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NYS Soil & Water Conservation Committee

10B Airline Drive, Albany, NY 12235 – Telephone (518) 457-3738

STATE COMMITTEE MINUTES

February 14, 2011

**NYS Dept. of Agriculture & Markets, Pride of New York Room
Albany, NY**

Present: G. Proios, D. Brass, J. Dickinson, C. Colby, Voting Members; M. Latham, Director; B. Steinmuller, N. Lawler, G. Albrecht, SWCC Staff; B. Silvestri, Schenectady SWCD, E. Henry, D. DeWeese, NRCS; J. Rusnica, J. Moody-Czub, M. Brower, Ag & Markets; P. Kaczmarczyk, DOH; C. Mural, NYFB; K. Smith, DOS; P. Black, SUNY ESF; S. Lorraine, NYSCDEA/Madison SWCD; S. Fickbohm, Otsego SWCD, C. Nellis, Montgomery SWCD; B. Wohnsiedler, Jefferson SWCD; F. Zagorski, D. Tuxill, NYS DEC; D. Grantham, Cornell.

Call to Order:

G. Proios, Chairman, called the meeting to order at 10:15 am.

Review and Approval of Minutes:

C. Colby moved to approve the January minutes as presented; seconded by J. Dickinson. Motion passed; carried.

Correspondence

M. Latham paraphrased a letter from Corey Nellis, District Manager, Montgomery County SWCD. His letter addressed concerns regarding certified planners. He mentioned maintaining district capacity, length of time to become certified and the inability to keep qualified staff as key issues. Much discussion ensued. M. Latham stated he will follow up, and bring back policy options at the March 2011 meeting.

EPF and State Budget Update

M. Latham distributed the proposed 2011-12 Environmental Protection Fund (EPF) Budget. The funding remains level at just over \$13 million for agricultural non-point source pollution and \$3 million for state aid to districts.

**Agricultural NPS Abatement & Control Grant Program
February 14, 2011 State Committee Meeting**

STATUS OF ROUNDS 1-16

Of 580 contracts, 137 are active, 38 are pending (37 Round 16 projects, 1 Round 15 project) and 386 are complete. 19 contracts have been cancelled during the life of the program. Since January 2010 to date, 51 projects have closed out. In 2009, 19 projects were closed out.

In 2010, there were 20 NPS Amendment Requests processed and approved.
In 2009, there were 87 NPS Amendment Requests processed and approved.

There was discussion on how the number of Amendment Requests for 2010 was down considerably, as well as, a marked increase in projects closing in 2010 compared to 2009.

Staff Approved Amendments

Monroe SWCD – Lake Ontario Basin Implementation Grant – Round 13 – C700877
Request: change in BMPs

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Reason: CAFO planner stated silage leachate collection system is the number one priority issue on the farm. This system will be installed instead of the originally proposed manure storage facility.

*Note: Les Travis, Region 3 AEA, approved the change in BMP
Previous amendments: 1 time extension*

Procurement Record – Price Solicitation Policy

The AgNPS price solicitation policy is rooted in General Municipal Law Chapter 56, Part FF. As of June 22, 2010, the GML was changed increasing the price threshold that requires local governments, school districts, etc to competitively bid expenditures from \$10,000 to \$20,000. The last time GML was changed in regards to competitive bidding, the AgNPS price solicitation policy was also changed to be consistent.

The State Committee should consider passing a motion to change the AgNPS price solicitation policy consistent with (June 2010) General Municipal Law Chapter 56, Part FF. This would effectively increase the threshold for a simple purchase of goods and construction from \$10,000 to \$20,000. This policy would also ensure that purchases estimated over \$20,000 would be competitively selected through written quotes.

J. Dickinson moved to approve the Procurement Record – Price Solicitation Policy; seconded by D. Brass. Motion passed; carried.

Round 17 – Resolution 11-1

MOTION:

That subject to the availability of funds, the Committee shall award funding, pursuant to Round 17 of the Agricultural Nonpoint Source Abatement and Control Grant Program, for projects 1-81 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 Districts 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.

J. Dickinson moved to approve Resolution 11-1, Round 17; seconded by D. Brass. Motion passed; carried.

Discussion took place on number of Round 17 projects in Upper Susquehanna and Great Lakes watersheds and how many acres for cover crop will be awarded.

Madison County SWCD Presentation – S. Lorraine

Steve Lorraine, Madison County District Manager, gave a presentation about the county and the SWCD.

He noted in Madison County:

- Madison County has about 70,000 people; 45,000 cows
- Agriculture is #1 industry
- Strong partnerships

His presentation showcased many projects throughout the county that the Madison County SWCD designed, surveyed and built to improve many environmental issues.

To request a copy of this presentation, please contact the State Committee office.

