

APPROVED

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

State Committee Meeting
NYS Department of Agriculture and Markets
10B Airline Drive, Albany 12235

NYS Department of Agriculture and Markets
581 State Fair Blvd., Syracuse, NY 13209

20 November 2018

At a Glance

- Ag NPS (Agricultural Nonpoint Source) Abatement and Control Program Update
- CRF (Climate Resilient Farming) Round 4 Update
- State Aid to Districts Report
- Annual Plans of Work Approval
- Partnership Reports / Advisory Member Reports / Public Comments

Present

Albany location: Erica Goodman, Darin Hickling Voting Members; Brian Steinmuller, Assistant Director; Bethany Bzduch, Jennifer Clifford, Judy Littrell, AJ Battaglia, Tim Clark, SWCC Staff; Tim Sweeney, NYSDAM; Aseem Kumar, NYSDEC; Lauren Williams, NY Farm Bureau; Paul Kaczmarczyk, NYSDOH; Nick Halford, Jim Sullivan, Rensselaer County SWCD; Julie Suarez, Cornell CALS.

Syracuse location: Dale Stein, Chair; Dave Brass, Vice-Chair; PJ Emerick, Greg Albrecht, Ryan Cunningham, Ron Bush, Victor DiGiacomo, SWCC Staff; Steve Lorraine, CDEA; Beth Claypoole, CCE.

Call to Order

Dale Stein called the meeting to order at 10:10 am.

Correspondence

Newsletters and periodicals were made available in the Albany office. No other written correspondence was received.

Staff Update

The Division of Land and Water Resources was notified by the Department's Human Resources Division that approval has been obtained to fill the CNMP (Comprehensive Nutrient Management Plan) Specialist Senior Environmental Analyst position, vacated by Ryan Cunningham. Two positions within the Agricultural Protection unit have been advertised, one is for Matt Brower's old position as well as another position to support the Farmland Protection Implementation Program.

Review/Approval of Minutes

Brian Steinmuller made a correction to the October 16, 2018 State Committee Meeting minutes.

D. Brass made a motion to approve the October 16, 2018 draft minutes with corrections; seconded by E. Goodman. Motion passed; carried.

AgNPS Abatement and Control Program Update, Bethany Bzduch

Bethany distributed the monthly dashboard and amendments for State Committee consideration. She noted that we have been steadily working on closeouts. There are 187 active contracts between Rounds 18 – 23. 47 closeouts have been completed in 2018 (Please see dashboard appended to minutes for more information).

Amendments for State Committee Consideration

Region 3

Madison County SWCD – Sangerfield River AG NPS Reduction Project – Round 21 – C701218

Request: BMP Change

Reason: The farm originally applied for AGNPS funding to construct a silage leachate collection system. Runoff from the bunk area has since been diverted and flows to a crop field. The leachate remains in the field and does not pose a threat to any surface or groundwater sources. The resource concern from the silage bunk has been eliminated, so the farm would like to request a BMP System change to a Waste Storage and Transfer System. The Waste Storage system will allow the farm to better handle manure and will reduce the risks from spreading during adverse weather conditions.

Note: Scott Fickbohm, Region 3 AEA, approves the BMP system change

Previous Amendments: None

Region 5

Dutchess County SWCD – Chaseholm Farm Grazing Plan – Round 20 – C701160

Contract Start: 06/25/2014

Contract End: 12/31/2018

Request: Time Extension to 12/31/2019

Reason: The farm involved in this project had difficulty securing financing to cover the match funds needed to complete the project. This delayed the start of the project. The farm has been able to implement portions of the three planned BMP systems. If granted a time extension, the farm is committed to finishing each BMP System.

Note: Jennifer Clifford, Region 5 AEA, supports the extension, but refers to the State Committee

Previous Amendments: None

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

Orange County SWCD – Wallkill River Watershed Livestock Waste Runoff Control – Round 20 – C701180

Contract Start: 06/25/2014

Contract End: 12/31/2018

Request: Time Extension to 12/31/2019

Reason: This project involves 4 landowners. One landowner has successfully completed the planned project. Two landowners have decided not to continue with the project and will withdraw from the grant. The remaining landowner would like to move forward with the project, however, have experience financial difficulty because of low milk prices. If the grant is extended it is the landowner's intention to move forward with a project design to meet the goals and requirements of the program.

