

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

STATE COMMITTEE MINUTES
October 19, 2010
Utica Radisson-Adirondack Room
200 Genesee Street, Utica, New York

Present: G. Proios, D. Stein, C. Colby, D. Brass, Voting Members; M. Latham, Director; B. Steinmuller, R. Lewis, C. Frasier, L. Travis, B. Brower, SWCC Staff; A. Boozer, P. Wright, D. Pettit, I. Allen, USDA-NRCS; J. Moody-Czub, J. Rusnica, Ag & Markets; J. Robinson, C. Miller, T. Derouchie, Franklin Co. SWCD; D. Howard, C. Decker, R. Dulanski, St. Lawrence Co. SWCD; S. Lorraine, President, CDEA; C. Mural, NYFB; P. Black, SUNY ESF, L. Telega, Cornell, CCE; A. Ristow, Upper Susquehanna Coalition; P. Kaczmarczyk, DOH, P. Freehafer, DEC.

Call to Order:

G. Proios, Chairman, called the meeting to order at 12:15 p.m.
Introductions made.

Franklin County SWCD Presentation

Chastity Miller, District Conservation Manager, delivered a PowerPoint presentation in which she outlined the diversity of the Franklin County SWCD. She distributed the most recent Franklin County SWCD Conservation News pamphlet. Some highlights of the District:

- Provides GIS mapping services for many in the county at no charge
- Extensive grazing program, develop grazing plans
- Franklin Co. SWCD has a Round 14 NPS grant and has just completed two Ag. Waste Management Systems
- Cooperative agreements with NRCS; and EQIP agreement and a WRP agreement
- Strong partnership with NRCS
- Awarded their first AEM Award to the Shipman Family Farms
- They have a very successful Ag Plastic Baler program. They share the baler, hydroseeder and no-till drill with the St. Lawrence Co. SWCD
- Sediment and erosion control consulting
- Watershed Management Plans
- Tree sales
- Conservation Field Days
- Excellent partnerships with neighboring Soil & Water Conservation Districts

Review and Approval of Minutes

D. Brass moved to approve the September minutes as presented; seconded by D. Stein. Motion passed; carried.

Correspondence

Correspondence letters will be read at a later point in the agenda. B. Steinmuller passed around a folder with newsletters, reports and other materials.

Chesapeake Bay TMDL Update

M. Latham stated the Draft TMDL Watershed Implementation Plan (WIP) did not meet the target

load. This is due to a variety of reasons. Approximately 40% nitrogen reaches the bay. P. Freehafer stated the target allocation was 8.23 million pounds. The plan submitted would reduce the load from NYS to 9.5 million pounds, so New York is about 1 million pounds short. EPA needs more specifics in WIP on how this is accomplished giving day-to-day issuing permit and much more detail. P. Freehafer stated the Plan submitted was aggressive and realistic. New York's opportunities to do things are a little less than some other States as we do not have as many hot spots to fix as other states do. Hopefully EPA will recognize that New York is providing the right balance in our approach and if they agree to increase the allocation to be more consistent with what can realistically be accomplished in NYS, we will gladly accept that. M. Latham stated he hoped to garner support for the WIP. If EPA is willing to accept our WIP as our TMDL plan, we will be held accountable to implement the plan. A. Ristow stated the Ag. part of the WIP was developed with involvement of many stakeholders from the SWCC, NRCS, Farm Bureau, Cornell and DEC. In addition, developing what that plan would cost to implement matches well with what might be available over the next 15 years. A. Ristow stated public awareness of the TMDL is rather low; more attention is being paid to the Marcellus shale issue in the Southern Tier. EPA public hearings will be held next week. Back stop measures presented by EPA, if we do not meet the WIP, were discussed. This WIP was a Phase 1. It may be necessary to allocate down to a finer scale possibly by county or town. Much discussion ensued.

Agricultural NPS Abatement & Control Grant Program October 19, 2010 State Committee Meeting

STATUS OF ROUNDS 1-15

Of 543 contracts, 146 are active, 8 are pending and 374 are complete. 15 contracts have been cancelled during the life of the program.

Amendment for State Committee Consideration

Onondaga SWCD – Seneca River WS AEM Implementation Project – Round 13 – C700855

Request: time extension from 12/31/10 to 11/15/11

Reason: the time extension is requested because the landowner discontinued farming and is selling to new landowner

Request: change in landowner

Reason: previous landowner discontinued farming; new landowner will implement same listed BMPs. The farm remains the same – new landowner

Note: Cliff Frasier, Region 5 AEA, supports the time extension

Previous amendments: 2 changes to scope, 1 time extension

D. Stein moved to approve the amendment request for a time extension to 11/15/11; seconded by D. Brass. Motion passed; carried.

Staff Approved Amendments

1. Albany SWCD – Rotational Grazing Implementation Fox Creek Watershed – Round 15 – C700959

Request: change in BMP

Reason: 2,000 feet of access road was included in original grant proposal. 1,200 feet will be installed as the 800 remaining feet is not needed for access road. Farmer would like to include animal trails and walkways.

Note: Cliff Frasier, Region 5 AEA, supports the change in BMP

Previous amendments: none

2. Chautauqua SWCD – French Creek Bunk Silo Leachate Management – Round 13 – C700837

Request: time extension from 12/31/09 to 11/15/11

Reason: the time extension is requested due to lateness in construction season for bulk silo leachate. Construction would have interfered with farmer's ability to fill bulk silo once corn harvest began.