SWCC Annual Action Plan – B. Steinmuller

B. Steinmuller reviewed the 3rd quarter of the SWCC Annual Action Plan. He talked about progress, results and outcomes. With the many position vacancies and more to come with few opportunities to fill those, we have had to reshuffle staff priorities. Progress is being made in many areas despite the restrictions of the budget.

B. Steinmuller stated the Annual Action Plan for 2010-2011 is entering the 4th quarter. Plans for the 2011-2012 Annual Action Plan are progressing.

Chesapeake Bay TMDL Update

M. Latham stated the team’s focus now is on the next set of 2-year milestones and how predictable the funding is going to be. Phase 2, under EPA guidance, would like to break down TMDL by jurisdiction. The group is proposing to have a series of data filters prioritize certain areas of the watershed for certain practices. They are seeing a continued funding investment from the State and USDA. Round 17 produced a very high success rate of highly ranked projects in the Chesapeake Bay. M. Latham had an opportunity to brief the Acting Commissioner on the TMDL, and stated key issues:

- knowledgeable, cooperative and profitable farm businesses, infrastructure
- more technical and engineering assistance
- conservation data for model
- USC, districts, staff actively working together on efforts in watershed along with three national committees and two local committees. USC in partnership with USDA is working hard on those issues.

M. Latham stated they met with DEC on January 31, 2011 to discuss the cooperative agreements that are within the watershed. At that meeting, USC agreed to enter into an MOU with DEC developing a cooperative partnership. Many factors will determine future of the TMDL.

2011 Proposed Legislation

M. Latham distributed a legislative packet highlighting three pieces of legislation involving conservation districts. He stated the Association of Counties is sending letters of support for all three bills. Several districts spoke to legislators during legislative days regarding these bills.

Policy Development Procedures

A Policy Development Procedures sheet was distributed describing procedures to following for proposing an agenda item(s) for policy discussion.

D. Brass moved to approve the Policy Development Procedures; seconded by J. Dickinson. Motion passed; carried.

Annual Plans of Work

M. Latham announced the following Annual Plans of Work for approval: Annual Plans of Work are to be approved by AEA’s prior to April 1, 2011.

Monroe	Ontario	Rockland	Seneca
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Sullivan	Tompkins	Wyoming	
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J. Dickinson moved to approve the Annual Plans of Work; seconded by D. Brass. Motion passed; carried.

Partnership and Advisory Reports – All

M. Latham told the Committee that Barb Silvestri was recognized at the 179th Annual New York State Agricultural Society Meeting in January 2011. Barb was one of 10 individuals to receive a 2010 “Cap” Creal Journalism Award. Barb received the award for the AEM print series in the “Small Farms Quarterly”.

M. Latham stated the American Farmland Trust Forum on Agriculture and Owasco Lake was rescheduled for March 2, 2011.

K. Smith stated Department of State may receive additional EPF funding for planning projects that districts may be able to participate in.

P. Black will present an introductory at the upcoming Water Quality Symposium on watershed planning and watershed hydrology. If anyone has ideas on watershed planning, you may send them to Peter.

P. Kaczmarczyk stated the Department of Health has a new Commissioner, Nirav R. Shah, M.D.

S. Lorraine stated he is approaching the end of his tenure as President of the Conservation District Employee Association. He thanked the committee and staff for their work and support of the employee association.

B. Silvestri pointed out the cover of the December 2010 American Agriculturist features Kathie Arnold of Twin Oaks Dairy LLC. The family farm was the 2006 winner of the New York AEM Award. She mentioned the upcoming Communications Workshop to be held Thursday, March 24 at Cornell Cooperative Extension in Voorheesville.

C. Mural, NY Farm Bureau, mentioned that Senator Richie is the new Chair of the Senate Ag Committee. She touched on the “Friends of EPF” which was flat funded to help redesign worksheets, which are due in May. The NYFB’s state Lobby Day will be held on February 28, 2011.

D. DeWeese, NRCS, discussed priorities and programs. DeWeese noted that they are operating at the 2010 spending level due to the Federal Continuing Budget Resolution. NRCS will be engaging partners at the state level regarding special initiatives in the Chesapeake Bay and Great Lakes.

F. Zagorski, NYS DEC, introduced Don Tuxill, who will be taking his place in the Nonpoint Source Section of the Division of Water and as the DEC’s representative to the State Committee. Don Tuxill was welcomed by the Committee.

NRCS Standard 590 Modifications Discussion

M. Latham and G. Albrecht discussed the proposed changes to NRCS Standard 590 regarding nutrient management. Much discussion ensued regarding the proposed changes. Major talking points related to the nutrient application timing and placement. Specifically, the problems associated with the proposed

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changes on the environment, the practicality and financial implications of a proposed winter spreading ban. The comment period ends February 25, 2011 and the committee is preparing comments and urged others to do the same.

Next Meeting – *Thursday*, March 17, 2011 at Cayuga County SWCD, Auburn.

Meeting adjourned at 3:30 pm.

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

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