

**STATE SOIL CONSERVATION COMMITTEE
NEW JERSEY DEPARTMENT OF AGRICULTURE
MINUTES
TRENTON, NEW JERSEY
MAY 12, 2014**

The May meeting of the State Soil Conservation Committee was called to order by Chairman Douglas Fisher at 9:37 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

Douglas Fisher

Barbara Rosko

Priscilla Hayes

Joe Lomax

Dr. Stephanie Murphy (rep. R. Goodman)

Ray Cywinski

Brian McLendon (rep. B. Martin)

John Kocubinski

Carrie Mosley

Tony DiLodovico

Jack Rabin

Charlie Buscaglia

Sean Moriarity, Deputy Attorney General

Frank Minch, Executive Secretary

Rich Belcher, SSSC, NJDA

Dr. Ferdows Ali, SSSC, NJDA

Tim Fekete, SSSC, NJDA

Ines Zimmerman, Freehold SCD

Glen Van Olden, HEP SCD

Dennis Dougherty, Camden SCD

Dave Reilly, C/A SCD

Cliff Lundin, Sussex SCD

Bill Engisch, Hunterdon SCD

Sandy Myers, Warren SCD

Christine Raabe, Ocean SCD

Bob Dobbs, NJACD

Paul Hlubik, USDA/FSA

Cathy Costa, Burlington SCD

Matt Ward, HEP SCD

MINUTES OF MARCH 10, 2014 MEETING

On motion by Mr. Cywinski, second by Mr. Lomax, the minutes of the March 10, 2014 meeting were approved.

CHAIRMAN'S COMMENTS

Secretary Fisher reported that the NJ Census of Agriculture has been released (results from 2008 to 2012). NJ is fourth in the nation in value of market products sold per acre (\$1,408/acre, which is three times the national average). 6% of farms in NJ rely, to some degree, on solar energy (the national average is 2%). In addition, NJ is 13th in the nation in direct agricultural sales. 12 NJ counties are in the top 8% of the nation in direct agricultural sales.

EXECUTIVE SECRETARY'S REPORT

Mr. Minch reported on the following:

1. **Soil and water stewardship proclamation-** These proclamations, signed by the Governor and Lt Governor, for Soil and Water Stewardship week (April 27th-May 4th, 2014) were distributed to all district offices.
2. On motion by Mr. Buscaglia, second by Mr. Lomax, a resolution honoring the late Kent Ringo and his 43 years of service to the Camden SCD and the Conservation Partnership was approved. This resolution will be forwarded to the Camden SCD and Mr. Ringos' family.
3. Staff is tracking over 50 pieces of legislation that affects the Division of Agriculture and Natural Resources.

CORRESPONDENCE

1. **Penalty Enforcement-** A lengthy discussion was held regarding an appeal of a decision made by the Morris SCD. Under administrative procedures there is a 90 day window to hold this hearing. At present, both parties are attempting to resolve their differences. If not resolved, both parties will be contacted to determine when to schedule the hearing, July or August.
2. **Southway, Sandyston, Sussex Co.-** An issue has arisen concerning a builder's complaint regarding approvals and coordination with the town. Mr. Minch will be travelling to Sussex Co. next week to look into the matter and will report back to the State Committee at the next meeting.
3. **Gloucester, Unauthorized Plan Alteration-** The plan on the construction site differed from the district certified plan. This issue has been satisfactorily resolved by the SCD and the builder.
4. **DiLullo Property-** A resident of Ocean Co. questioned the necessity of a soil erosion and sediment control certification for the reconstruction of their dwelling. Upon further review with the Ocean SCD staff, the activity is less than 5,000 square feet of disturbance and thus not subject to the rules. The District and landowner will work out the process for application withdrawal.

SOIL EROSION AND SEDIMENT CONTROL ACT

1. **Exempt Municipality Review-** Mr. Minch reported that three municipalities have received an “unsatisfactory” rating, Washington Boro and Oxford Township (both in Warren County) and Newark City in Essex County. Mr. Minch recommends meeting with the Warren County municipalities to ascertain if the problematic areas may be resolved. The City of Newark has requested 30 days to come up with a plan to address their deficiencies. Mr. Van Olden indicated that Newark has received only 2 “satisfactory” rankings in the last 12 years. SSCC staff will work with the HEP SCD to monitor the response from Newark.

A discussion was held regarding the Exempt Municipality Report. This report encompasses just the towns and municipalities that operate independently and enforce the ordinance themselves. Secretary Fisher requested that the report be modified to include the municipalities which also work in conjunction with the districts to administer the program.

10:31 AM- Mr. DiLodovico arrived.

2. **Fenimore Landfill- Morris SCD** – Mr. Minch reported that Mr. Showler has spent a great deal of time and effort working on this contentious situation which involves the design and capping of this landfill. DEP is preparing to start the bidding process on the closure project. Mr. McLendon reported that DEP is inspecting the site today.
3. **Grinell Recycling- Sussex SCD-** This is a long standing issue concerning a recycling center that has exceeded the parameters of their permit. Mr. Lundin is requesting assistance in this matter because this operation doesn’t fit neatly into the definition of a project. Since a recycling center is a continuous and ongoing operation, is it more akin to a mining and quarry project or landfill? The recycling center project area has greatly expanded over the past few years and although there is little danger of runoff, there is concern for the aquifer. A lengthy discussion was held regarding this issue and it was agreed upon that another 251 plan must be submitted for the expansion of the operation. In addition, DEP and the Sussex SCD must work closely to ensure compliance. Mr. McLendon indicated he would look into the facilities permit status and report back to the Committee.
4. **Engineering Report-** The SSCC reviewed Mr. Showler’s report regarding various items he has been working on over the past several months including filter/tube sock bulletin, concrete paver facility (Cumberland/Salem SCD), Foothills Road project (Somerset/UnionSCD), Grinell recycling facility (Sussex SCD), Fenimore landfill (Morris SCD), infiltration basin survey and detention basin database project.

