

**STATE SOIL CONSERVATION COMMITTEE
NEW JERSEY DEPARTMENT OF AGRICULTURE
MINUTES
TRENTON, NEW JERSEY
JULY 11, 2011**

The July meeting of the State Soil Conservation Committee was called to order by Chairman Douglas Fisher at 9:45 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
John Kocubinski
Dr. Stephanie Murphy (rep. R Goodman)
Don Pettit
Don Knezick
Priscilla E. Hayes
Michele Putnam (rep. B. Martin)
Jean Reilly, Deputy Attorney General
Frank Minch, Administrative Analyst

Associate Members and Others

Dr. William Pollock, Ocean SCD
David Friedman, Ocean SCD
Rich Belcher, SSCC
John Showler, SSCC
Marc Slaff, Morris SCD
Paul Hlubik, FSA
Bob Dobbs, Camden SCD
Mario Tridente, HEP SCD
Andy Graybush, HEP SCD
Stacy Brady, Freehold SCD
Charlie Buscaglia, Freehold SCD
Paul Califano, Freehold SCD
Wayne Van Hise, Freehold SCD
Jaclyn Rhoads, PPA
Robert Fallone, NJBA
Helen Henderson, American Littoral Society
Marie Banasiak, NJFB
Robyn Jeney, Pinelands Commission
Karen Young, Pinelands Commission
Emil Devito, NJ Conservation Foundation
Brian McLendon, NJDEP
Daniel Kuti, NJDEP
Barry Chalofsky

Mr. Minch noted that Barry Chalofsky, NJDEP, has retired and, at least for the foreseeable future, Ms. Putman will be representing NJDEP. Mr. Minch, as did Secretary Fisher, thanked Mr. Chalofsky for his dedicated service to DEP and the state of New Jersey. They both wished Mr. Chalofsky well in future endeavors.

Ms. Reilly sworn in four (4) district supervisors, Wayne Van Hise (Freehold), Mario Tridente (HEP), Marc Slaff (Morris) and William Pollock (Ocean).

Minutes of May Meeting

On motion by Ms. Davis, second by Mr. Lomax, the Minutes of May 9, 2011 were approved. Mr. Kocubinski and Ms. Putnam abstained.

Ms. Reilly indicated there were many questions regarding responsibilities for recusals of state committee members in discussions and decision making. Ms. Reilly outlined the proper procedure for recusals. This would cover actual and/or perceived conflicts of interest. This elicited a lengthy and lively conversation regarding this issue.

CHAIRMAN'S COMMENTS

Secretary Fisher indicated that he charged Mr. Lomax and Mr. Buscaglia, two experienced and long serving supervisors, with the task of examining the operations and fiscal health of each district. They will be reporting on their findings later in the meeting.

EXECUTIVE SECRETARY'S REPORT

Mr. Minch reported on the following:

- 1 **Ag Water Certifications** – the Ag Water Certifications processed within the timeframe June 1, 2011 to June 30, 2011. Eight (8) registrations and certifications were processed and approved from the following counties, Burlington, Camden, Cumberland, Monmouth, Morris and Warren.
- 2 **Animal Waste Plans** – 376 animal waste plans have been received. The majority of plans are from Hunterdon, Warren and Salem counties.
- 3 **HEP Taxation Letter-** The HEP SCD is requesting assistance from the SSCC and DAG regarding an issue with the Borough of North Caldwell and a substantial increase of their sewer fees. After a discussion it was decided that this is a local issue which should be handled by the HEP SCD.

SOIL EROSION AND SEDIMENT CONTROL ACT

- 1 **Soil Erosion and Sediment Control Standards Proposed Amendments**– Due to professional business dealings, Mr. Knezick recused himself from the discussion and left the room at 10:05 AM. Mr. Showler provided a synopsis of the proposed updates and changes for both the technical and vegetative standards. The Pinelands Commission commented regarding the updates to the standards but before they addressed the SSCC, Ms. Reilly recused herself from the discussion because she is General Council to the Pinelands Commission. Ms. Reilly left the room at 10:20 AM. Robin Jeney of the Pinelands Commission commented on several issues. Ms. Reilly returned at 10:25 AM. In addition, Jaclyn Rhoads of the Pinelands Preservation Alliance, Emile Devito of the NJ Conservation Foundation, Helen Henderson of the American Littoral Society and Robert Fallone of the NJ Builders Association commented. Formal action regarding the approval of the Standards was tabled until after the public comment portion of the meeting. Mr. Knezick returned at 11:10 AM.
- 2 **District Financial Review**- Mr. Lomax explained that this report is not complete but by examining district trends, revenue and expenses, three (3) years of audits, etc. it appears that the majority of SCDs are operating satisfactorily. However, there are several SCDs that are not operating in a healthy financial manner. Mr. Buscaglia reported on recommendations regarding standardizing yearly audit reviews and other financial management measures which would be beneficial. The analysis is not complete at the present time but Mr. Lomax and Mr. Buscaglia are working on completing this project.
- 3 **Somerset Union SCD Fee Schedule Amendment**- Mr. Minch indicated that the Somerset Union SCD has experienced a significant increase in requests to determine if a construction project is subject to the Chapter 251 provisions. As a result a great deal of district time is spent making these determinations. The district proposes to adjust their fee schedule to include a \$40 "Exemption Determination Fee".

