

**STATE SOIL CONSERVATION COMMITTEE
NEW JERSEY DEPARTMENT OF AGRICULTURE
MINUTES
TRENTON, NEW JERSEY
MAY 9, 2011**

The May meeting of the State Soil Conservation Committee was called to order by Chairman Douglas Fisher at 9:39 a.m. in the Auditorium the Health-Agriculture Building in Trenton, New Jersey.

Mr. Minch stated that the Open Public Meetings Act requirements have been met. Pursuant to N.J.S.A. 10:4-6 et seq. adequate notice of this meeting was provided by giving the time, date, location and to the extent known the agenda of this meeting. At least 48 hours in advance this notice has been posted on the third floor bulletin board, Health and Agriculture Building in Trenton; mailed to The Star Ledger, the Courier Post and filed with the Office of Secretary of State.

The Flag Salute was recited.

Call of the Membership Roll indicated the following:

Members Present

Douglas Fisher
Joe Lomax
Louise Davis
Barbara Rosko
Dr. Stephanie Murphy (rep. R Goodman)
Don Pettit
Don Knezick
Priscilla E. Hayes
Jean Reilly, Deputy Attorney General
Frank Minch, Administrative Analyst

Associate Members and Others

Bob Reitmeyer, Burlington SCD
Cathy Costa, Burlington SCD
Rich Belcher, SSCC
John Showler, SSCC
Dr. Ferdows Ali, SSCC
Tim Fekete, SSCC
Paul Hlubik, FSA
Bob Dobbs, Camden SCD
Joe Dunn, Morris SCD
Victor DeVasto, Gloucester SCD
Ines Grimm, Freehold SCD
Charlie Buscaglia, Freehold SCD
Marie Banasiak, NJFB
Jaclyn Rhoads, PPA
Amy Karpati, PPA

Minutes of March Meeting

On motion by Ms Davis, second by Dr. Murphy, the Minutes of March 14, 2011 were approved.

CHAIRMAN'S COMMENTS

Secretary Fisher emphasized the Governor's initiatives regarding transparency, streamlining NJ state government, eliminating duplication, waste. The Beck/O'Toole bill (S-2836) regarding transparency and accountability of regional authorities does not include either the SSCC or multi county SCDs.

EXECUTIVE SECRETARY'S REPORT

Mr. Minch reported on the following:

- **Ag Water Certifications** – the Ag Water Certifications processed within the timeframe April 1, 2011 to April 30, 2011. Seventeen (17) of twenty one (21) applications were approved from the following counties, Atlantic, Burlington, Cumberland, Gloucester, Hunterdon and Salem.
- **Animal Waste Plans** – 350 animal waste plans have been received. The majority of plans are from Hunterdon, Warren and Salem counties.
- **Regional Supervisor Meetings-** These meetings were fairly well attended. Summaries and areas of discussion will be completed and distributed.
- **District Financial Review-** At the request of Secretary Fisher a financial review will be conducted of all SCDs. This will consist of reviewing all district audits. A review team, consisting of Joe Lomax and Charlie Buscaglia, will undertake this task. It was pointed out that this would be an ideal time to address revising the audit manual.
- **Committee Advisory Group-** There has been some discussion to reform and broaden the Executive Committee to include more diverse representation and rename it to an Advisory Committee.
- **Online Transparency-** An Administrative Bulletin regarding guidance on what should be included on SCD web sites will be forthcoming upon legislative approval of S-2765.
- **NJDA/SCD/NRCS/NJDEP Cross Training Meeting-** This meeting is scheduled for tomorrow at the Eco-Complex and will address obstacles faced in addressing resource concerns.

Marie Banasiak arrived at 9:55 AM

SOIL EROSION AND SEDIMENT CONTROL ACT

- **District Supervisor Appointment/Reappointment**– Mr. Minch reported on the summary of the Supervisor Nomination Review Workgroup.

On motion by Ms. Hayes, second by Ms. Rosko, the following appointments were approved for three (3) year terms ending June 30, 2014. Ms. Davis and Mr. Lomax abstained from voting on their respective nominations.

