

**STATE SOIL CONSERVATION COMMITTEE
NEW JERSEY DEPARTMENT OF AGRICULTURE
MINUTES
TRENTON, NEW JERSEY
MARCH 12, 2012**

The March meeting of the State Soil Conservation Committee was called to order by Chairman Douglas Fisher at 9:34 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 Associate Members and Others

Douglas Fisher	Dr. F. Ali, SSSC, NJDA
Ray Cywinski	Tim Fekete, SSSC, NJDA
Tony DiLodovico	Rich Belcher, SSSC, NJDA
Jack Rabin (rep. L. Katz)	John Showler, SSSC, NJDA
Dr. Stephanie Murphy (rep. R Goodman)	Robert Reitmeyer, Burlington SCD
Maria Collazo (rep. D. Pettit)	Dennis Dougherty, Camden SCD
Charlie Buscaglia	Cliff Lundin, Sussex SCD
Priscilla E. Hayes	Mario Tridente, HEP SCD
Brian McLendon (rep. B. Martin)	Bill Brash, Mercer SCD
Barbara Rosko	Frank Calo, Somerset/Union SCD
Joe Lomax	Ines Grimm, Frehold SCD
Jean Reilly, Deputy Attorney General	Paul Hlubik, FSA
Frank Minch, Administrative Analyst	Angelo Caruso, Bergen SCD
	Bob Dobbs, Camden SCD
	Marie Banasiak, NJFB
	Ted Zeller, Burlington SCD
	Rick Dovey, Cape/Atlantic SCD
	Nick Cassetta, Cape/Atlantic SCD
	Victor DeVasto, Gloucester SCD
	David Friedman, Ocean SCD
	Mike Bonham, Cumb/Salem SCD
	Henry Dubois, Cumb/Salem SCD
	Glen Van Olden, HEP SCD
	Carl Quazza, HEP SCD
	Sandra Myers, Warren SCD
	Eileen Greason, Warren SCD
	Jason Dorney, MCS Inc.
	Monique Purcell, NJDA
	Dale Ledden, Gloucester SCD

Minutes of November Meeting

Due to quorum issues, the November minutes were not acted upon at the January meeting. A motion was made by Mr. Lomax, and second by Ms. Hayes. Mr. Cywinski and Mr. Marsh abstained.

Minutes of January Meeting

A motion was made by Mr. DiLodovico, and second by Ms. Hayes, the minutes of the January 9, 2012 meeting were approved. Mr. Lomax abstained.

CHAIRMAN'S COMMENTS

Secretary Fisher spoke regarding Chapter 251 restructuring. This review was in response to Gov. Christie's Executive Order II, Common Sense Principals. Every department in the state was given the charge to review their programs. This review was an internal document that was inadvertently distributed before it was vetted. There are seven (7) areas of concern regarding the program. They include the following: Vaguely defined leadership and authorities, conflicting SSCC policy decisions, tenuous financial stability and security due to overreliance of 251 funds, overly cautious use of reserve funds, regulatory actions driven by economic concerns rather than natural resource concerns, opportunities for growth.

Sec. Fisher, Mr. Minch, Ms. Purcell, Mr. Lomax, Mr. Busgaglia and Ms. Hayes met on Thursday and discussed concerns of the "white paper". Mr. Lomax spoke regarding those concerns and the most effective way to deliver this program, improving structure, etc. The NJACD and districts have a three (3) month timeframe to provide comments and suggestions to improve the program and partnership.

EXECUTIVE SECRETARY'S REPORT

Mr. Minch reported on the following:

1. **2:90 Rules** – Legal review of summary and impact statements will be completed by OAL (Office of Administrative Law) for the purpose of publishing in the NJ Register as a proposal. DEP is anxiously awaiting the finalization of these efforts.

