

**STATE SOIL CONSERVATION COMMITTEE
NEW JERSEY DEPARTMENT OF AGRICULTURE
MINUTES
TRENTON, NEW JERSEY
MARCH 11, 2013**

The January meeting of the State Soil Conservation Committee was called to order by Chairwoman Priscilla Hayes at 9:32 a.m. at the Health and Agriculture Building, 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, and 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 Associate Members and Others

Priscilla Hayes

Ray Cywinski

Tony DiLodovico

Joe Lomax

Dr. Stephanie Murphy (rep. R Goodman)

John Kocubinski

Barbara Rosko

Brian McLendon (rep. B Martin)

Carl Quazza

Carrie Mosley

Sean Moriarity, Deputy Attorney General

Frank Minch, Executive Secretary

Rich Belcher, SSSC, NJDA

John Showler, SSSC, NJDA

Tim Fekete, SSSC, NJDA

Bill Engisch, Hunterdon SCD

R. Reitmeyer, Burlington SCD

Dennis Dougherty, Camden SCD

Cliff Lundin, Sussex SCD

Mario Tridente, HEP SCD

Victor DeVasto, Gloucester SCD

Dave Reilly, C/A SCD

Ines Grimm, Freehold SCD

Dr. Ferdows Ali, SSSC, NJDA

Glen Van Olden, HEP SCD

Paul Hlubik, FSA

Bill Brash, Mercer SCD

Bob Dobbs, Camden SCD

Christine Raabe, Ocean SCD

Dr. Bill Pollock, Ocean SCD

Joe Dunn, Morris SCD

E. George-Cheniara, NJBA

Robert Pollock, PSE&G

Karen Dillon, PSE&G

Charles Librizzi, PSE&G

C. Sztenderowicz, MCS

Jason Dorney, MCS

Robyn Jeney, NJPA

Jeromie Lang, Maser Consulting

MINUTES OF JANUARY MEETING

On motion by Mr. DiLodovico, and second by Mr. Kocubinski, the minutes of the January 14, 2013 meeting were approved with two corrections, Daniel Kuti represents NJDEP (page 1, January minutes) and Dr. Orton's first name is Elwyn (page 6, November minutes).

CHAIR'S COMMENTS

Ms. Hayes reported on the following:

1. A peer committee consisting of a few district managers is being formed to assist and provide input to Mr. Minch.
2. As NJACD President, Ms. Hayes will be meeting with Ag and Natural Resources Division Director, Monique Purcell on a quarterly basis.

EXECUTIVE SECRETARY'S REPORT

Mr. Minch reported on the following:

1. **Action Items-** The list was reviewed and the committee brought up to date. Mr. Lomax requested that the list of action items be included with the minutes (see attached).
2. **Resolution for Dale Ledden-** On motion by Mr. Lomax, second by Mr. Cywinski, the resolution honoring and recognizing former Gloucester SCD Supervisor Dale Ledden for his many years of dedicated service to the conservation movement was approved.
3. **Agricultural Water Registration and certification-** during the timeframe of 1/1/13 to 2/28/13, 35 agricultural water registrations and certifications were approved in the following counties: Atlantic, Burlington, Cumberland, Gloucester, Hunterdon, Middlesex, Morris, Salem and Warren Counties.
4. **Animal Waste Management Plans-** To date, 585 plans have been received statewide. Hunterdon, Salem and Warren counties have submitted the most plans.

SOIL EROSION AND SEDIMENT CONTROL ACT

1. **2:90 Rules/Standards-** Draft responses to the proposed vegetative and engineering standards were distributed and reviewed. Staff recommended approval and adoption of said standards except the land grading and topsoil standards which will be dealt with separately.
2. Judy Gleason, NJDA Legal Specialist spoke regarding the need to re-assess these two standards. The NJ Legislature dictated that the state committee address cost and cost benefit when deciding upon changes and amendments to the land grading and topsoil standards. Ms. Gleason encouraged the committee to move promptly in evaluating the information to ensure that deadlines are met or substantial progress made. If not completed by July then substantial progress will need to be demonstrated to obtain an extension from the Governor's office.