1. Supervisor Re-nomination for Supervisors meeting all Supervisor Performance Standards.

<u>District</u>	<u>Supervisor</u>	<u>District</u>	<u>Supervisor</u>
Bergen	Ron Binaghi	Mercer	Peggy McNeill
Burlington	Catherine Costa		Gary Mount
Camden	Philip Kunkle	Morris	Louise Davis
Cape-	Joe Lomax	Ocean	Michael Gross
Atlantic	Arthur Brown	Somerset-	
Freehold	Robert Dryer	Union	Henry Dryer
Gloucester	West J. Kandle	Sussex	W. Straub
	Jess Everett	Warren	Nancy Bilyk
HEP	Robert Prout		
	Mario Tridente		

On motion by Mr. Lomax, second by Ms. Davis, the following supervisors were re-appointed for one (1) year subject to noted conditions.

2. Supervisor Re-appointments for 1 (one) year for supervisors that do not meet Supervisor Performance Standards.

<u>District</u>	<u>Supervisor</u>	<u>Comment</u>
Cumb.-Salem	Ronald Thomas	Appt. subject to attending 2011 annual conference.

On motion by Ms. Davis, second by Ms. Hayes, for the supervisor Nominating Review Committee to conduct an interview with Jim Watters of the Warren SCD to gauge his interest in serving for another term.

3. New Supervisor Appointment for 3 year term ending June 30, 2014.

On motion by Ms. Davis, second by Mr. Lomax, Wayne Van Hise was appointed to a three (3) year term to the Freehold SCD board to replace the retiring George Rue.

4. New Supervisor Appointments to fill unexpired terms

On motion by Ms. Davis, second by Mr. Lomax, Henry Dubois was appointed to the vacant supervisor position in the Cumberland-Salem SCD. The term expires June 30, 2013.

On motion by Mr. Lomax, second by Mr. Knezick, Marc Slaff was appointed to complete the unexpired term of Mike Beneduce in the Morris SCD. The term expires June 30, 2013.

- **Soil Restoration Standards Meeting** – Mr. Showler provided an overview of the efforts of the committee to update the standards regarding soil restoration. The committee has met three (3) times and has identified key elements for inclusion in the Standards aimed at improving soil condition on construction sites. Another meeting is scheduled for this Friday. A self imposed deadline to complete this task is June 15th.
- **Exempt Municipality Report-** Mr. Showler accompanied the HEP District manager to a meeting with city Newark officials to review procedures and statutory requirements for administering Chapter 251 as an exempt municipality.
- **Engineering Report-** Mr. Showler reviewed the engineering report overview submitted to the SSCC regarding projects Mr. Showler has worked on and assisted the districts during the past two (2) months. Some of the items addressed by Mr. Showler included the following: Infiltration Basin Restoration, Bergen & Freehold SCD Dam rehab projects, Eagles Nest landslide area, Sussex Co. and EPA rule change. The issue of the EPA rule change which would establish a duplicate and parallel program to the RFA permit elicited a lengthy discussion.

- A discussion was held regarding acid producing soils and the requirement of a 150 feet buffer from point of discharge. Dialogue is being held with DEP which may defer authority to the SSCC which would address this issue under existing standards.
- **Chapter 251 Quarterly Report – January to March 2011-** During this timeframe, 875 applications were processed by the districts on 3,389 acres of land disturbance activities. Nearly 15,700 inspections and 689 *Reports of Compliance* were issued during the period to assure compliance. (Report attached)
- **Exempt Municipality Reviews-** of the Nineteen (19) exempt municipalities, two (2) received a conditional satisfactory rating (Newark & Mountain Lakes Boro) and two (2) received an unsatisfactory rating (Randolph Township and Chester Township)
- **Solar Array Project Technical Bulletin-** On motion by Mr. Lomax, second by Ms. Hayes, Technical Bulletin 2011-(1.0), which establishes uniform guidelines for the review and certification of solar array projects, was approved.
- **PSE&G-** PSE&G has requested clarification on the applicability of the Soil Erosion and Sediment Control Act Rules as it pertains to in-road gas line maintenance. PSE&G is questioning the need for a Soil Erosion and Sediment Control Permit for temporary disturbance of soils beneath impervious surfaces. Mr. Minch suggested that a discussion be held with the advisory group regarding this issue. It was suggested that correspondence be sent to PSE&G acknowledging receipt of their request and stating that it will be taken under advisement.
- **Burlington SCD Fee Schedule-** Mr. Knezick recused himself from this issue and left the room. Messrs. Minch, Lomax and Buscaglia met with personnel from the Burlington SCD. In reviewing the proposal and corresponding information it appears the hourly rate the Burlington SCD charges is sufficient. However, the district has severely underestimated the time spent on these activities. The recordkeeping as it pertains to tracking time was lacking. The district is proposing the same hourly rate of \$100 per hour but is modifying the time spent on each activity.