Note: Les Travis, Region 3 AEA, supports the time extension

Previous amendments: none

Amendment Request was initially filed November 19, 2009 before the November 30, 2009 deadline.

3. Cortland SWCD – Tioughnioga River Watershed 2007 AgNPS Mgt. – Round 14 – C700906

Request: Change in BMP

Reason: landowner has determined that the priority water quality improvement on the farm is to evaluate the existing manure storage facilities and make repairs as needed to meet NRCS standards and expand capacity. The farm's planner has determined that additional manure storage will enhance nutrient management on the farm.

Note: John Schumacher, Region 2 AEA, supports the change in BMP

Previous amendments: one time extension

B. Steinmuller read the letter from Franklin SWCD to George Proios dated September 22, 2010 regarding an appeal to release funding for engineering services under a Round 14 contract. During a field review SWCC staff determined that professional engineering costs for one of the farms was not eligible to be reimbursed because the farmer decided not to complete the practices. It was stated that the AgNPS Program cannot reimburse farmers for professional engineering expenses if the consequent projects are not implemented. Discussion ensued. The State Committee reiterated program policy to the District and stated that they could not overrule the decision made by the SWCC staff. A letter in response will be drafted to the District.

SC Staff and Contractual Services Update

M. Latham stated three employees received the retirement incentive; J. Schumacher, S. Lanthier and L. Hoeffner resulting in a 30% reduction to the Soil and Water staff. He is fairly confident we will be able to hire a replacement for Lauren's position. He discussed the new temporary SWCC staffing plan that took effect on October 4, 2010. He said we will need to be creative to complete tasks with the limited staff we now have, but hopes we will be able to manage in the interim. G. Proios stated that at some point we have to stop saying we can do more with less and start saying we will do less with less.

Groundwater Update

M. Latham gave the SWCC an update on the groundwater concerns pertaining to karst features in the Genesee County area. Latham discussed the makeup of the workgroup which is made up of members from the SWCC, DAM, Cornell University, USGS, Genesee County SWCD, NRCS, and DEC. The workgroup is working on compiling existing data and deploying high-tech methods such as LIDAR flyovers of the pilot area to develop manure spreading guidelines in karst areas. The guidelines will pertain to the Genesee County area and agricultural concerns initially, but will be transferable to other geographic locations and land uses. D. Stein expressed concern that every affected farmer needs to be aware of these resource concerns and new guidelines by the end of the year.

Performance Measures State Aid

M. Latham distributed a copy of the Performance Measure Evaluation Worksheet for 2011 and asked the SWCC for approval. The 2011 Worksheet is identical to 2010.

D. Brass moved to approve the 2011 Performance Measure Evaluation Worksheet; seconded by D. Stein. Motion passed; carried.

Partnership and Advisory Reports

G. Proios discussed the budgetary condition of Nassau County SWCD. The District is facing tough budget negotiations for the upcoming year. R. Lewis explained that the District originally thought they were going to be zeroed out of the county budget but later found out that they will be facing only minor cuts.

G. Proios discussed the makeup of the new NYACD Executive Board. Tom Nichols is the new President G. Proios will be staying on as 1st Vice President; Dan Farrand 2nd Vice President, Chuck Colby is staying on as the Treasurer.

M. Latham discussed some highlights of the NYACD meeting. M. Latham expressed a thank you to the staff for all of their efforts doing "more with less."

P. Kaczmarczyk discussed the impacts of the early retirement incentive on the Department of Health. P. Kaczmarczyk told the Committee that he was able to respond to a request from his Division asking about agricultural source water protection efforts by utilizing the AEM Annual Report. He expressed gratitude for the work that the SWCC puts into the report.

B. Steinmuller told the Committee that he convened an AgNPS Proposal Reviewer field day late in September. The reviewers visited the Montgomery County SWCD and a recently awarded farm that is installing both farmstead and field BMPs to protect a municipal drinking water source.

P. Black gave a brief talk about his recent efforts in watershed hydrology and discussed with the Committee certain elements to consider when engaging in water quality monitoring.

A. Boozer handed out a copy of the New York NRCS Accomplishments of 2010. He spoke about the 75th anniversary celebration and other highlights from the report. D. Pettit discussed the status of the local working group meetings.

J. Moody-Czub updated the Committee on the Department's Executive level interactions and discussions regarding the Chesapeake Bay TMDL. J. Moody-Czub extended great credit to the DEC for directing the NYS response and communication with all of the partners and the EPA.

L. Telega updated the Committee on the budgetary concerns pertaining to CCE and CALS. Telega told the Committee about an upcoming meeting about local impacts of gas drilling in Albany on November 18th.

P. Freehafer reiterated the benefit of the coordinated effort to develop a realistic Watershed Implementation Program to address the Chesapeake Bay TMDL.

M. Latham updated the Committee about a joint DAM/DEC Division of Water meeting that was held at the DEC early in the month. A lot of positive steps were discussed to reinvigorate the interagency partnerships and advancement of their joint missions.

Next Meeting –Tuesday, November 16, 2010 - NYS Department of Agriculture and Markets, Albany, New York.

Meeting adjourned at 3:05 p.m.