Education Bill codifying SWCD authorities in these areas passed through the state Senate and Assembly, and will be delivered to the Governor for signature.
- NYACD is currently reviewing the Clean Water Act Interpretive Rule and will be formulating comments and a position.
- Annual meeting Oct 21-23 in Utica: the theme is "A World of Opportunities." It will include discussions of opportunities for districts, trainings for employees and directors, and will conclude with a session on audits—the full agenda will be published in the next few weeks.

**DEC, D. Tuxill**

- DEC's Division of Water is working to finalize the nonpoint source management plan with EPA, deadline is end of September.
- Working on annual report and will be reaching out to the SWCC on AEM and AgNPS related accomplishments.
- 9 element watershed plans are becoming a stronger focus for the EPA, and NY continues a discussion on how to best meet these planning goals.

**DAM, T. Sweeney**

- Governor Cuomo created the Strategic Interagency Task Force on Lessening Obstacles to Agriculture (SILO) in March. SILO is comprised of farmers and other leaders from the agriculture industry, as well as representatives of those state agencies who impact agriculture. SILO task force has met three times to hear from, and respond to, farmers who are voicing their concerns on issues ranging from farmworker housing to the regulation of pesticides, among many other concerns.
- At the most recent meeting (July 11), SILO heard from the PSC on power line height and placement of utilities; the DEC on pesticide registration, pesticide container disposal, and land application of plate cooler water; Tax and Finance on Ag Assessment and Assessor training; the DOT on road run-off; the DOH on residential well placement and substandard wells; and DAM on food processing 20c licenses and capital improvements at fair equine facilities including state and county fairs.
- The next meeting will be September 8, 2014.

**DOH, P. Kaczmarczyk**

- Will meet with Steve Winkley of the New York Rural Waters Association on July 24<sup>th</sup>. The Rural Waters Association provides free technical assistance on a variety of issues to rural communities and water/wastewater systems. The meeting agenda includes discussion of federal, state, and local agency source water protection roles and needs, building stronger communication/coordination between different groups, and identifying high priority areas for sources water protection planning.
- D. Stein mentioned the issue of oversight of private wells and contamination, particularly given the rough winter last year. T. Sweeney said that the issue was discussed at the SILO meeting, and it is largely an issue within counties' jurisdiction.

**SWCC, J. Clifford, M. Latham**

- All Part B proposals have been approved and funding for this purpose has been restored in the SFY 2014-2015 budget. Districts should be receiving funds by the end of July.
- There will be soil health workshops coming up in a variety of locations across NYS.
- Working on ecosystem based management project proposals.
- AEM Base Year 9 reports are coming in and a report on annual AEM Base accomplishments should be ready for the Committee in September.

**Other items, briefly mentioned:**

- Steve Winkley from the Rural Waters Association and Blair Warner from NASS have expressed interest in attending future meetings to provide presentations to the SWCC.
- SWCDs may be asked to come back to do presentations on unique programs that they have found successful.
- There has been a renewed focus on soils health throughout the state, and there will be soil health workshops around the state.

**Next Meeting – September 16, 2014. Location TBD**

**The Meeting adjourned at 2:00 pm.**

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