

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

September 20, 2016

Meeting at a Glance:

- Welcome to Erica Goodman, new voting member representing urban, suburban, and rural non-farm interests! The State Committee now has a full slate of five voting members.
- Thank you to Cliff Frasier for his 30 years of public service, including ten with the State Committee. Enjoy your retirement, Cliff!
- The 2015 Soil and Water Conservation Districts Annual Report and Part B Conservation Project Assistance Report are now available. Congratulations on all the conservation successes!
- The State Committee reviewed the Strategic Plan, AEM, and Municipal Operations to assess current programs accomplishments and goals for the future.

Present:

D. Stein, Chair; R. Montesi, D. Brass, D. Hickling, E. Goodman, State Committee Voting Members; M. Latham, Director; B. Steinmuller, Assistant Director; G. Albrecht, G. Spitzer, T. Clark, B. Brower; J. Clifford, S. Fickbohm, SWCC; T. Sweeney, N. Persaud, DAM; J. Lendrum, DEC; P. Kaczmarczyk, DOH; L. Williams, NY Farm Bureau; PJ Emerick, CDEA; G. Kist, NRCS.

Call to Order and Welcome

D. Stein called the meeting to order.

Welcome to the newest State Committee voting member, Erica Goodman, representing urban, suburban, and rural non-farm interests! Erica currently lives in New York City and works in fundraising and development for FoodCorps, and organization which works with AmeriCorps service members to build school gardens and improve access to healthy food for students. She grew up on a dairy farm in Washington County, which is now being converted to hops farming. Erica fills the last vacant seat on the State Committee.

Welcome to Nicole Persaud, new Excelsior Fellow with the Division of Land and Water. Nicole has a legal background, and will be working mainly with the Agricultural Protection program.

Review/Approval of Minutes

D. Brass moved to approve the July 2016 minutes; seconded by D. Hickling. Motion passed; carried.

Correspondence

The 2015 Soil and Water Conservation Districts [Annual Report](#) is now available. Copies were made available at the meeting, and they were sent to Soil and Water Conservation Districts by postal mail, along with new brochures for AEM, NY Grown and Certified, and Good Agricultural Practices. Districts appreciated the new brochures, and some have called asking for more. There are plenty, so any Districts that need more should just call to ask.

The New York State Grown and Certified Program has begun to be rolled out. In order for products to receive the NY Grown and Certified label, the farm must be (a) in New York State, (b) committed to environmental stewardship as demonstrated by having completed an AEM Tier 2 assessment, and (c) committed to a high level of food safety protections as demonstrated by Good Agricultural Practices certification. More information can be found at <http://certified.ny.gov/>.



A letter was sent from the Schoharie County SWCD to Paula Bagley, State Engineer for NRCS, regarding a disagreement between Jess Engineering and the NRCS functional review of a CREP project. Under CREP rules, the project must be approved by NRCS once it is completed. This review is a preliminary "functional review," to speed up the approval process at the end. However, NRCS has had some concerns about the design, and Jess Engineering has claimed their review is overly influencing the process well beyond a simple functional review, a claim NRCS disputes. The letter was copied to the State Committee because the CREP project is match on an AgNPS project from Round 20, which is currently being delayed until the CREP issue is resolved. Brian Steinmuller will be talking with the parties involved and monitor the situation to a resolution.

Lindsey Gerstenslager of Wayne County SWCD sent a message out regarding long time District board member Bob VanLare's illness. [Update: Bob passed away on Friday, September 23.] Bob and Pat VanLare have supported the farmers and the environment in Wayne County through serving on the District Board and with NYACD, volunteering with the Envirothon, donating to the WQS raffle, and serving on local advisory boards such as the Agricultural Advisory Board and WQCC. The State Committee's thoughts and prayers are with Pat and her family. Anyone wishing to send cards should contact Lindsey for the address.

Staffing Report, M. Latham and B. Steinmuller

C. Frasier has retired after more than 30 years in the service of environmental conservation, including ten years with the State Committee. Best regards to Cliff in this new phase of his life!

Currently, all the regional staff have expanded their regions to cover the C. Frasier's districts, and B. Steinmuller is serving as regional staff to five Capital District Counties. The Request to Fill form for Cliff's position has been submitted, and hopefully that position will be backfilled this fall. The position will be open to candidates currently on the Associate Environmental Analyst (Agriculture) civil service list.