The comment summaries must be published in the NJ Register, even for standards not presently adopted. Ms. George-Cheniara of the NJ Builders Association encouraged the state committee to utilize the remaining time to examine in-depth the cost benefit of additional work. Mr. Moriarity, DAG, emphasized that the adoption of any standard must adequately address the public comments or the rule may be challenged and overturned in court. A lengthy discussion ensued.

On motion by Mr. DiLodovico, second by Mr. Lomax, no action will be taken on any of the standards and the sub-committee on soil restoration will reconvene and advise if the task of reviewing and rule proposal can be completed in the given timeframe.

3. **Hurricane Sandy Emergency Administrative Order-** A draft Administrative Order has been written to provide the districts with guidance regarding the demolition, clean up and re-construction following the devastating effects of Hurricane Sandy. Mr. Moriarity commented that the statute requires that districts issue a certification provided there is a soil disturbance 5,000 square feet or greater associated with the demolition and/or clean up. This A. O. provides a stream lined process. This is an effort to relieve the burden that residents in affected areas have in demolition/clean up. The A. O. would sunset when the Governor's Executive Order sunsets. The district managers from the three districts most impacted (Cape – Atlantic, Ocean and Freehold) commented as did Mr. Lang, Engineer for Maser consulting. A lengthy discussion ensued.

A motion was made by Mr. Cywinski, second by Mr. Lomax, to table action on Administrative Order, elicit addition comments over the next two weeks, review comments and present the administrative notice for action at the April SSCC meeting.

4. **Compost Filter Sock** – Representatives for MCS, Mr. Stenderowicz and Mr. Dorney, spoke regarding their companies product and identifying their product in the standards. A lengthy discussion ensued. Mr. Lomax suggested that a sub-committee review the information and materials so as to make a recommendation to the SSCC for the next meeting. Membership of this sub-committee was identified as Mr. Lomax, Ms. Murphy, Mr. Showler and Mr. Paul Schiariti.
5. **HEP Fee Schedule Modification-** Mr. Minch indicated that the HEP district has demonstrated the need for a modified fee structure and staff recommends approval of said fee schedule. A lengthy discussion ensued regarding this issue.

On motion by Mr. Cywinski, second by Mr. DiLodovico, the HEP fee schedule modification was approved with a progress report from the HEP SCD and further review by the SSCC after six months to examine the progress HEP has made in securing a new location and the hiring of an additional inspector.

A roll call vote was taken: Cywinski- Yes, DiLodovico- Yes, Kocubinski- Yes, Lomax- Yes, McLendon- Yes, Murphy- Yes, Rosko- Yes, Quazza- Recuse

1. **PSE&G Northeast Grid Waiver Request-** Representatives provided a brief overview of the Northeast Grid project, their desire to obtain a waiver from requiring detailed soil erosion and sediment control plan submission for portions of the project within the paved public right-of-way, and answered questions regarding same. Mr. Cywinski recused himself from the discussion because he works for United Water.

Mr. Moriarity stated that if the activity associated with Northeast Grid upgrade meets the definition of a project under the statute then there is no waiver ability. A lengthy discussion ensued. The request for a waiver was denied due to the fact that there is no waiver ability for a project. PSE&G was directed to coordinate with the Bergen and HEP SCDs regarding plan requirements for activities within the existing paved portions of the project.

Mr. Minch will draft a response letter to PSE&G summarizing this discussion.

2. **NJ Conservation Workgroups- Sub-Committee Reports**

- Policy and Procedures Sub-Committee- Mr. Lomax provided a brief update regarding the progress of this sub-committee.
- District Fee Schedule and Fiscal Sub-committee- Mr. Cywinski provided a brief update regarding the progress of this sub-committee.
- Training Sub-Committee- Mr. Brash provided an update and overview regarding the progress of this sub-committee.
- District Review Sub-Committee- Mr. DiLodovico provided a brief update regarding the progress of this sub-committee.

3. **Engineering Issues-** Mr. Showler provided an overview of the activities he has worked on over the last several months including, Eagle’s nest in Sparta, NJ, Bear Swamp Dam, Fenimore Landfill, Metropolitan Farms & H&H Project Status.