Note: Jennifer Clifford, Region 5 AEA, supports the extension, but refers to the State Committee

Previous Amendments: None

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

Riparian Forest Buffers Establishment Policy

The Committee approved the idea to fund the establishment of buffers via our new Source Water Buffer Program. Going forward, we want to take that idea to other cost-share programs. The committee supported this idea and asked the staff to develop a policy document for future SWCC approval.

Climate Resilient Farming Update, Brian Steinmuller

Brian distributed the Round 4 RFP (Request for Proposals). He noted that there have been two TAC (Technical Advisory Committee) meetings to discuss the updated RFP. He intends to request for release of the RFP for January 2019, keeping it open until March 2019. We will be working to get contracts executed much quicker than Round 3. Most of the Round 3 projects have been executed, despite a few road bumps including reallocation of funds allowing for 12 more projects to be funded and the State Fair which held up a lot of work with counsel's office over the summer.

Brian requested that the District Staff, except for the CDEA Representative, leave the room for more in depth Round 4 discussion. Representatives from Rensselaer County SWCD recused themselves and left the meeting room at this time.

Round 4 discussions began in August at the TAC meeting in Washington County. The TAC recommended to maintain the three tracks of funding. Based on past performance and what we would like to accomplish in Round 4, the TAC determined that it was best to set aside \$1,000,000 (44%) for Track 1 (Manure Storage Cover and Flare). Water management systems were highly sought after in Round 3, as farms must prepare for both drought and flood conditions. \$790,000 (34%) was recommended to be set aside for track 2 (Water Management). The TAC recommended \$510,000 (22%) for Track 3 (Soil Health Systems).

During Round 3, the program was under-prescribed in Track 1, as both projects that were applied were funded. Tracks 2 and 3 were over-prescribed and most of the remaining funds from Round 2 went into Track 3 projects. As a result, funding for Tracks 2 and 3 was increased for Round 4. Many projects in Track 3 are also fundable through the Ag Nonpoint Source program, as the practices and goals are very similar.

Julie Suarez noted that recent discussions with stakeholders identified that 75% cost-share can be too expensive for many farmers in today's market, according to meeting she attended with AFT. 85% or 95% cost-share was discussed as much more feasible. Brian noted that CRF is not yet statutory and the 75% is a matter of state committee policy and can be shifted with good reason. The Ag Nonpoint Source program is capped at 87.5% cost-share, per a mathematical equation required by SWCD Law. CRF may move to a higher cost-shared percentage. Dale Stein noted that manure covers and flares are seen as an enhancement to their nutrient management systems and due to the current dairy economic climate, are unable to justify the expense even with cost-share. Brian noted that increasing the cost-share will be something to look at in Round 5 as he considers CRF to still be in its pilot stage. Brian noted that we will examine updating the cost-share percentages and thanked the committee for their feedback. Brian then

debriefed the committee on DEC's (Department of Environmental Conservation) view on flare systems. Technical discussion ensued.

Brian went on to report the new method of reallocating leftover funds per track. There is now a mathematical formula to maintain the same level of percentages originally set forth by the RFP. This update meets the State Comptroller's demands, as they seek formula driven methods if funds need to be reallocated.

The next policy consideration identifies water management systems and if the SWCC approves, will allow work to take place on, nonfarm lands if a significant nexus exists between the project location and down and upstream farms to be protected. The TAC recommended that we allow maximum flexibility to work upstream and downstream from farms on flood projects. Counsel's office has been briefed on the update and see no legal concerns with this policy recommendation.

Finally, Brian stated that the TAC recommends utilizing the COMET Planner model to quantify carbon sequestration in soils. CRF projects will include the COMET Planner to build in numeric quantification tools to the program. Steve Lorraine commented that he saw this as a good idea in that it adds consistency in estimating carbon benefits. Greg Albrecht added that the COMET Planner is a very simple tool and can be used with basic data inputs.

Brian requested a motion to approve the Round 4 RFP and Rating Sheet noting the policy recommendations above.