The RFP for the District managed AEM Outreach position only received one application. As with any procurement process with too few bids, OSC has been in contact to confirm the fairness of the process.

Strategic Plan Midterm Review, B. Steinmuller

The most recent [State Committee Strategic Plan](#) is active 2014 – 2018, so we are currently midway through the term. This presents a good time to review and reassess the State Committee's goals and see how we are measuring up. There are four large areas of goals for the State Committee, as outlined in the plan: Conservation District Operations, Technical Services and Program Delivery, Comprehensive Natural Resources Management, and Cooperative Conservation. Highlights included were the following successes and areas remaining for growth:

Successes:

- Increased staffing, as well as increased investment in staff's technical skills, to fully support all regions and all program areas
- Major increases to State Aid funding
- Ecosystem Based Management approach has evolved into a series of "mini-grants" to target specific conservation priorities
- AEM is being incorporated into NYS programs, including the Southern Tier Agricultural Industry Enhancement Program and the NYS Grown and Certified program
- The SharePoint site allows the State Committee and Districts to communicate much more easily and share files without size restrictions
- Districts are now legally included in invasive species management
- Creation of the Climate Resilient Farming Program, which meets the Strategic Plan's goals/objectives to assist farmers in climate change mitigation and adaptation

Growth Areas:

- The Conservation Technical Assistance Program has not grown and expanded in the way envisioned in the Strategic Plan
- Data management remains a challenge, though significant progress has been made
- Districts are not yet eligible applicants to the Department of State's Local Waterfront Revitalization Program, though many Districts have been involved in the grants
- The State Committee would like to support more Districts in long term/strategic planning
- The State Committee would like to support more Districts in developing MOUs, IMAs and engaging each other and partners
- The State Committee would like to work more with its partners, especially within the 4 way partnership (Soil and Water State Committee, Conservation Districts Employees Association, New York Association of Conservation Districts, and Natural Resource Conservation Service) and expand partnerships with other local, state, and federal entities.

Municipal Conservation and Assistance Update, J. Clifford

The State Aid Part B Report is now available. It describes the work being done by Districts across the state using the \$6000 provided through the Part B Conservation Assistance program.

The Municipal Conservation and Assistance Subcommittee was established to exchange information and provide assistance on municipal programs, discuss what makes a successful municipal program, and set frameworks for other Districts to replicate when working with municipalities in their counties. Examples of municipal programs include:

- Stream programs, including Streambank Stabilization/Restoration, Emergency Stream Intervention, Culvert Assessment and Replacement (especially through the North Atlantic Aquatic Connectivity Collaborative), and Riparian Buffer programs
- Stormwater programs, including 4 hour Erosion and Sediment Control training, Green Infrastructure, and MS4 programs
- Critical Area Seeding, Roadside Stabilization, and Conservation Mowing
- Invasive Species Management
- Waste Management/Recycling
- Open Space/Forestry/Trails

Due to Cliff Frasier's retirement, J. Clifford will be coordinating the Municipal Subcommittee moving forward, and she expects that there will be another meeting before the end of 2016.

AEM Update and AEM Base Report, G. Albrecht

Agricultural Environmental Management (AEM) is a statewide, locally-led, and voluntary process that helps farmers make common sense decisions toward meeting their business objectives while protecting and conserving natural resources. It consists of a number of elements, including technical assistance through the 5 tier process, locally led strategies and priorities, AEM certified planners, policy and regulatory compliance, applied research and extension, etc.

G. Albrecht reviewed a number of the elements of AEM. He also shared an AEM Base report (also attached) that showing the progress of the AEM Base program (where Districts are reimbursed for time they spend providing technical assistance to farmers) over the past 11 years. Districts have decreased the amount of time they are spending on the earlier tiers (Tier 1 and 2), and have increased the amount of time they are spending on later tiers (Tier 3 - 5B), which shows that Districts are working with the same farms, and advancing their environmental management. The State Committee is particularly proud of the Tier 5 efforts, since it is rare for state programs to support operations and maintenance/evaluation work.

The AEM Certified Planner and quality assurance/quality control programs are now fully operational, following a lull prompted by the recession.

Some next steps for AEM are to expand through more resources regarding climate change, forestry, and specialty crops.

