

Approved

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
581 State Fair Blvd., Syracuse, NY 13209
55 Hanson Place, Brooklyn, NY 11217

June 20, 2017

Meeting at a Glance:

- DEC reports that NYS is in the top three in state water quality projects and funding
- The Committee approves resolution 17-02
- The Committee approves the recommendations from the participants of the State Aid to Districts Performance Measure Summit
- A suite of Climate Resilient Farming assessment and planning tools have been completed and will be made available to Districts soon
- The CAFO Agricultural Waste Storage and Transfer Program is under development and will be available in September 2017

Present:

State Committee Voting Members: D. Stein, State Committee Chair (Syracuse); D. Brass (Syracuse), E. Goodman (Brooklyn), R. Montesi (Albany), D. Hickling (Albany).

Albany location: B. Steinmuller, Assistant Director; B. Bzduch, J. Clifford, S. Fickbohm, T. Clark, B. Brower, A. Kumar, S. Latessa, DEC; D. Lewis, Saratoga County SWCD; C. Nellis, Montgomery County SWCD; L. Williams, NYFB.

Syracuse location: P.J. Emerick, R. Bush, G. Albrecht, V. DiGiacomo, SWCC; D. DeWeese, USDA-NRCS; S. Lorraine, CDEA; C. Watkins, Jefferson County SWCD.

Call to Order

D. Stein called the meeting to order.

Review/Approval of Minutes

R. Montesi moved to approve the April 18, 2017 minutes; seconded by D. Hickling. Motion passed; carried.

Correspondence, B. Steinmuller

The usual mailings and periodicals were made available at the Albany location.
1120817

SWCC Staffing, B. Steinmuller

B. Steinmuller welcomed P.J. Emerick to the SWCC Staff. P.J. was hired to be the new Region 2 Associate Environmental Analyst responsible for coordinating 13 Conservation Districts in Central NY. Chairman Stein extended a congratulations and welcome to P.J.

D. Stein and B. Steinmuller also recognized Bob Brower, Region 4 Associate Environmental Analyst who has announced his plans to retire at the end of July. Bob has had a very long successful career in state service as an employee of the SWCC and an even longer one with Conservation Districts having started

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with the Jefferson County SWCD over 37 years ago. Bob will be missed and impossible to replace with his decades of technical and managerial experience with Conservation Districts.

The waiver to backfill the Climate Resilient Farming Program Manager is still pending.

The new outreach position is moving forward. It will be an annual contract with the Cortland County SWCD and is subject to four renewals. Interviews have been conducted and the position has been offered.

Steinmuller submitted a request for a SG23 AEA to serve as the new Manager for the Climate Resilient Farming Program. Steinmuller explained that this is a new position request, not a backfill so approval will be a challenge.

US EPA – Grants Reporting and Tracking System, Aseem Kumar

A. Kumar gave a presentation on the EPA's Grants Reporting and Tracking System (GRTS), specifically regarding pollution load reductions. As a component of the state's nonpoint source program, the NYS DEC works with the NYS SWCC to report on all nonpoint source state program accomplishments. The scope and budget for AgNPS program contracts are digitally provided to the DEC who in turns inputs pertinent information into the GRTS. Kumar explained that NYS is in the top three for all sate funded nonpoint source programs. This shows a tremendous effort underway to address nonpoint sources of pollution from stormwater to agriculture.

The database also uses formulaic coefficients to model pollutant load reductions from the various best management practice systems. Through the use of these calculations, the NYS SWCC can amplify its own reporting to show water quality benefit. Kumar explained that DEC is working within the system but the system is changing and as a result DEC and the SWCC should sit down and go over how the information is collected, managed, and shared. S. Fickbohm is serving as the CREP Coordinator and has interest in how this information can demonstrate water quality benefits from riparian forest buffers. Fickbohm has volunteered to work on this with DEC. Steinmuller noted that B. Bzduch will also need to be included in these discussions as it relates to AgNPS program data.

Agricultural Nonpoint Source Abatement and Control Program, B. Bzduch

B. Bzduch provided a program status dashboard (attached).

Amendments for State Committee Consideration

Region 1

Erie County SWCD – Eighteenmile Creek WS/Lake Erie – Round 19 – C701112

Contract Start: 3/5/13

Contract End: 12/31/17

Request: Time Extension to 12/31/2018

Reason: A large number of projects have been completed under this contract. Severe weather conditions, storm damage, and other issues including business organization changes and financial difficulties have slowed progress on a number of projects. The remaining landowners have all committed to the extended time frame.