4. **Chapter 251 Quarterly Report-** October to December 2012- During this timeframe, 909 applications were processed by the districts on 3,100 acres of land disturbance activities. 12,393 inspections and 1,316 reports of compliance were issued during the period to assure compliance (report attached).

FARMLAND PRESERVATION AND COST SHARE PROGRAM (FPCSP)

Mr. Fekete reported on the following:

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

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PRIORITY I- PERMANENTLY DEED RESTRICTED

<u>County</u>	<u>Name</u>	<u>Purpose</u>	<u>Requested</u>
Cumb/Sal	Myers Farms LLC Agent for Ferguson Farms	Irrigation	\$39,900.00

1. **Cost Share Payments Processed** – Since January three (3) payment requests were processed to the State Agriculture Development Committee (SADC) totaling \$19,180.00 representing the State share for completed and functioning practices. The value of these projects exceeds \$40,900.00.
2. **Extension Requests-** A request from Edward Huff of Hunterdon County (\$27,045.00) for a twelve (12) month extension for a livestock watering facility project. Due to monetary issues, the cost share project wasn't completed. On motion by Mr. Lomax, second by Mr. Kocubinski, this extension request was approved.
A request from Novasack Turf Farm of Cape May County (\$3,465.05) for a twelve (12) month extension for a land grading project. Due to economic issues and weather issues, the cost share project wasn't completed. On motion by Mr. Lomax, second by Dr. Murphy, this extension request was approved.

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)	0	316.9	0	304.26
Grassed Waterway (acres)	0	129.8	1.5	109.93
Lined Waterway (feet)	0	97,707	0	49,446
Riparian Forest Buffer (acres)	0	221.9	0	191.1
Number of Contracts	0	169	3	160
Funds Obligated/Expended	\$0	\$386,066.08	\$4,457.50	\$310,235.59

*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 age land to protect water quality.

CONSERVATION EDUCATION PROGRAMS

Mr. Belcher reported on the following:

1. **Poster Contest-** 2012 NJ poster contest winners took first and second place at the NACD National Poster Contest. Julia Ku (Mercer SCD) placed first in the Grades 7-9 category. Tiffany Fang (Mercer SCD) placed second in the Grades 10-12 category.
2. **NJ Envirothon-** The 2013 NJ Envirothon will be held May 4th at Camp Kettle Run in Medford. To date, 40 teams are registered.
3. **NJ Flower and Patio Show-** This event took place the second week of February. The NJ Conservation Partnership display was awarded two (2) first place prizes and one (1) second place prize. Mr. Belcher thanked the partnership group for all its hard work.

NATURAL RESOURCE CONSERVATION SERVICE

Ms. Mosley reported that sequestration has not impacted the NRCS field offices to a large degree but she is running various scenarios in case budget cuts are required for NJ NRCS.

FARM SERVICE AGENCY

Mr. Hlubik provided an update on the various FSA programs.

NEW JERSEY ASSOCIATION OF CONSERVATION DISTRICTS

Ms. Hayes reported on the regional meetings scheduled for next month, April 9th in Glassboro, April 10th in Mt. Lakes and April 11th in Yardville.

NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION

Mr. McLendon reported on the clean-up efforts from Hurricane Sandy. There is much thought and effort regarding the logistics of distributing funding related to Sandy and safeguarding the state from future events.

SCHOOL OF ENVIRONMENTAL AND BIOLOGICAL SCIENCES

Dr. Murphy reported on the following:

1. Copies of the NJAES 2012 Annual Report were distributed to committee members.
2. In an attempt to assess the needs, a curriculum meeting was held last week regarding the soils program.

Mr. Cywinski reported that the work regarding the NJACD Soils Curriculum endeavor is completed & is awaiting typing.

On motion by Mr. Cywinski, second by Mr. Kocubinski, the meeting was adjourned at 1:04 PM. All actions were by unanimous vote unless otherwise noted.

The next SSCC meeting will be held April 8, 2013 in Trenton.

Respectfully submitted,

Frank Minch