

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

State Committee Meeting Videoconference - WebEx
April 12, 2022
10:00 am

At a Glance

- Under structure manure storage eligibility Staff recommendation and discussion
- State Committee Staff under structure manure storage ineligibility recommendation was affirmed and approved by the State Committee
- CRF and AgNPS reports, amendments, and updates
- CLCPA Scoping Plan and Climate Action Committee update
- The NYS Envirothon is looking for volunteers for their environmental conservation education conference happening on May 25th and 26th. They need volunteers to judge oral presentations. For more information, email nysenvirothon@gmail.com.
- Next Meeting – May 17th, 2022

Present

Voting Members: Dale Stein, Chair; Erica Goodman; Darin Hickling; Scott Ryan; David Brass.

SWCC Staff: Brian Steinmuller, Assistant Director; Bethany Bzduch, Ron Bush, Victor DiGiacomo, Brendan Jordan, Abigail Edwards, Tim Clark, Ben Luskin, Jennifer Clifford, Scott Fickbohm, Lauren Prezorski.

Advisory Members: Jeff Kehoe, AGM; Stephanie Wojtowicz, NYSDOS; Beth Claypool, CCE; Val Zayden Schull, Cornell CALS; Dustin Lewis (President/Saratoga SWCD), NYCDEA; Aseem Kumar, Jessica Fowler, Bryan Ellis, NYSDEC; Paul Kaczmarczyk, Kate Hogle, Ashley Inzerillo, Daniel Lang, NYSDOH.

SWCDs: Susan Lewis, Albany SWCD; Brian Hall, Doug Kierst, Tyler Knapp, Cayuga SWCD; Will Wadsworth, Genesee SWCD; Megan Webster, Ontario SWCD; Wendy Walsh, Tioga SWCD; Devin Cox, Deborah Dawson, Alan Teeter, Tompkins SWCD; Peter Nichols, Schoharie SWCD; Kelly Emerick, Monroe SWCD; Corey Humphrey, Suffolk SWCD; John VanDerwerken, Corey Nellis, Montgomery SWCD; Corrina Aldrich, Washington SWCD; Chuck Sumner, Seneca SWCD; Jake Wedemeyer, Ulster SWCD; Peter Hager, Clinton SWCD; Kip Morrow, Kelly Friel, Cattaraugus SWCD.

Partners and Other Attendees:

Kyle Wallach, Elizabeth Wolters, NY Farm Bureau; three other phone in only participants (names and affiliations unidentifiable).

Review/Approval of Minutes

D. Brass made a motion to approve the March 14, 2022, draft minutes; seconded by E. Goodman. Motion passed; carried.

Correspondence – Brian Steinmuller

No official correspondence.

Working with the department on the recruitment of an Administrative Assistant and two Senior Environmental Analyst positions within the division.

Have not yet been able to put out an update on the budget, but it was passed and will be included in the minutes.

Environmental Protection Fund Budget Breakdown

Overall appropriations for the FY 2023 EPF are \$400 million.

- \$21 million for Farmland Protection
- \$20 million for Agricultural Nonpoint Source Pollution Control Projects, including \$2 million for Cornell IPM, \$500,000 for the CCE of Suffolk County and \$250,000 for Cornell PMEP
- \$16.75 million for the Climate Resilient Farms Program, including up to \$500,000 for the Cornell Soil Health program
- \$14.5 million for Soil and Water Conservation Districts
- \$22 million for Water Quality Improvement Program
- \$22.5 million for Oceans and Great Lakes (EBM Program funding)
- \$16.5 million for Waterfront Revitalization Program

Ag Non-Point Source Program – Bethany Bzduch

Program Status

To date, we have completed 19 contract close-outs, and six close-out packets are currently being reviewed. On average, we close 45 contracts in a year. In this year, we have already gotten about to 50 and it is only April. We want to recognize the incredible work that district staff have been doing to get these contracts closed out. So far this year, we have processed nine time extension requests and one landowner change amendment. Presently, we are managing a total of 158 active contracts representing approximately \$57 million. This funding is being used to support projects on about 400 farms in 41 counties in the state. We have 42 pending contracts representing \$13.2 million which are all Round 27. We are working to get those contracts executed.