Conservation Approval Authority, T. Clark

T. Clark has been developing a system for conservation district employees to become certified to design and approve very specific conservation practices. Some practices (generally those that involve construction that could put human life at risk if they are not done properly) require the approval of a Principal Engineer; those practices are designated as engineering practices by the State Department of Education. However, there are practices, which should be certified in some capacity, but which do not require the full engineering label. NRCS has had a Job Approval Authority program to fill this gap, but it is not currently meeting the demand.

In this context, T. Clark has been developing a Conservation Approval Authority program for specific practices, so that District employees have an opportunity to review engineering and receive certification to design and complete those practices. The courses are through Udemy, an online course platform, and consist of 1-2 hours of video instruction, followed by worksheets/quizzes, and a final project design problem that must be approved by Tim before the employee has completed the course and receives Conservation Approval Authority for that practice. The courses are for [Agricultural Fence Design](#), [Roof Runoff Structures](#), [Stream Crossing Design](#), [Culvert Design](#), as well as a [Basic Hydrology](#) fundamentals course. Tim is currently working a diversions course.

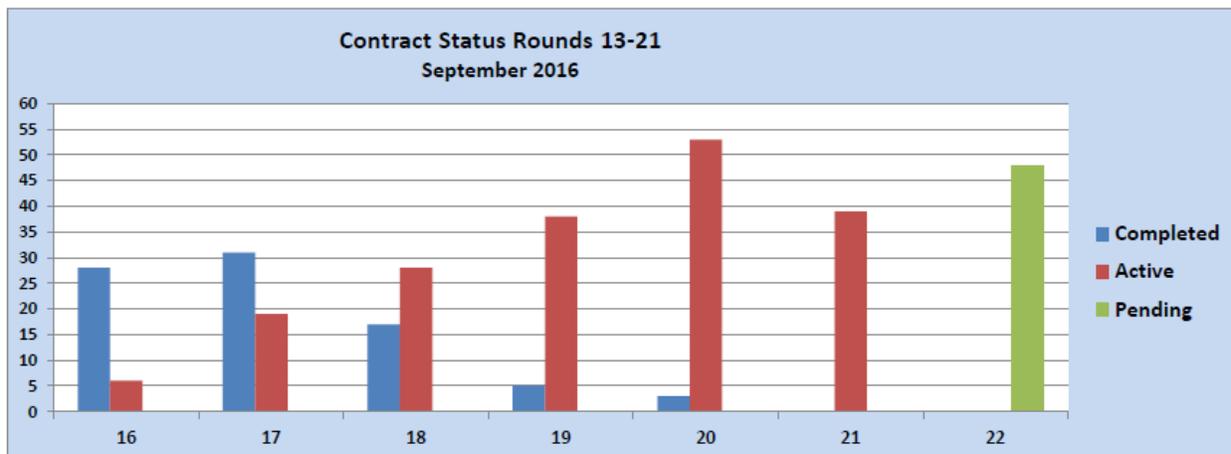
A discussion ensued on how to best advertise these courses. It was suggested to recognize employees who have completed them through the CDEA newsletter. They will be mentioned at the new employees' forum at the Conservation Skills Workshop. Any other suggestions on how to promote and advertise this opportunity would be appreciated, contact Tim.

Agricultural Non-Point Source Updates, B. Steinmuller

B. Bzduch will return from parental leave on October 6. B. Steinmuller will be managing AgNPS program issues until then.

There are no contract amendments this month.

The oldest outstanding contracts (from Round 14 and 15) have been closed out, and there are only 6 active contracts remaining from Round 16. The Round 22 contracts, totaling \$17.3 million, are all currently pending.



Technical Advisory Committee (TAC) Meeting Recap:

The TAC had a long and productive meeting September 13, covering two major topics. The first was discussing the issue of expansion related practices. When the AgNPS program was established 22 years ago, there were few manure storages and many farms just did not think about their waste management and other water quality concerns. Today, most farms—and all CAFOs—consider their environmental concerns in planning, and they may also seek funding to support those efforts. The question the TAC discussed was with regard to expansion and repeat applicants—how to approach farms that reapply for AgNPS funding for the same practice that was previously funded, during the lifespan of the previous practice. In Round 22, questions were added to the AgNPS application form as to whether a practice was “expansion related.” However, the results from those answers are inconclusive because the term was not defined, and it was clear many Districts interpreted it differently.