On motion by Ms. Davis, second by Ms. Hayes, the proposed Burlington SCD fee schedule was approved subject to better tracking and recordkeeping provisions.

FARMLAND PRESERVATION AND COST SHARE PROGRAM (FPCSP)

Mr. Fekete reported on the following:

- **New Applications** - On motion by Ms. Davis, second by Mr. Lomax, the following Priority I applications were approved, pending the funding approval of State Agriculture Development Committee (SADC)*.

PRIORITY I- PERMANENTLY DEED RESTRICTED

<u>County</u>	<u>Name</u>	<u>Purpose</u>	<u>Requested</u>
Burlington	L & C Durr	Irrigation	\$8,750.00
Monmouth	Bullock Fmly Ltd Prt	Irrigation	\$8,097.00
Ocean	South Land Farm Inc	Irrigation	\$6,750.00
Salem	E & L Coles	Irrigation	\$24,000.00

*All applications will be forwarded to the SADC with a recommendation for funding approval once funds become available. Copies of all applications will be maintained as part of the minutes of this meeting and kept on file at the Office of the Executive Secretary.

- **Extension Request-** A request from Lucia Huebner of Mercer County (\$4,800) for a twelve (12) month extension for a well for providing water for livestock was approved on motion by Ms. Davis, second by Mr. Knezick. Ms. Huebner experience weather and monetary issues which hampered her ability to complete this project.
- **Cost Share Payments Processed** – Since March three (3) payment requests were processed to the State Agriculture Development Committee (SADC) totaling \$32,918.50 representing the State share for completed and functioning practices. These practices include 2 irrigation projects and 1 underground drainage project. The value of these projects exceeds \$74,517.

CONSERVATION RESERVE ENHANCEMENT PROGRAM (CREP) *

Mr. Fekete reported the following regarding the CREP program.

Conservation Practices	Contracts Approved		Payments Processed	
	This Period	Cumulative	This Period	Cumulative
Filter Strips (acres)	1.6	287.1	0	263.26
Grassed Waterway (acres)	1.7	111.4	2	88.52
Lined Waterway (feet)	1,986	57,257	0	3,384
Riparian Forest Buffer (acres)	0	221.9	0	191.1
Number of Contracts	3	146	2	126
Funds Obligated/Expended	\$4,114.37	\$329,099.01	\$7,513.69	\$247,849.13

*On February 3, 2004 at the N.J. Agricultural Convention the CREP Program Agreement was signed by the Governor and USDA Farm Services Agency Administrator to establish 30,000 acres of vegetative filter strips with 10-15 year contracts on ag land to protect water quality.

FARM SERVICE AGENCY

Mr. Hlubik reported on the following:

- **Conservation Loan Program-** This program which funded conservation practices has been defunded with the final passage of the 2011 budget.
- **Biomass Crop Assistance Program-** This program has been reduced from \$450 million nationwide to \$112 million.
- FSA has been cut nationwide by \$110 million.