Amendments

Region 1

Allegany County SWCD – C701345 – Round 24: Wiscoy Creek Watershed Project

Contract Start: 11/27/2018

Contract End: 3/1/2022

Request: Time Extension to 3/1/2023

Reason: These projects were delayed due to COVID, financial issues and health issues. The first farm has completed their Waste Storage and Transfer System. They will be completing their Access Control System in 2022. The second farm is planning on completing their projects in 2022.

Note: Victor DiGiacomo, Region 1 AEA, supports the request, but refers to the State Committee

Previous Amendments: None

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

Wayne County SWCD – C701393 – Round 24: Near Shore Lake Ontario Watershed Ag Program: Phase 2
Salmon Creek

Contract Start: 11/27/2018

Contract End: 3/1/2022

Request: Time Extension to 12/31/2022

Reason: The current contract ended 3/1/22 in the beginning of a construction season; if provided the 9 month extension, the District and the Landowner would be able to complete the final proposed waste storage transfer system in partnership with NRCS. Three of the 4 BMP Systems have been implemented and certified. With recent setbacks from the pandemic and contractor availability, the farm planned to implement last fall but could not get the materials. All the procurement and engineering has been completed for this storage and as soon as the weather breaks, implementation will begin pending this approval.

Note: Victor DiGiacomo, Region 1 AEA, supports the request, but refers to the State Committee

Previous Amendments: None

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

Round 28 RFP Status

Our question and answer period closed April 4th and a final Q&A document has been shared. The deadline for proposal submissions will be 4:30 PM on May 2nd and must be submitted through the State Committee SharePoint. Districts are encouraged to submit early to avoid technical issues.

Montgomery SWCD Request – Under Structure Manure Storage Eligibility

The State Committee Staff provided a recommendation to the Voting Members:

A waste storage facility underneath a covered heavy use area still presents many of the same concerns as an under-barn waste storage facility. Human and animal health impacts from the gasses emitted from decomposing manure are still a concern. In this case, ventilation of the gasses would be restricted to the two scrape alleys. This could result in higher concentrations of gas exiting the storage. The conceptual drawings show that the proposed waste storage and slatted floors are functionally equivalent to the under-barn waste storages described in the Under Barn Manure Storage Policy, and have all the drawbacks and potential hazards described therein.

At this time, the State Committee Staff recommends that this type of storage facility remain ineligible for state cost share.

Alternatives were recommended for consideration.

Discussion was encouraged, and Montgomery County SWCD was thanked for posing this question, providing background information, and having open dialogue with the SWCC to aid in the formulation of a recommendation, discussion, and decision. Discussion ensued.

To access the full discussion, please use the link below for the meeting recording.

E. Goodman motioned to accept the State Committee Staff’s recommendation, seconded by D. Hickling.

Roll call vote:

E. Goodman – Aye

D. Brass – Aye

D. Hickling – Aye

D. Stein – Aye

S. Ryan – Abstain

Motion passed; carried.

Climate Resilient Farming Program – Jennifer Clifford

Program Status

We've had one cancellation and seven close-outs this year. In Rounds 1 through 5, we've awarded \$12 million through 117 contracts. Round 6 is open for a total of \$8 million. The FAQ has closed for this round and applications are due May 16th. For Round 7 with a \$16.75 million, we will be bringing some concepts to the Technical Advisory Committee to start developing expansion for Round 7 which will be brought to the State Committee at a later date.

Amendments

No amendments this month. There is one landowner change that is being processed and will be brought to the SWCC attention at a later meeting date.

Hudson Valley Carbon Farming Project

Currently in its final year, was originally a two-year project but has been extended due to COVID. Currently working with Scenic Hudson on outreach efforts including some additional videos to highlight practices.

USDA Climate Smart Commodities Pilot Proposal

The application is due May 6th, we are working with the DEC Division of Lands and Forests. Focusing the application to improve and increase the adoption of climate smart agricultural and forestry practices. DEC is focusing on the Regenerate New York program to increase afforestation and climate smart practices for landowners that have forest land. The proposal must advance measurement, monitoring, verification and reporting of climate smart practices. Another large piece is market connections, we have been working with the Agricultural Development Division to discuss ways that NYS Grown and Certified can increase promotion of NY grown and climate smart products.

Cornell CALS – Methane Monitoring Research Project Status

Started the process of this contract and working on a scoping plan to develop a full proposal that we can contract and fund.