9:51 AM- Ms. Colazzo & Mr. Hlubik arrived

2. **Website Bulletin** – In July 2011 the SSCC issued a bulletin pertaining to pending legislation upgrading the district web presence. The only area the districts were advised to wait on was regarding fiscal information. The legislation has passed and the Governor signed this into law in January. SCDs are advised to fully implement the bulletin. This bulletin will be re-issued with the bill attached (Bill 167)

SOIL EROSION AND SEDIMENT CONTROL ACT

1. **Netcong Ordinance**- The borough is proposing to regulate construction activities pursuant to NJSA 4:24-39 et seq. However, the activities are those that are not normally regulated by the Act. Regulated activities will include single and multi-family homes, as well as building additions and disturbances in excess of 1,000 square feet. The ordinance in general function, duplicates the regulatory function of the Morris SCD and SSCC for activities that are generally exempt from the SESC Act, or may in fact be regulated by the Act via the District.
2. **Engineering Issues**- 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 the Route 322 bypass in Gloucester County, the Mill Pond Dam Spillway re-stabilization in Bergen County, the Fiore Recycling Operation in Newark, among other activities.

3. Hydrologic Detention Database Project- Mr. Showler provided an update regarding this endeavor. NJDA and NJDEP have entered into a memorandum of agreement to provide funding to soil conservation districts to enter hydrologic data collected from soil erosion and sediment control plans submitted to districts for certification. The MOA will provide \$280,000 to districts to enter approximately 40,000 basin data forms. NJDEP had previously provided \$200,000 to NJDA to construct and test the database itself. The data will be entered into a web based application which can then be used to map stormwater management infrastructure and perform associated analyses.
4. Chapter 251 Quarterly Report- October to December 2011- During this timeframe, 894 applications were processed by the districts on 2,992 acres of land disturbance activities. Approximately 14,300 inspections and 1,375 *Reports of Compliance* were issued during the period to assure compliance. (Report attached).
5. Siltsock- There has been several discussions with the Lt. Gov. Office regarding this issue. The SSCC is in the discussion stage regarding improving the process for erosion control product evaluation. The process in place currently is ambiguous and unclear. In addition, the rule is not clear concerning product evaluation. There has been discussion about revising the rule so it is more closely aligned with the procedure for evaluation. Jason Dorney of MCS Inc, the manufacturer of the siltsock product, spoke to the committee regarding his company and the particulars of their products.

FARMLAND PRESERVATION AND COST SHARE PROGRAM (FPCSP)

Mr. Fekete reported on the following:

Cost Share Payments Processed – Since January four (4) payment requests were processed to the State Agriculture Development Committee (SADC) totaling \$40,899.80 representing the State share for completed and functioning practices. They include 4 irrigation projects. The value of these projects exceeds \$81,832.50.

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)	0	313.8	0	279.26
Grassed Waterway (acres)	0	122.6	2.1	97.52
Lined Waterway (feet)	0	65,957	0	3,528
Riparian Forest Buffer (acres)	0	221.9	0	191.1
Number of Contracts	0	160	1	141
Funds Obligated/Expended	\$0	\$361,427.95	\$2,739.00	\$270,136.86

*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.

- **Extension Request** - A request from John Tomasello of Camden County (\$15,152.02) for a six (6) month extension for an irrigation project. Mr Tomasello was granted a twelve (12) month extension in February 2011. According to regulation 2:90-3-6(c), “in no case shall extensions be granted for more than 12 months”. A motion was made by Mr. Lomax, second by Ms. Rosko, to approve this request but DAG Reilly indicated the SSCC can not act contrary to its own rules. Mr. Lomax amended his motion so it is a conditional approval subject to further review by DAG. The motion was second by Ms. Hayes.

CONSERVATION EDUCATION PROGRAMS

Mr. Belcher reported on the following:

1. **2011 Poster Contest**- Posters are due in Trenton by April 19th and statewide judging is scheduled for April 23rd. Award ceremony will be held May 17th at the State museum. A statehouse tour will follow the awards ceremony.
2. **NJ Flower & Patio Show**- This years’ theme was “Old Time Movies”. The Conservation Partnership highlighted the Alfred Hitchcock movie “Rear Window”. Two (2) third place prizes were awarded for this display.
3. **2012 NJ Envirothon**- Is scheduled for May 4th and 5th in Farmingdale, NJ. The Freehold SCD will host the event in 2012. The theme this year is “Non-Point Source Pollution”. To date, 38 teams are registered.

