

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

**STATE COMMITTEE MINUTES**  
**November 30, 2010**

Present: G. Proios, D. Stein, C. Colby, D. Brass, J. Dickinson, Voting Members; M. Latham, Director; B. Steinmuller, R. Lewis, C. Frasier, SWCC Staff; D. Pettit, NRCS; J. Rusnica, Ag & Markets; C. Mural, NYFB; P. Black, SUNY ESF, P. Kaczmarczyk, DOH; B. Silvestri, Schenectady SWCD; Judy Littrell, NYACD; B. Wohnsiedler, Jefferson SWCD; Aseem Kumar, DEC; K. Smith, DOS, R. Rausch, Ag & Markets.

**Call to Order:**

G. Proios, Chairman, called the meeting to order at 10:10 am.  
Introductions made. Brian introduced Virginia Weston as the new secretary, replacing Lauren Hoeffner.

**Review and Approval of Minutes**

**D. Stein moved to approve the October minutes as presented; seconded by J. Dickinson. Motion passed; carried.**

**Correspondence**

M. Latham read a letter from Region 1, of the USDA USGS Project regarding a 2011 Project. They are looking for data relating to the transfer of phosphorus in stream water.

Mike read a letter that he sent to Jessica Heim, from Madison County, congratulating her on her achievement on becoming a certified AEM Planner for New York State.

**Budget and Transition Planning**

Mike announced that the EBM and Technical Advancement Program Coordinator, Lauren Prezorski, is back to work as of October 29, 2010.

M. Latham announced that we can expect a flat budget for next year. We still have a waiver for a western New York position active in the system. We requested that the NPS Program Manager position be upgraded to a Grade 23 and backfilled. The request is under consideration at Civil Service. The Division of the Budget has the final say in the backfill.

Part of the Committee's concern is whether or not the EPF will be cut. The Legislature recently met, but didn't act on the DRP – at least not yet. The DRP will probably be handled by the next administration. As soon as there is more information available, Mike said he would notify the Committee.

The new Governor-elect has put transition teams in place who are actively looking for people with quality leadership skills. We are one of 22 agencies that they are under the purview of the Labor and Economic Development transition team.

**Agricultural NPS Abatement & Control Grant Program** – B. Steinmuller

STATUS OF ROUNDS 1-16

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

Amendments for State Committee Consideration

Jefferson SWCD – Sandy Creek/Stony Creek Tier 4 – Round 12 – C700812

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

Reason: Two of five landowners involved have completed projects; another partially complete. Due to financial constraints, an additional construction season is needed for two remaining farmers who are fully committed to completing projects.

*Note: Bob Brower, Region 4 AEA, supports the time extension  
Previous amendments: 1 time extension*

**D. Stein moved to approve the amendment request for a time extension to 12/31/11; seconded by J. Dickinson. Motion passed; carried.**

Jefferson SWCD – Eastern Lake Ontario Medium CAFO Compliance – Round 13 – C700845

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

Reason: Two farms finishing up construction. Additional farmer intends to install practices early in construction season of 2011.

Request: change in BMPs

Reason: Due to fire, 2 silage leachate systems with VTA will be installed. Leachate collection

*Note: Bob Brower, Region 4 AEA, supports the time extension  
Previous amendments: 1 time extension*

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

Staff Approved Amendments

Orange SWCD – Wallkill River WS Farm Runoff – Round 12 – C700822

Request: Changes in BMPs

Reason: multiple changes/substitutions to originally scheduled practices.

*Note: Rich Lewis, Region 6 AEA, supports the changes in BMP  
Previous amendments: one landowner change, one time extension*

Orange SWCD – Wallkill River WS Farm Runoff – Round 13 – C700861

Request: Changes in landowner

Reason: Farm changed ownership. It is the same farm and the same practice being installed.

Request: Changes in BMPs

Reason: multiple changes/substitutions to originally scheduled practices.

*Note: Rich Lewis, Region 6 AEA, supports the change in landowner and BMPs*

## Round 17 Questions and Answers

B. Wohnsiedler, Jefferson SWCD, was asked to recuse himself during the portion of the meeting that pertained to Round 17. B. Steinmuller handed out an informational sheet of questions and answers. He asked if people would quickly review it and he would answer any questions.

**D. Stein moved to approve the Round 17 Question and Answer Sheet; seconded by C. Colby. Motion passed; carried.**

B. Steinmuller added that on December 9<sup>th</sup>, there will be a staff meeting focusing on the Grants Program and the final reporting process. He will report at the January meeting with an update of the progress made at the December meeting.