Climate Action Council Update

The next Climate Action Council meeting will be April 18th. The draft scoping plan is out for public comment until June 10th, there are a number of public hearings scheduled both in person and virtually. More information can be found here: <https://climate.ny.gov/Our-Climate-Act/Draft-Scoping-Plan>

Voting / Staff/ Advisory Reports / Conservation Districts / Public Comments – All

Voting Member Reports

Erica Goodman – Nothing to report.

David Brass – Nothing to report.

Dale Stein – Like the idea from Corey Nellis to create a subcommittee with a variety of stakeholders to advise on CRF and make recommendations to advance the program in the future to best serve farmers and address climate change mitigation and resiliency. Would like the State Committee Staff to look into how this can be created and utilized.

Scott Ryan – Nothing to report.

Darin Hickling – Nothing to report.

Advisory Member Reports

Cornell Cooperative Extension (CCE) – Nothing to report.

Cornell College of Agriculture and Life Science (CALs) – There is currently a new study on farm and residential ponds to examine pond greenhouse gasses and carbon burials. There is a call out to see if there is interest in learning about the ecology of the pond and if people are interested in letting Cornell researchers come and sample the pond. The pond must be human made and the year of construction must be known, the pond also must be less than 5 hectares in surface area and less than 5 meters deep. If there is interest, please email Meredith Holgerson at meredith.holgerson@cornell.edu, include your pond's location (address or latitude/longitude) and surrounding land use, pond age, if the pond has been dredged and a photo of you have one.

NYS Department of State (DOS) – The Owasco 9-Element Plan DEC and DOS both reviewed early drafts and provided comments. The full draft should be available for public comment in the next few months. Also saw a preliminary draft in the Seneca and Cayuga 9-Element Plans and are expected to be out for public comment a bit later this summer.

NYS Department of Environmental Conservation (DEC) – Submitted the NPS annual report for the period of April 1st 2020 to March 31st 2021. Thanks to AGM and other agencies who have helped out, it has been accepted and will be posted on the website soon. Working closely with the NRCS on a National Water Quality Initiative agreement and have submitted a draft identifying four watersheds in the Chesapeake Bay Area and will share when the reports are finalized.

NYS Conservation District Employees' Association (CDEA) – Currently recovering from the second virtual Water Quality Symposium which went very well. Thank you to all of the people involved.

B. Steinmuller: We have been working together on district capacity, recruitment, and retention. We put together some information from our reports on district personnel and salary numbers that should help discussions on district recruitment and retention that will be shared at a later date.

NYS Department of Health (DOH) – Releasing the 5-year revision of New York City's filtration avoidance determination for public comment by the end of the month.

The Drinking Water Source Protection Program is a voluntary program for municipalities to work with different stakeholders to create a drinking water source protection plan. We are working with the Chautauqua lake communities and they cannot say enough good things about working with the Chautauqua SWCD, we applaud the work that has been done and the partnership that has been formed.

P. Kaczmarczyk: on paper, the agricultural industry looks like low hanging fruit, but this is not realistic. One thing that might be beneficial is if we put together an estimate in current dollars to meet the climate goals that have been made. The goal would be for policy makers to see what the real cost of would be to meeting these goals. There was some talk about a payment where a landowner would not be required to put any of their own money in. Would not be in support of this type of structure for a number of reasons. Buy-in is very important.

National Resources Conservation Service (NRCS) – Nothing to report.

NYS Agriculture and Markets (AGM) – Applications for land trust grants are due on June 24th. Up to \$50,000 is available to land trusts to help support municipal and county agricultural protection planning initiatives. There is also a new round of funding for town our county farmland protection plans with up to

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\$50,000 available for counties to update their ag and farmland protection plans and up to \$25,000 for towns who have not participated to develop an ag and farmland protection plan.,

SUNY Environmental Science and Forestry (ESF) – Nothing to report.

SWCC Staff Reports

PJ Emerick – Nothing to report.

Ron Bush – AEM NRCS CNMP trainings were held last week at the Cornell campus, there were 20 folks in person and 50 tuning in remotely. Those come from our private sector planning organizations, SWCDs, NRCS employees, DEC staff, and State Committee Staff. Many thanks to stakeholders and partners for making this happen.

Ben Luskin – State recommended rates memo was sent to all districts that should be used when applying for state funds. For any existing RFPs, the existing rates that are published in the original RFP should be used. The numbers went up slightly for this year.

Jennifer Clifford – AEM Leopold award is open for applications which are due May 1st. We encourage all districts to be looking out for exemplary farms in their counties that they can submit applications on behalf of.