NATURAL RESOURCES CONSERVATION SERVICE (NRCS) REPORT

Ms. Collazo reported on the following:

1. **Field Office of the Future**- Do to high demand of services and shrinking budgets, the NRCS Administrator is requesting input and feedback from state conservation partners to determine the most effective and efficient delivery system and field office of the future.
2. **State Technical Committee Meeting**- This meeting is scheduled for Wednesday in Somerset. The main topic of conversation will be the National Initiatives, high tunnel projects, energy efficient projects and organic agriculture.
3. **Animal Waste Regulations** – A letter will be sent to 180 livestock producers reminding them of the deadline regarding compliance with the Animal Waste regulations.

FARM SERVICE AGENCY

Mr. Hlubik reported on the following:

1. **Emergency Conservation Program**- Funding has been secured for the program and applications have been received in 13 counties statewide. NRCS is assisting with the technical work.
2. **Burl/Camden/Ocean Em. Bd.**- Emergency Forest Restoration funds were requested regarding Southern Pine Beetle damage. National Office approved the request and once funding is secured, a sign up period will be scheduled.
3. **Conservation Loan Program**- Up to \$1.2 million is available per applicant and the term can run up to 20 years.
4. **CRP Program**- The National Sign Up starts today (sign up #43).
5. Mr. Hlubik detailed other potential programs which may be funded by FSA.

NEW JERSEY ASSOCIATION OF CONSERVATION DISTRICTS

Mr. Buscaglia reported on the following:

1. Regional Supervisor meetings are scheduled for 4/24 (Glassboro), 4/25 (Yardville) and 4/26 (Mt. Lakes).

NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION

Mr. McLendon reported on the following:

1. The renewal of the Stormwater Construction General Permit (5G#3) is effective 3/1/12. The permit is available on-line through the portal.
2. The Waiver Rule, providing discretion and flexibility in interpretation of regulations takes effect 8/1/12.
3. DEP is coming under pressure by EPA to come into conformance regarding the new CAFO regulations. Within 6 months DEP will be working on updating and modifying the CAFO Permit. The biggest change involves public review of the nutrient management plan.
4. The Water Quality Management Program is now being run by Michele Putnam.

SCHOOL OF ENVIRONMENTAL AND BIOLOGICAL SCIENCES

Dr. Murphy reported on the following:

1. Currently, the university is on Spring break.
2. A discussion was held regarding the fertilizer law and the certified applicators training. The website is operational and there are 2,000 registered fertilizer applicators. To date, 1,000 registered applicators have taken and passed the exam and are now certified applicators. In addition 300 individuals are trained to work under the instruction of a certified applicator. There are many questions regarding enforcement of the regulation. For professional applicators there is a \$500 penalty for the 1st offense and \$1,000 for a 2nd offense. Only through municipal ordinances will homeowners or non-professionals be impacted. A lengthy discussion was held regarding the responsibilities of the SCDs and how enforcement will be uniformly implemented. A committee was formed to examine this subject more in depth. The committee includes Mr. Lundin, Mr. DiLodovico, Dr. S. Murphy, Ms. Hayes and Mr. Minch.
3. Seminars and activities: Extreme Weather and Climate Change (3/28), Home Gardeners School (3/24), Career day (4/12) and Ag. Field Day (4/28).

RUTGERS COOPERATIVE EXTENSION

Mr. Rabin reported on the following:

1. Extension has received numerous requests over the last few years regarding the reuse of urban soils (soils of unknown origin) in urban agriculture. A hand held devise (costing approximately \$35,000) will read and analyze the soil within 30 seconds. These readings are extremely accurate.
2. Extension is assisting in the effort so farm preserved land may be leased for production.
3. Energy on Farms- with the use of electricity sensors, etc. extension is assisting NRCS in determining where exactly on farms the most electric use takes place and ways to lower that demand.
4. A discussion was held regarding the composting/recycling of leaves on farms.

PUBLIC AND AGENCY COMMENTS

Mr. Friedman reminded the SSCC about the Soils Conference scheduled to take place on May 30, 2012. Also, he urged the committee to implement a statewide Soil Erosion and Sediment Control reporting system.

Mr. Minch indicated there are still four (4) districts that need to complete Ethics Briefing Training. Other issues of importance include, review letters on large projects being submitted to Mr. Showler. The districts must also keep in mind the timeliness of reporting performance measures and the uniform application of the Single Family Home regulation, appropriate utilization of reserves and district adherence to the state holiday schedule.

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

Respectfully submitted,

Frank Minch, Administrative Analyst