Note: Victor DiGiacomo, Region 1 AEA, supports the Time Extension and refers to the State Committee

Previous Amendments: 1 Budget Change

R. Montessi motioned to approve the amendment, seconded by D. Hickling. Motion passed; carried.

Region 2

Onondaga County SWCD – Implementation of Pathogen, Nutrient, Sediment Reduction BMPs in Greater Onondaga Lake – Round 19 – C701122

Contract Start: 3/5/13

Contract End: 12/31/17

Request: Time Extension to 12/31/2018

Reason: Four participating farms have not implemented yet. Three farms claim financial reasons based on low milk prices and difficult weather for the project delays. One farm is experiencing neighbor relation issues which is causing a delay in the project. All four farms believe that an additional year will make an immense difference in their ability to complete the projects.

Note: PJ Emerick, Region 2 AEA, supports the Time Extension and refers to the State Committee Previous Amendments: 1 BMP Change

D. Brass motioned to approve the amendment, seconded by E. Goodman. Motion passed; carried.

Before Round 23 discussion B. Steinmuller asked all Districts present with the exception of the CDEA Representative to recuse by leaving the meeting room at all locations. All District officials recused themselves at this time.

B. Bzduch provided a Round 23 summary and highlights from the proposal review process. Bzduch told the Committee that 125 proposals were submitted for a total project cost of \$70.5 million. Total state funds requested totaled \$43 million. The appropriation for Round 23 totals \$14.1 million but this will most likely be extended by using returned funds to award additional projects. Other details include:

- Number of Farms = 287
- Number of CAFOs = 94
- Number of Waste Storages = 94
- Number of Farms implementing Cover Crop = 39

Resolution 17-02

That subject to the availability of funds, the Committee shall award funding, pursuant to Round 23 of the Agricultural Nonpoint Source Abatement and Control Grant Program, for projects 1-125 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 17-02; seconded by D. Hickling. Motion passed; carried.

The District officials re-entered the meeting room at this time.

State Aid to Districts Report, Part C Performance Measures, Consideration of PM Summit Recommendations, Clifford

Jennifer Clifford gave a presentation and reviewed all of the Performance Standards recommendations from the recently held summit. Discussion ensued. The Committee voted to approve the following recommendations from the summit.

PM 1 – District Board activity, operations, and training

- PM 1a – no change at this time regarding the number of board meetings
 - It was discussed that this should be raised to 12 meetings as the District cannot function properly without the oversight of the board. This will be discussed at the next PM Summit in 2018.
- PM 1b & c proposed change eliminate question on training budget amount – Is there a training plan and a budget to support training? Y/N
- PM 1b – writing in “Medical Leave of Absence” can suffice for supervisors not able to meet training requirements due to medical reasons
- PM 1c – keep training exemption for intern, seasonal, & contractual employees
 - Do we need to ask for each employee and training OR can we just ask “Have all employees received training during the reporting period? Y/N” SWCC will check with counsel/OSC
 - If we have to ask for employee names; the employee list will be part of the application form
 - How much cross-referencing can we eliminate? – SWCC will check with counsel/OSC
 - What was original question asked re: employee training? – since 2006 the form has always required the District to list employees
- PM 1e – No new policies will be added at this time
 - There was discussion about adding Work Place Violence Prevention as this is required by Labor Law Article 2 section 27-b.
 - Cash Disbursement and Receipt Policy was also discussed as it often is reviewed under OSC audits.
 - It was suggested that the District Operations Manual, that includes a list of policies each District is required to have in addition to suggested policies, be the tool to inform Districts about policy compliance not the performance measures.
- PM 1g – add Empire Farms Days

PM 2 – District outreach and reporting

- PM 2a – add Federal Partners
- PM 2c – There was some discussion on addressing the timely submittal of other reports other than the APOW (grant reports, AEM reports, etc.). This was determined to be addressed through their respective contracts or program policies and not to be included in the Performance Measures.
- PM 2c – change to include the APOW that is submitted during the reporting period
 - For the 2017 PM Application question 2c will read:
 - Please indicate if the 2018 Plan of Work was timely submitted (recommended for approval by SWCC staff by November 1, 2017) and approved by the NYS SWCC?
Y/N