Bethany Bzduch – Technical Advisory Committee meeting has been scheduled for April 28th.

Scott Fickbohm – Nothing to report.

Tim Clark – The NYS Envirothon is looking for volunteers for their environmental conservation education conference happening on May 25th and 26th. They need volunteers to judge oral presentations. For more information, email nysenvirothon@gmail.com.

Abigail Edwards – Nothing to report.

Conservation District Reports Comments – Nothing to report.

Public Comments – Nothing to report.

Meeting adjourned at 11:56 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.

brian.steinmuller@agriculture.ny.gov
(518) 457-0562

Next Meeting: May 17th in person and remote WebEx options. Meeting start at 10:00 am.

Complete Recording of the meeting can be viewed at the following

<https://www.youtube.com/watch?v=-0yjoAMAlps&list=PL7R0tOxZLuMRdcstuxlysVPLXAeiGkUcW>

Covered HUA/Under HUA Waste Storage Recommendation

April 8, 2022

Correspondence from Montgomery County Soil and Water Conservation District was received by the NYS Soil and Water Conservation Committee on March 10, 2022, requesting that a review of NYS SWCC policies be conducted to determine if a Waste Storage Facility (NRCS-NY 313) installed directly underneath a covered livestock heavy use area with slatted floors is eligible. The relevant policies are the Under Barn Manure Storage Policy and the Roofs and Covers for Livestock Heavy Use Area Runoff Management System Policy.

Background

Montgomery County SWCD was awarded funded through Round 26 of the Ag Non-Point Source Program to implement a Livestock Heavy Use Area Runoff Management System, a Waste Storage and Transfer System, Process Wash Water Management System, Access Control System, Erosion Control System, and Stream Corridor and Shoreline Management System on one farm in the county. The District has indicated that the farm is interested in implementing a covered livestock heavy use area with a waste storage facility underneath it.

Proposed Project

On March 22, 2022, Montgomery County SWCD provided conceptual drawings of the proposed project. These drawings were completed by a private engineering firm. A teleconference with the District was held on April 4, 2022 to further the discuss the proposed system.

The proposed system includes a heavy use area that is adjacent to a separate heavy use area that consists of two scrape alleys and an interior feed alley. All of these components would be included underneath one roof structure. This will be an open facility with no walls or curtains. The proposed waste storage facility will be located underneath the two scrape alleys and the interior feed alley. An interior feed alley would be located in the center with the scrape alleys located on either side. Slatted floors would be installed in the scrape alleys to allow for the passive transfer of manure while the animals are being fed. Heifers and young stock would utilize one side of the feed alley and milk cows and dry cows would utilize the other. It is anticipated that the dairy/dry cow herd will be present on the heavy use area for approximately 5-6 hours each day. Heifers may be on the heavy use area for longer periods. Manure from the heavy use area that is adjacent would be pushed to the slatted floors so it can be added to the manure storage.

The proposed waste storage facility will provide 6 months of storage capacity for the farm. Additional inputs to the waste storage facility include runoff from a dry manure stacking pad and milkhouse wastewater. The preliminary designs provide for three access ports to agitate and extract manure. Currently a gas monitoring system is not part of the design but could be considered.

Recommendation

A waste storage facility underneath a covered heavy use area still presents many of the same concerns as an under barn waste storage facility. Human and animal health impacts from the gasses emitted from decomposing manure are still a concern. In this case, ventilation of the gasses would be restricted to the two scrape alleys. This could result in higher concentrations of gas exiting the storage.

The conceptual drawings show that the proposed waste storage and slatted floors are functionally equivalent to the under barn waste storages described in the Under Barn Manure Storage Policy, and have all the drawbacks and potential hazards described therein. Therefore, this type of waste storage, even being located under a heavy use area, remains ineligible for state cost share.

Recommended alternatives for consideration

- 1) AGNPS program funds support the proposal and project scope as written in the Round 26 application. The Livestock Heavy Use Area Runoff Management System and Waste Storage and Transfer System would be implemented as separate systems.
- 2) The AGNPS program could support the entire HUA area and the slatted floors that allow manure to pass to a short-term waste transfer that allows manure to flow to a waste storage facility located outside of the structure. Interior feed alley would be ineligible for cost share or match pursuant to the Roofs and Covers for Livestock Heavy Use Area Runoff Management Systems Policy.