A discussion was held regarding the filter/tube sock technical bulletin and the use of non-vegetative materials (inert) in the filter sock. Mr. Minch commented that the technical bulletin was written broadly so as to be inclusive. In that way a new bulletin wouldn’t need to be issued for any slight variation.

5. **Quarterly Report-** Mr. Minch reported on the third quarter FY 2014 (January to March 2014) Soil Erosion and Sediment Control program statistics. During this timeframe, 1,149 applications were received, 1,193 certifications, \$1,795,439 in fees were collected covering 3,165 acres, 12,777 inspections were performed which covered 22,562 staff hours.
6. **NJ Conservation Workgroups- Sub-Committee Reports**
 - Training Sub-committee- On motion by Ms. Hayes, second by Mr. Lomax, the “Supervisor Training Manual” was approved subject to minor, non-substantive changes.
 - Policy and Procedures Sub-committee- Mr. Lomax reported that they have been working on 3 major efforts, the single family exemption, Ch. 251 Policy and Procedures Manual and the Policy and procedures Administrative Manual. The full sub-committee is scheduled to meet May 20th. Training Sub-Committee for review.
 - Fee and Fiscal Sub-committee- On motion by Mr. Lomax, second by Dr. Murphy, the Fee Schedule Manual will be sent out for comment today. Comments would be due back to the subcommittee co-chairs by the June meeting. Any changes would be considered by the subcommittee, in anticipation of adoption at the August meeting.
 - Review/ Appraisal Sub-committee- Mr. Minch reported that this sub-committee is working on self-assessment documents but essentially waiting for final products from other sub-committees to incorporate into their work.

CONSERVATION EDUCATION PROGRAMS

Mr. Belcher reported on the following:

1. **2014 Poster Contest-** Awards ceremony for statewide winners will take place at the state museum auditorium on May 22nd. In addition to the poster winners, the NJ Envirothon winners and the scholarship winners will also be honored. A tour of the statehouse is planned after the awards ceremony.
2. **NJ Envirothon-** The 2014 NJ Envirothon was held May 3rd at the School of Conservation in Sussex County. The MATES team took first place for the 5th year in a row. High Tech high school placed second. Mr. Belcher thanked the Sussex SCD, NRCS and all the staff that worked tirelessly to make this event a success. The Cape-Atlantic SCD will be hosting the 2015 NJ Envirothon.

NATURAL RESOURCE CONSERVATION SERVICE

Ms. Mosley provided an update on NRCS programs. In addition, she requested that next month’s agenda include time for her to speak on the EPA issued proposed rules on the Clean Water Act.

FARM SERVICE AGENCY

Mr. Hlubik provided an update on FSA programs. He also provided a handout which was a progress report on 2014 Farm Bill implementation. In addition, Mr. Hlubik updated the committee on the April 2nd meeting with the foresters, NJDA and FSA regarding the emergency forest restoration program.

NEW JERSEY ASSOCIATION OF CONSERVATION DISTRICTS

Ms. Hayes reported on the following:

1. The regional meetings were well attended
2. NJACD has updated their website.
3. The NJACD Executive Director is continuing to work with NRCS on various Projects.
4. Mr. Lomax reported on an NACD webinar with EPA last week regarding changes to the definition of "Waters of the United States".
5. The Northeast regional NACD meeting will be held in Newport, R.I., August 24 through the 26th.

NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION

Mr. McLendon reported that DEP is focused on implementing resiliency plans and upgrading infrastructure around the state in response to Super Storm Sandy. In regards to stormwater management, DEP is in the process of renewing the general permit used to regulate towns and Mr. McLendon sees an opportunity for districts to expand their authority and role. DEP does not have the staff or expertise to map, inventory and maintain stormwater basins.

11:35 AM- Mr. Ward arrived

SCHOOL OF ENVIRONMENTAL AND BIOLOGICAL SCIENCES

Dr. Murphy reported on the following:

1. Students are finishing up their exams this week.
2. Graduation is this Saturday and former NJ Governor, Tom Kean is the commencement speaker.
3. Congressman Rush Holt will be delivering the convocation at the School of Environmental and Biological Sciences.
4. There has been a significant increase in soil testing from landscape professionals.

RUTGERS COOPERATIVE EXTENSION

Mr. Rabin reported on the following:

1. A sub-group of the environmental team is working with impaired watersheds and ways to clean and enhance these waterways.
2. Another team is going around the state and evaluating ag tourism farms, their strengths, weaknesses, areas of liability, etc.
3. A discussion was held regarding land applying municipal leaves to improve organic matter in the soil in relation to DEP regulations. Mr. McLendon indicated he would look into the matter and determine when these regulations sunset.

PUBLIC COMMENT

Mr. Ward provided a brief update regarding the City of Newark in their endeavor to fulfill their requirements as an exempt municipality.

In addition Mr. Ward indicated the HEP SCD feels very strongly regarding matters deemed “of statewide importance” and acted by the SSCC.

Mr. Belcher indicated he forgot several important points regarding the NJ Envirothon. 33 teams participated this year, 19 camped out at the facilities and for this year the winners each receive a \$1,500 scholarship.

On motion by Mr. Lomax second by Mr. Buscaglia the meeting was adjourned at 11:54 AM. All actions were by unanimous vote unless otherwise noted.

The next SSCC meeting will be held June 9, 2014 in Trenton.

Respectfully submitted,

Frank Minch