PM 3 – Leveraging funds and fostering partnerships

- PM 3.2 the word “different” will be added to clarify that the 4 partnerships should be with different local, state, federal, or private entities.
 - Same entity with different departments/divisions would be OK
 - ELIGIBLE – USDA FSA, USDA NRCS, etc.
 - ELIGIBLE - Albany County Planning Dept., Albany County Hwy Dept., etc.
 - Same entity with different program areas would NOT be OK
 - NOT ELIGIBLE – NRCS EQIP, NRCS Dam Watch, NRCS NY Grazing Coalition
- PM 3.3 No change will be made
 - It was requested that the SWCC clarify “maintain or increase appropriation” or define base appropriation
 - This has been a “self-certified” answer (it’s not checked against any source) and there has never been a Districts disqualified from PM 3 due to appropriation therefore no change will be made
 - There was discussion about omitting this question but there was feedback provided that it does provide a leveraging point with the county that a District’s state funding may be reduced due to a decrease in the county appropriation.
- PM 3.7 proposed change: add to the “Brief Description” to “Explain how you’re partnering”. Further discussion will need to occur. There was discussion on the following aspects of this item:
 - Private sector not private individual
 - SWCC staff recommended that private individuals (Ag landowner for cost-share & BMPs, non-ag homeowner) would not meet the intent of partnering with the private sector. That there is a difference between working with a LO on an AgNPS grant vs. both parties coming together to conduct a Soil Health Workshop. Some Districts felt that working with a LO to implement a BMP would constitute a partnership.
 - Partnership not paid services
 - SWCC staff recommended that a paid service would not meet the intent of partnering with the private sector. That hiring a private Ag engineer does not meet the intent of a partnership. That a partnership should include both parties contributing vs. paying for a service that the private sector provides. Some Districts felt that if a project could not be completed without hiring an Ag engineer than the District is partnering with the private sector to complete a project that would otherwise not be completed. Further discussion needs to occur.

PM 4 – State Natural Resource Programs

- PM 4 - Discussion occurred about what statewide program exists that watershed protection and water quality monitoring could fit under.
 - DOS Watershed Planning and DEC Water Quality Monitoring (WAVE, RIBS, etc.) will be reviewed for inclusion.

PM Standards

- Should we change some of the standards? What other measures could we ask about? Further discussion needs to occur.

Performance Measure Reporting Form

- Performance Measure Evaluation Summary Report is now being called Performance Measure Application – this is to clarify that this is an application for competitive funding
- PM 3 – verbiage will be added about completing all that apply to increase the Districts ability to meet this PM. It will remain the same that only 3 of the 7 items are required to qualify.

Percentages

- Current
 - PM 1 - 20
 - PM 2 - 10
 - PM 3 - 40
 - PM 4 - 30
- **Proposed**
 - **PM 1 - 10**
 - **PM 2 - 10**
 - **PM 3 - 40**
 - **PM 4 - 40**

Part C project eligibility

- Prohibition on the purchase of Motor Vehicle
 - There was consensus that this should mirror the capital improvement policy to submit for pre-approval

Final Report Form

- There was consensus that final reports should be done on 1 form
- State Committee staff will revise the form to allow for multiple project reporting
- A list of eligible categories listed under the law will be added to the final report form like Part B

D. Brass motioned to approve the recommendations made at the Performance Measures Summit; seconded by E. Goodman. Motion passed; carried.

Climate Resilient Farming Program (CRF), B. Steinmuller, G. Albrecht, S. Fickbohm
Steinmuller, Albrecht, and Fickbohm provided an update on the CRF Program. In addition each described the results of the year 1 services contract. Fickbohm advised the Committee of the work that the Upper Susquehanna River Coalition (USC) completed including a Stream Corridor Assessment: A Process Guide which establishes a planning protocol for the stream corridor independent of pasture, cropland or other farming activities or land uses.

Fickbohm also described the USC completed GIS based that identifies practices that improve community resiliency such as buffers, wetland restoration, steep slope vegetation on a geospatial scale.

Finally, Steinmuller and Albrecht described the project that Cornell University completed that includes a series of AEM Information Sheets for greenhouse gas mitigation opportunities.

There are seven worksheets and a glossary of terms completed:

1. Introduction to Farm and Forest Greenhouse Gas Mitigation Opportunities
2. Dairy Manure Storage and Greenhouse Gas Mitigation Opportunities
3. Planning for Quantitative Methane Capture and Destruction from Liquide Dairy Manure Storage
4. Energy Efficiency and Greenhouse Gas Mitigation Opportunities
5. Nitrogen Fertilizer and Greenhouse Gas Mitigation Opportunities
6. Soil Carbon Management and Greenhouse Gas Mitigation Opportunity
7. Forest Management and Greenhouse Gas Mitigation Opportunity
8. Glossary of Terms

CAFO Agricultural Waste Storage and Transfer Program Update – B. Steinmuller

M. Latham had a conflict with another meeting at this time so B. Steinmuller stepped in to provide general concepts regarding the program. Steinmuller advised the Committee the program is still under development and concepts could be shared but specific details could not be shared at this time. Steinmuller noted that the team is working very hard to have a competitive RFP ready for release in the early fall. Steinmuller noted that there would most likely be a financial cap per farm and a cost share requirement. Discussion ensued.