The TAC heard from experts at Cornell, who described an economic atmosphere of constant growth and development within the dairy industry, at least. They suggested that farmers are trying to improve/grow some aspect of their operation—feed efficiency, crop yield, nutrient efficiency, herd numbers, etc.—by 10% every year.

B. Steinmuller proposed the following definitions for “expansion related practices” and “repeat farm participation”:

“Expansion related practice system”: Shall mean any proposed practice system(s) that are required to prevent pollution from intended farm expansion or from previous farm expansion that resulted in a documented water quality concern through the AEM planning process.

Expansion related practice system shall not be defined as a practice system that no longer has the capacity to store or treat a pollutant because of environmental factors outside of the farmer's control. For example, continued experience of extreme weather and rainfall as well as flood risk may drastically diminish the capacity of agricultural waste storage systems or vegetative treatment areas to function. It should also not be defined as an additional or retrofitted practice system that is needed due to new CAFO Permit requirements.

"Repeat farm participation": Shall mean any farm that has received funding for the same practice in the same location on the farm where that practice system is still within its designated lifespan for operation and maintenance requirements.

Repeat farm participation shall not be defined as farms that are implementing complete and different BMP systems over time and multiple contracts. Farms that have completed AEM Tier 3 planning and are actively working with the Conservation District to implement Tier 4 BMP systems have and will continue to have access to the AgNPS Program to cost-share distinct systems over time.

Options for the TAC and State Committee included:

1. Deciding that applications for repeat farm participation are ineligible for the same practice within that practice's lifespan (see definition above)
2. Deciding that applications to mitigate water quality concerns created by expansion (see definitions above) would be ineligible
3. Capping funding (either by amount or by cost share percentage) for repeat farm participation and/or expansion related practices
4. Changing the scoring structure to favor first time applicant over those who meet the definition of repeat farms
5. Changing the scoring rubric for the evaluators to apply a somewhat more critical approach to repeat farms or expansion related practices
6. Continue the status quo of allowing each application to make the case for funding

The TAC recommended (and State Committee affirmed) that a one-size-fits-all approach (such as in options 1-4) may not be ideal for AgNPS at this time. If the State Committee accepts the definitions as written above, they suggest that the AgNPS Round 23 scoring include a mechanism for regarding repeat applications and/or expansion related practices somewhat more critically.

The second issue discussed at the TAC meeting was a question about whether to include watersheds with 9 Element Plans as eligible for bonus points for AgNPS projects, in the same way TMDL regulated and SWAP watershed are. The TAC discussed the merits of 9 element planning and the ways it differs from TMDLs (9 element plans are a voluntary, community based process, while TMDLs are top down and regulatory, and there are a few other differences). Stephanie Wojtowicz advised the group that the DOS is starting to fund 9 Element plans and upgrades to existing plans to comply with all 9 elements. CDEA opposed the addition of bonus points for 9 Element Plan watersheds due to a lack of training and familiarity with the 9 Element planning process. The TAC overall recommended that the State Committee add criteria to the Round 23 Proposal Rating Sheet under Identified Need/Opportunity giving priority to projects that implement approved watershed management plans. This would add to the criteria for the evaluators, rather than adding automatic bonus points.

D. Brass moved to accept the TAC's recommendation to State Committee add criteria to the Round 23 Proposal Rating Sheet under Identified Need/Opportunity giving priority to

projects that implement approved watershed management plans. R. Montesi seconded. Motion passed, carried.

Climate Resilient Farming Program, G. Spitzer

The Climate Resilient Farming Round 2 RFP is ready to go and will be released soon! It will be for \$2.5 million; \$1.25 for manure storage cover and flare systems, \$875,000 for water management systems, and \$375,000 for soil health.

Round 2 will not be in the Grants Gateway, and applications will be accepted through SharePoint. Each application can be for multiple farms, but only one track. (Applications are rated against others in the same track, so they can only be for one track.)

Stay tuned for the announcement!

Partnership Reports

Cornell, B. Claypoole

There is an Ag In-service training coming up. There will also be a new hay finder tool to connect farmers.