D. Brass motioned to approve the CRF Round 4 RFP and Rating Sheet, seconded by D. Hickling. Motion passed; carried.

Representatives from Rensselaer County SWCD reentered the State Committee Meeting once the CRF Round 4 discussion ended.

State Aid to Districts Report, Jennifer Clifford

Summary of Changes for Rules and Regulations of Part 363 State Aid to SWCDs

The revised rule will be proposed as a consensus rule pursuant to the expectation that no person is likely to object to its adoption because it is non-controversial. Changes being made to the State Aid Rules and Regulations will conform with statutory language and be more consistent with current practices of administration of the State Aid to Districts funding line item within the EPF. Changes being made are outlined below.

Part A

- Revise cap for reimbursement from \$30,000 to \$60,000.
- Revise reference to Part A report form.
- Include a reference to the list of OSC codes eligible for reimbursement and omit the list.

Part B

- Omit the word baseline regarding Part B funding.

- Addition of language for a Part B final report due to State Committee February 15th.

Part C

- Revise language to reflect changes in District law made by legislature in 2018, including the addition of a fifth performance measure.
- Revise reference of Performance Measure report form.
- Inclusion that the State Committee will establish and distribute guidance for the expenditure of Part C funds.

D. Hickling motioned to approve the State Aid updates, seconded by D. Brass. Motion passed; carried.

Pending vehicle Purchase

Cortland SWCD purchased a vehicle earlier in the year to facilitate a growing conservation program in the county. They have also increased their staff capacity, which has led to the need for additional field vehicles. They are asking for approval to use Part C funds to support the vehicle purchase.

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

Annual Plans of Work Approval, Brian Steinmuller

Brian listed off the SWCDs who submitted annual plans of work. All have been reviewed and recommend approval by field staff. Brian noted time all plans of work have been submitted by the November 1st deadline. All APOWs have been reviewed and approved by the appropriate AEAs. Brian thanked all SWCDs and SWCC staff for their hard work and commitment to getting this done in record time. The following 2018 Annual Plans of Work have been reviewed and approved by regional AEAs:

| | | | | | |
|----------|-------------|------------|---------------|------------|------------|
| Albany | Allegany | Broome | Chenango | Clinton | Columbia |
| Cortland | Delaware | Dutchess | Erie | Franklin | Fulton |
| Genesee | Greene | Herkimer | Jefferson | Livingston | Madison |
| Monroe | Montgomery | Nassau | New York City | Oneida | Onondaga |
| Ontario | Orange | Oswego | Otsego | Putnam | Rensselaer |
| Saratoga | Schenectady | Schoharie | Seneca | Sullivan | Tioga |
| Tompkins | Ulster | Washington | Westchester | Wyoming | Yates |

D. Brass motioned to approve the Annual Plans of Work, seconded by E. Goodman. Motion passed; carried.

Partnership Reports / Advisory Member Reports / Public Comments

PJ Emerick, SWCC – Attending board meetings and board trainings in his region. Doing some grant closeouts as they roll in and continuing to move forward with the Eastern Finger Lakes Cover Crop Project. PJ also noted that he has been attending the Owasco Lake Watershed Rules and Regs meetings.

Victor DiGiacomo, SWCC – Weather is not cooperating for completion of projects however some may still be completed by the end of the year. Victor anticipates several time extension requests for waste storages and other projects that have not been completed before the snow started flying.

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Ryan Cunningham, SWCC – Closing out Ag NPS projects. He attended a Lake Champlain Basin program meeting. Attended a CWICNY RRAMP meeting in Cortland. Worked with NRCS on planning. Hamilton County is interviewing for a new District Manager.

Ron Bush, SWCC – Reviewing CNMPs for certification of public and private sector planners.

Steve Lorraine, CDEA – finalizing planning for the annual Water Quality Symposium. Anticipates having a schedule before Christmas so registrations can be completed by the end of January 2019.

Beth Claypoole, CCE – working with the Department of Agriculture and Markets on On-Farm Readiness Program. Working with farmers on the new sexual harassment training laws. Brian noted that guidance has been sent to all SWCDs and the Department of Labor's website has a lot of good resources on how to comply with the law. Julie Suarez added that you SWCDs and others interested can access the Cornell webinar on sexual harassment prevention webinar on Cornell's website.