On motion by Ms. Davis, second by Mr. Knezick, the Somerset Union request for a \$40 "Exemption Determination Fee" was approved.

4. **Engineering Assistance**- Mr. Showler reviewed the engineering report overview submitted to the SSCC regarding projects he has worked on and assisted the districts during the last two (2) months including a dam replacement project in Bergen County and drainage evaluation regarding a solar array project in the Cumberland Salem SCD.
5. **District Website Administrative Bulletin**- The purpose of this bulletin is to provide guidance and clarification regarding the required information necessary for inclusion on district maintained websites/webpages.

On motion by Ms. Davis, second by Mr. Kocubinski, the Administrative Bulletin 2011-2.0 was approved for dispersal to all SCDs.

6. **Records Retention Administrative Bulletin-** The purpose of this bulletin is to provide clarification and guidance in completing NJ state form *Request and Authorization for Records Disposal*.

On motion by Mr. Lomax, second by Ms. Davis, the Administrative Bulletin 2011-3.0 was approved for dispersal to all SCDs.

7. **Erosion Control Product Evaluation-** Mr. Califano, Freehold SCD, provided a brief overview of the product assessment program the Freehold Soil Conservation District is conducting in conjunction with Rutgers University. This program is intended to evaluate new erosion control product performance on University construction sites. Mr. Califano reported that due to a variety of issues, product assessment has been limited. Before the presentation Mr. Knezick recused himself and left the room at 11:20 A.M. Mr. Knezick returned to the meeting at 11:45 AM.

FARMLAND PRESERVATION AND COST SHARE PROGRAM (FPCSP)

Mr. Minch reported on the following:

- 1 **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	W & D Pettit	Perm Open Drain	\$31,880.00
Burlington	Blairwood Farms	Undrgrnd Drain	\$2,712.50

*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 Chong Il Kim of Mercer County (\$44,243) for a twelve (12) month extension for an irrigation project was approved on motion by Mr. Kocubinski, second by Dr. Murphy. Mr. Kim cannot complete his cost share project because of the NJ Turnpike widening project.

A request from Kazimeir Daniecki of Ocean County (\$20,276.34) for a twelve (12) month extension for a permanent open drainage project was approved on motion by Ms. Davis, second by Ms. Hayes. Mr. Daniecki could not complete his cost share project due to health and medical issues.

A request from Gary Mount of Mercer County (\$13,975) for a twelve (12) month extension for a land grading project was approved on motion by Ms. Davis, second by Mr. Kocubinski. Mr. Mount could not complete his cost share project due to weather related issues.

A request from Lee Mixner of Cumberland County (\$40,985) for a six (6) month extension for an irrigation project was approved on motion by Mr. Kocubinski, second by Ms. Davis. Mr. Mixner could not complete his cost share project due to a delay in obtaining a Water Allocation Permit.

Cost Share Payments Processed – Since May six (6) payment requests were processed to the State Agriculture Development Committee (SADC) totaling \$42,918.94 representing the State share for completed and functioning practices. These practices include 4 irrigation projects and 2 underground drainage project. The value of these projects exceeds \$88,751.41.

CONSERVATION RESERVE ENHANCEMENT PROGRAM (CREP) *

Mr. Minch reported the following regarding the CREP program.

Conservation Practices	Contracts Approved		Payments Processed	
	This Period	Cumulative	This Period	Cumulative
Filter Strips (acres)	23.2	310.3	8.6	271.86
Grassed Waterway (acres)	4.8	116.2	1.2	89.72
Lined Waterway (feet)	4,220	61,477	0	3,384
Riparian Forest Buffer (acres)	0	221.9	0	191.1
Number of Contracts	7	153	3	129
Funds Obligated/Expended	\$12,899.56	\$341,998.57	\$2,556.83	\$250,405.96

*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.