Partnership Reports / Advisory Member Reports / Additional Public Comments:

R. Montesi, SWCC Voting Member

R. Montesi told the Committee that NYACD has hired an Interim Executive Director, Blanche Hurlbutt, who is tasked with putting on the Annual Meeting.

A. Paice, NYACD Executive Director

A. Paice provided a report to the SWCC on NYACD functions and priorities. Paice advised the Committee that the next NYACD Annual Meeting will be held on October 15-17th at the Hampton Inn and Suites in Cazenovia. Paice discussed the need to engage with NACD in order to express NY conservation needs in regards to the federal Farm Bill.

P. Kaczmarczyk, DOH

P. Kaczmarczyk told the Committee that as a part of the \$2.5 billion Water Infrastructure bill, \$5 million is being made available for a new Source Water Assessment Program. More details will follow.

P.J. Emerick, CDEA

P.J. Emerick provided a report of CDEA activities to the SWCC. The CDEA report included a summary of the 2017 Water Quality Symposium, MS4 inspectors training, NYS Erosion and Sediment Control Certification program, and CDEA's perspective on the NYS EPF. P.J. Emerick also advised the Committee that the next CDEA meeting is scheduled for May 4th and 5th and will be held in Albany at the NYS Department of Agriculture and Markets.

S. Fickbohm, SWCC Staff

S. Fickbohm provided a report of CREP activities and advised the Committee that he is very busy with AgNPS Close-outs.

J. Clifford, SWCC Staff

J. Clifford advised the group that the revised Operations Manual is being finalized and should be available for a soon.

K. Young, NYFB

K. Young provided a report to the Committee on NYFB efforts and activities. Young told the Committee that the NYFB is monitoring the Riverkeeper lawsuit against the CWA CAFO permit very closely. Young also requested to know the status of the joint DAM/DEC Manure Storage document. Young noted that the NYFB is awaiting the release of this document since there is currently a public backlash against the implementation of manure storage structures underway in some communities across the state.

A. Kumar, DEC

A. Kumar asked for time on a future agenda to discuss the DEC role in assigning pollutant load reduction estimates to Ag BMPs as a part of the required reporting to the US EPA. Steinmuller noted that he will be invited to the next scheduled State Committee meeting to provide this report.

E. Henry, NRCS

E. Henry gave an update on the status of USDA-NRCS. He advised the Committee that a new NRCS certification process is being implemented and all NRCS certified TSPs will have to recertify under different criteria that include a series of new trainings have to be complete either on Ag-Learn or in person trainings. Discussion ensued.

Next Meeting – June 20, 2017.

Meeting Adjourned

Please contact Brian Steinmuller, Assistant Director of the New York State Soil and Water Conservation Committee if you have questions or would like to propose agenda items for the Committee to address.
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518-457-0562

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

June 2017 - SWCC Report

Round	Number of Contracts	Total Of Contract Amount	Active Contracts	Active Funds	Cancelled Contracts	Cancelled Funds	Completed Contracts	Completed Funds	Pending Contracts	Pending Funds
16	37	\$7,482,428.28	1	\$599,587.95	3	\$0.00	33	\$6,882,840.33	0	\$0.00
17	51	\$9,253,392.58	5	\$761,040.07	1	\$0.00	45	\$8,492,352.51	0	\$0.00
18	45	\$10,533,597.04	14	\$5,338,330.33	0	\$0.00	29	\$6,343,617.92	0	\$0.00
19	45	\$12,353,421.47	34	\$10,036,732.84	2	\$0.00	8	\$1,928,648.63	0	\$0.00
20	56	\$13,462,862.79	49	\$11,998,828.61	0	\$0.00	6	\$949,420.38	0	\$0.00
21	40	\$13,295,808.80	37	\$12,587,476.37	1	\$0.00	2	\$708,332.43	0	\$0.00
22	49	\$15,877,828.69	49	\$15,877,828.69	0	\$0.00	0	\$0.00	0	\$0.00
Totals	323	\$82,259,339.65	189	\$57,199,824.86	7	\$0.00	123	\$25,305,212.20	0	\$0.00