Greg Albrecht, SWCC – DEC division of Water is actively working on Chesapeake Bay TMDL (Total Daily Maximum Load) Watershed Implementation Plan version 3.

Greg also noted there are 5 fact sheets on covered manure storage and flares and they have been updated recently on Cornell's Dairy website. Brian added that they are linked on the SWCC SharePoint page.

Brian Steinmuller, SWCC – Managers meeting in December in Cooperstown. The agenda is out, and registrations have been received. Staff and board members will be in attendance. The agenda includes program updates, and other training topics.

Erica Goodman, SWCC Voting Member – Advanced soil health specialist program launched at AFT in September. There will be several workshops with representatives from District across New York State. Editing drone footage of Suffolk County farms which share the story of farmers that have introduced certain soil health practices.

Lauren Williams, NYFB – FB is waiting to see if the Farm Bill will be passed as session ends on December 13th. FB is curious to see what the next NYS Fiscal Budget will look like. FB continues to work on CAFO and other priority areas and projects.

AJ Battaglia, SWCC – Gave a brief update on CRF contract processes and told the Committee that he is working with State Comptroller's Office on some remaining Climate Resilient Farming contracts.

Jennifer Clifford, SWCC – Is on the panel for DEC's Environmental Excellence Awards. She also attended the event and gave a brief presentation on the Agricultural Environmental Management program. It was inspirational to hear some of the exciting sustainability projects going on across New York State.

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Julie Suarez, Cornell CALS – Julie thanked the Committee for the experience and is excited about the Soil Health Partnership. Encouraged by leadership at the Department of Agriculture and Markets. She encouraged members of the Committee to subscribe to the Soil Health Initiative e-newsletter.

Darrin Hickling, Voting Member - apologized for having to miss some State Committee Meetings this year given competing workloads at the farm. Looking forward to Farm Bureau's annual meetings. Believes agricultural education will be the main priority heading into 2019.

Judy Littrell, SWCC – Working with PJ on The Eastern Finger Lakes Cover Crop Project. With support from DEC, Judy is creating cover crop road signs to highlight farm's efforts. Press release will be coming soon. Working with our Public Information Officers to get programs on Social Media. Continuing to work with NYS Grown and Certified on various projects. The Department and Committee website redesign is moving forward.

Paul Kaczmarczyk, NYSDOH – The National Academy of Sciences has been hired by New York City to review Watershed programs. Paul gave other updates on the NYS Drinking Water Program and infrastructural challenges.

Next meeting: December 18, 2018 in Albany and Syracuse locations.

Meeting adjourned at 12:56 pm.

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

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| Round | Number of Contracts | Total Of Contract Amou | Active Contracts | Active Funds | Cancelled Contracts | Cancelled Funds | Completed Contracts | Completed Funds | Pending Contracts | Pending Funds |
|---------------|---------------------|------------------------|------------------|------------------------|---------------------|-----------------|---------------------|------------------------|-------------------|---------------|
| 18 | 45 | \$9,486,855.29 | 2 | \$968,781.10 | 1 | \$0.00 | 42 | \$8,518,074.19 | 0 | \$0.00 |
| 19 | 45 | \$12,256,410.70 | 10 | \$3,362,665.84 | 2 | \$0.00 | 33 | \$8,893,744.86 | 0 | \$0.00 |
| 20 | 56 | \$13,148,373.84 | 42 | \$10,929,605.91 | 0 | \$0.00 | 12 | \$1,704,154.13 | 0 | \$0.00 |
| 21 | 40 | \$13,226,398.99 | 33 | \$11,382,893.67 | 1 | \$0.00 | 6 | \$1,843,505.32 | 0 | \$0.00 |
| 22 | 49 | \$15,859,410.75 | 43 | \$14,737,725.23 | 0 | \$0.00 | 6 | \$1,121,685.52 | 0 | \$0.00 |
| 23 | 57 | \$18,794,090.70 | 57 | \$18,794,090.70 | 0 | \$0.00 | 0 | | 0 | \$0.00 |
| Totals | 292 | \$82,771,540.27 | 187 | \$60,175,762.45 | 4 | \$0.00 | 99 | \$22,081,164.02 | 0 | \$0.00 |