## 2010 Conservation Districts in the News Awards – B. Silvestri

B. Silvestri reported on the results of the News Awards. She said there was a great turnout – 23 County Soil and Water Conservation Districts submitted nearly 300 newspaper articles and 12 television and radio interviews that helped get their news out to the public. This year's competition was tough. She commended the counties on their unique ways to share their news with the public.

The winners were: **Bronze Photo Award** – Washington County  
**Silver Photo Award** – Madison County  
**Gold Photo Award** – Schoharie County

## Chesapeake Bay TMDL/Marcellus Discussion – B. Steinmuller

B. Steinmuller gave the State Committee an update on the Chesapeake Bay TMDL for New York State. He discussed the letters of comment from the Department of Agriculture and DEC to the EPA. Both letters expressed New York's ongoing concern with the lack of parity amongst states in the Bay

Watershed, lack of credit for New York's aggressive performance reducing pollution, and EPA's lack of understanding about NY State's agriculture and stewardship program.

B. Steinmuller gave the State Committee an update on Marcellus Shale. He noted that legislation authorizing a temporary moratorium on gas drilling has passed both chambers of the New York State Legislature. Discussion ensued regarding environmental and economic impacts of gas exploration and hydro-fracking.

## SWCC Region 5 Report

Cliff Frasier presented a report on Region 5, which has recently doubled in size to encompass 20 counties. He noted the difficulty with meeting the new Boards and Employees for the Districts that he now covers. He was able to get to six county board meetings since the reassignment. He handed out a SWCD Co. Appropriations 2011 Draft. The bulk of his counties have had level funding for two years. Discussion ensued regarding county appropriations, district budgets and programs.

## Partnership and Advisory Reports

J. Littrell told the Committee that she had an opportunity to testify on behalf of NYACD at the NYS Assembly Environmental Conservation Committee Meeting regarding impacts to programs that impact Districts and farmers due to the budget constraints and DEC lay-offs. Copies of this testimony were previously sent to districts via email.

A. Kumar told the Committee that DEC has made 218 staff cuts, with deep impacts to various programs.

C. Mural, NYFB, gave a report on Farm Bureau priorities. C. Mural said there is a lot of legislative turnover and now is the time to educate new members on priority legislative issues. C. Mural indicated that there is a 55 person transition team for Economic Development and Labor, that encompasses the Department of Agriculture and Markets as well and agricultural policies.

D. Pettit, NRCS, gave a report on NRCS priorities and programs. Pettit said that NRCS is currently operating under a continuing resolution due to the lack of an approved 2011 Federal Budget. By definition this means that they are currently spending at last year's level. EQIP is currently being funded at approximately \$10 million. Pettit discussed NRCS programs of regional significance such as Great Lakes and Chesapeake Bay priorities.

R. Rausch, Special Assistant to Commissioner Hooker gave a report on the Department of Agriculture and Markets involvement in the NYS Climate Action Council and associated Plan. Rausch stated that on August 6, 2009, Governor Patterson signed an executive order to reduce NYS greenhouse gases 80% of 1990 levels by the year 2050. The Climate Action Plan, Interim Report addresses ways to reduce emissions through various sectors including the agricultural. Each sector is split out among various Technical Working Groups (TWGs). Agriculture is included in the Agriculture, Forestry, and Waste TWG. A section of the TWGs work includes policy options for reducing on farm greenhouse gas emissions. Rausch briefly discussed how this work could fit into the AEM Program.

P. Kaczmarczyk, DOH, gave a report on priorities of the public drinking water section of the DOH. Staff from the Bureau of Water Supply Protection recently attended a meeting of the Delaware River Basin Commission where they stated concerns water withdrawals for the purpose of hydro-fracking natural gas wells in the Marcellus Shale. The Commission regulates surface water withdrawals within the Delaware Basin with the intent of insuring supplies of drinking water for people living within the basin boundary. The Delaware River supplies drinking water to about 15 million people. Kaczmarczyk also advised the Committee about the MS4 determination by the Department of Environmental Protection requiring stormwater retrofits for municipalities in Westchester and Putnam Counties. The DEC, the affected municipalities, and the City of New York recently signed an agreement regarding funding for these projects.

**Next Meeting** – Tuesday, January 18, 2011 Location TBA.

Meeting adjourned at 2:00 pm.

To access the audio-cast for this meeting please visit:

<http://www.agmkt.state.ny.us/webcasting.html>