CONSERVATION EDUCATION PROGRAMS

Mr. Belcher reported on the following:

- **NJ Envirothon** – Was held this past weekend at Camp Glen Grey in Bergen County. The 1st Place team was Marine Academy of Technology and Marine Sciences. The 2nd Place team was “Five Guys” and the 3rd Place team was Princeton High School Team #1. 38 teams participated in the event. Five of the six Horizon Awards (highest overall score for a new participant in each category) went to “Five Guys”, a team that was not formally sanctioned by their school because of liability issues. Mr. Belcher thanked everyone who assisted to make the NJ Envirothon a successful endeavor.
- **Poster Contest-** Awards ceremony is tentatively scheduled for May 23rd.

NATURAL RESOURCES CONSERVATION SERVICE (NRCS) REPORT

Mr. Pettit reported on the following:

- Provided a brief biography and career highlights
- **NRCS Budget-** Although the 2011 allocation has not been received it is expected to be much lower than previous years. It is known that funding for RC&D and Watershed Planning has been eliminated.
- **Statewide Resource Assessment-** Each state is mandated to undergo this resource assessment which will quantify the nature and extent of all the resource issues facing each state. This will assist NRCS headquarters with funding and delivery of the programs. This probably will not be in place for this fiscal year but undoubtedly it will impact Fiscal Year 2013.
- **Cross Training Session-** Tomorrow’s training session is probably the way of the future, aiding and leveraging resources to complete tasks and obtain conservation goals.
- **2011 Farm Bill Funds-** NJ-NRCS has allocated and obligated all funds with the exception of a second sign up to spend funds associated with the EQIP Organic initiative.
- **CIG Grant Awardees-** Will be announced within the next two weeks.

NEW JERSEY ASSOCIATION OF CONSERVATION DISTRICTS

No report.

NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION

No report.

SCHOOL OF ENVIRONMENTAL AND BIOLOGICAL SCIENCES

Dr. Murphy reported on the following:

- Finals are taking place at Rutgers this week.
- Dr. Murphy is finishing up her first semester of teaching the Soils Quality class.
- Sunday is Commencement day. The commencement speaker is author Toni Morrison.

- **Fertilizer Bill-** Information, as it relates to turf grass, is addressed on the Rutgers web site, <http://snyderfarm.rutgers.edu/fertilizerlawFAQ.html> In addition, a fact sheet on fertilizer spreader calibration has been completed. Dr. Jim Murphy is developing a certification program for professionals
- **Rutgers Rising Memorial Service-** Before commencement a service was held honoring Cook staff, faculty and others who were part of the Cook community and passed away within the last year.
- **Rutgers Discovery Tour-** May 25th, “Grape vines and fine wine”.
- The Rutgers Alumni tour and reception will be held this weekend.
- **Continuing Education Classes-**
 - Stormwater Management Rules and BMPs- June 13th
 - Environmental Land Use Law

A discussion was held regarding the lack of attendance and participation at SSCC meetings by Rutgers Cooperative Extension. Dr. Larry Katz, Director, NJ Cooperative Extension, will be approached again regarding this issue.

PUBLIC AND AGENCY COMMENTS

- Ms. Costa expressed concern that solar arrays are taking up prime soils and farmland that otherwise would be dedicated to production agriculture.
- Ms. Hayes reported that she is working with a school in Perth Amboy to create a rain garden and she is trying to obtain rain barrels. Mr. Dunn indicated that the Morris SCD is selling rain barrels for approximately \$65 per barrel.
- Mr. Knezick requested that Ines Grimm, Manager, Freehold SCD, report at the next SSCC meeting regarding the new erosion control products vendors have donated to be utilized on Rutgers construction sites. The purpose of this program was to evaluate new and untested erosion control products to determine their viability.
- Mr. Lomax reported on the following:
 - July 18 & 19th- NACD Legislative conference and tour, Wash., DC
 - August 9- NE Regional meeting in Plymouth, Mass.
 - October 5 & 6th- Annual Conservation Conference

On motion by Ms. Hayes, second by Mr. Lomax, the meeting was moved to closed session at 12:12 PM. pursuant to open public meetings act regarding Attorney General’s Advocacy Institute advise regarding shadow government reform legislation. All actions were by unanimous vote unless otherwise noted.

Respectfully submitted,

Frank Minch
Administrative Analyst