CONSERVATION EDUCATION PROGRAMS

Mr. Belcher reported on the following:

- 1 **Envirothon** – The 1st Place team in the 2011 NJ Envirothon, Marine Academy of Technology and Marine Sciences is preparing for the national event which will be held in New Brunswick, Canada from July 24th - July 27th.
- 2 **2011 Poster Contest**- The 2011 Poster Contest brochure has been completed. The theme is "Forests for people, more than you can imagine."
- 3 **2010 Poster Contest**- The poster for the 2010 NJ Grand Champion was reproduced on a folder. The NJACD financed the purchase of approximately 800 folders for distribution to the SCDs and in their educational efforts.

NATURAL RESOURCES CONSERVATION SERVICE (NRCS) REPORT

Mr. Pettit reported on the following:

- 1 There is a claims process for women and minority farmers who feel they were discriminated against and denied benefits.
- 2 **Personnel-** Ron Taylor, Soil Scientist retired 7/1/11. NJ-NRCS is undergoing the process of hiring his replacement.
- 3 **2012 Budget process-** This entire process has changed dramatically. Each NRCS State Office must make a request for funds based upon their resource needs. Requests are due to Washington, DC by 8/5/11.

FARM SERVICE AGENCY

Mr. Hlubik reported on the following:

- 1 **Disaster Declaration-** Due to hail/wind/flooding from March through June, there is a disaster declaration for fourteen (14) Pennsylvania counties. Sussex and Warren counties are eligible because they are considered contiguous counties
- 2 **County Committee Elections-** FSA is accepting nominations through 8/5/11 for their local county committees
- 3 **Programs-** There are 38 approved contracts and 486 acres enrolled in the NJ SAFE Program. In addition, there are 9 pending offers covering 182.5 acres. \$87,871 has been obligated in the GRP Program.

NEW JERSEY ASSOCIATION OF CONSERVATION DISTRICTS

Ms. Davis reported on the following:

- 1 NJACD voted to reduce their yearly dues for districts to \$300.
- 2 A Legislative training was held on 5/18 and the "White" paper is in the process of being completed.
- 3 A two (2) person delegation will be sent to Washington, DC to meet with legislators and staff to further educate them concerning the role of conservation districts. Plans are being made to visit the home offices of these legislators also.
- 4 The Education Council has hired a coordinator to complete the "Project Soils". The funds for this position came from NRCS.
- 5 The Annual Conservation Conference will take place 10/5 & 6 in Warren County, NJ
- 6 Supervisor training will be held after the SSCC meeting.

NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION

Ms. Putnam reported that anyone interested in information regarding the Barnaget Bay should refer to the NJDEP website.

SCHOOL OF ENVIRONMENTAL AND BIOLOGICAL SCIENCES

Dr. Murphy reported on the following:

- 1 Convocation was held 5/15.
- 2 Long-time faculty member Joan Ehrenfeld passed away 6/25.
- 3 Golf and Fine Turf Field Day takes place 7/26/11 on Cook Campus.
- 4 Lawn and Landscape Field Day will be held 7/27/11 at the Rutgers Plant Research Adelphia Farm in Freehold

PER DIEM/TORT CLAIMS PROTECTION-- Ms. Reilly commented on a letter from the AG office regarding per diem and tort claims protection. The discontinuation of per diem does not affect tort claims coverage for district supervisors.

PUBLIC AND AGENCY COMMENTS

No additional comments were received.

AMENDMENTS OF SOIL EROSION & SEDIMENT CONTROL STANDARDS

A motion was made by Ms. Davis, second by Ms. Hayes, to move forward with the rule making process of amending the Soil Erosion and Sediment Control Standards.

Ms. Hayes departed at 11:58 AM

After a lengthy discussion, a roll call vote was taken.

Roll Call Vote:

Kocubinski- Y
Murphy – Y
Putnam – Y
Davis – Y
Lomax – Y

OTHER

There was a further clarification regarding recusals at district level meetings. If a district supervisor recuses oneself from a discussion/decision making process then that supervisor must leave the room during the process.

On motion by Ms. Davis, second by Mr. Kocubinski, the meeting was adjourned at 12:12 PM. All actions were by unanimous vote unless otherwise noted.

Respectfully submitted,

Frank Minch, Administrative Analyst