NRCS, G. Kist

Paula Bagley is the new state engineer. Eli Gnann is the engineer for the western region, and the eastern region is still open (as are a number of other engineering positions). There are some upcoming CSP changes, and staff will be going to a train the trainer event to bring back the most up to date information so that everyone is on the same page. Nationally, NRCS is working on better customer service through a Client Gateway System.

Funding was available last year (\$42 million went to 12 states) for WRP partnership easements. G. Kist expects another round again this year, and is interested in hearing from any entities interested in applying.

CDEA, PJ Emerick

The Water Quality Symposium 2017 will be March 14-17, 2017, at the Double Tree East Syracuse. Courses and instructors are being finalized, and course descriptions are due by November 1. The registration information should be out by December.

CDEA is working with the State Committee and NYS Civil Service on updating the District employee civil service exam.

Thank you to everyone involved in Conservation Skills Workshop planning and teaching. It should be great.

CDEA is working on developing the 4 hour Erosion and Sediment Control course into a paid online version. They are working on getting quotes from SUNY colleges about the filming, and exploring options for online payment. More details to follow at the November CDEA meeting.

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CDEA is working with the DEC and the Municipal Assistance Subcommittee to develop MS4 training, similar to the Erosion and Sediment Control training.

The CDEA booth at the State Fair was a great success. Thanks to all! Congratulations to Cliff, and his guidance will be missed.

DEC, J. Lendrum

The CREP agreement has been officially signed and celebrated!

The Division of Water is developing an RFA for permanent easements on riparian buffers. There will be \$1 million available for projects in the upper Susquehanna watershed.

There was an extremely quick turnaround for inter-seeders bought for Districts in the Great Lakes region. There was money left over from a different grant that was able to be used for this, which worked extremely well.

DEC hired summer interns who did work on planting and maintaining buffers, which worked very well.

Region 2, S. Fickbohm

S. Fickbohm has been getting to know the Districts he is now working with due to Cliff's retirement. One theme keeps being repeated: Districts are extremely busy! More funding opportunities, and more funding, have led Districts to feel overwhelmed by their work. Hopefully they will be able to add staff in the short or medium term to help manage the work flow to maximize growth potential.

State Committee, T. Clark

NRCS is hosting an irrigation training for free in November 15-17th in Cortland. This is a great opportunity.

State Committee, M. Latham

The Southern Tier Agricultural Industry Enhancement Program (STAIEP) Round 1 resulted in \$15 million in funding for 214 projects/farms in 11 counties. This included new barns, solar equipment, environmental enhancements, permanent/stationary equipment, and other projects. Thank you to all of the Districts for their help in making this a success. Round 2 is now [open](#) in the 5 counties that still have funds available. Applications are due to those counties by October 17 at 4:00pm.

State Committee, G. Albrecht

Congratulations to Ryan Cunningham, who successfully passed the CCA exam!

The northeast CCA training will be in November, registration is up now.

Farm Bureau, L. Williams

Farm Bureau has been having county meetings. Check the Farm Bureau website for details on your county.

State Committee, G. Spitzer

G. Spitzer sits on the DEC's Environmental Excellence Award review panel on behalf of the State Committee. The final review meeting for the 2016 awards was last week. It is always a good day, because even the applications that are deemed to not be worthy of the award are good projects, and they come from a variety of fields and sectors. The award ceremony is planned for late November.

Districts and coalitions of Districts have received awards in the past, most recently for the development and then implementation of the Emergency Stream Intervention protocol. This year there were no District applicants. Spitzer recommends Districts consider applying in the future.

State Committee, B. Steinmuller

There will be a \$1.5 million RFP released in October for specialty crop farms only, to support enhanced environmental management to further the goals of the NYS Grown and Certified Program. Stay tuned for more details.

D. Stein

The drought was especially difficult in Western NY. Yields were down 50% or more in places. One especially interesting factor was that some inter-seeded cover crops actually competed with the main crop, taking up moisture from the soils. More research should be done to explore this phenomenon and help farmers make the best possible decisions. The corn that was harvested, while there was less of it, was up to five times higher in protein than usual. This is due to the nitrogen in the soil staying there and being taken up by the corn without water diluting it and the nitrogen running off, and it is remarkable.

Meeting adjourned.

Next meeting is scheduled for November 1st, 2016 at the State Office Building in Utica.