

State Technical Committee Meeting Minutes
Spectacular Events Center
Bangor, Maine
October 26, 2009
10:00 A.M. – 12:30 P.M.

Juan Hernandez, State Conservationist, welcomed and opened the meeting with introductions from the State Technical Committee (STTC) Members.

USDA State Technical Committee Functions and Responsibilities/Membership – and Future Meeting Agenda Items - Chris Jones, NRCS State Resource Conservationist

Chris stated that the STTC is to provide the USDA technical advice on our USDA conservation programs. He asked for assistance from the STTC in diversifying and expanding the membership of the STTC by sharing the Maine STTC Membership form with others that they believe might be interested in serving on the committee. Chris also asked the STTC to review the contact information for the STTC and to email any changes or additions to Chris Jones at chris.jones@me.usda.gov.

Chris also reviewed the function of the STTC, which is to assist the USDA in matters relating to the implementation and technical aspects of conservation programs under Title II of the Food, Conservation and Energy Act of 2008 Farm Bill. The STTC, according to the 2008 Farm Bill, shall be composed of agricultural producers and other professionals that represent a variety of disciplines in soil, water, wetland, and wildlife sciences. The role of the STTC is advisory and has no implementation or enforcement authority. The USDA will give consideration to the recommendations made by the STTC in administering the appropriate programs.

Chris asked that future STTC agenda items be sent to him at chris.jones@me.usda.gov .

USDA Local Working Group (LWG) Function and Responsibilities – Chris Jones, NRCS State Resource Conservationist

The STTC advises USDA at the state level. Chris reviewed the functions of the Local Working Group (LWG). Their function is similar to the STTC, with the exception that the LWG is composed of the local Soil and Water Conservation District (SWCD), agricultural producers representing the variety of crops and livestock or poultry raised within the local area, nonindustrial private forest land owners, and other professional agricultural and conservation interests, and they advise the local District Conservationist.

The following documents were discussed at the meeting and are located at:
<http://www.me.nrcs.usda.gov/StateTechCommittee.html>:

- *What Is The USDA Local Working Group and Membership Form*
- *What Is The USDA State Technical Committee?*
- *Maine State Technical Committee Members and Membership Form*

Changes in Program Delivery of 2010 – Bill Yamartino, NRCS Assistant State Conservationist (ASTC) for Programs

Bill shared the proposed application and ranking process for Conservation Programs that NRCS will employ in FY 2010. He stated that in the matter of the program delivery process, NRCS is not seeking input or formal recommendations from the STTC. This discussion was for information only. One of the key things that NRCS is going to be implementing in the new program delivery process is the use of a screening questionnaire for EQIP applications. All applications that pass the screening tool will be ranked and considered for funding during a given funding cycle. Applications are still accepted on a continuous basis. However, within a given funding cycle, NRCS will establish signup cutoff dates to handle a batch of applications. This year we are going to accept EQIP applications through December 1, 2009. Applications received prior to the cutoff will be screened and those passing the screening will be ranked by February 1, 2010. Applications received after December 1, 2009, will go into the 2011 funding consideration. Bill stated that NRCS is going to have the opportunity to request all of the regional equity funds this year in EQIP. NRCS has to show that we can obligate all our funds by April 1, 2010 and that is why the EQIP timeline for contract obligations is April 1, 2010.

NRCS will not employ a screening process for the other conservation programs, such as the Agriculture Management Assistance (AMA), Wildlife Habitat Incentives Program (WHIP) and Wetland Reserve Program (WRP). All applications received in these programs will be ranked and considered for funding subject to the deadlines established. Barring any national directives, the application cutoff for these programs is March 1, 2010. The ranking deadline will be April 30, 2010 and the contract obligation deadline will be July 1, 2010.

Question – Would a new producer need to be set up with Farm Service Agency (FSA) by cutoff dates?

Answer – If we receive the application by the cutoff date, they will be accepted and included in that funding cycle. The applicant may continue to work with FSA after submitting an application to establish their farm records and complete various eligibility requirements.

Bill wanted to stress to the group the importance of the EQIP Conservation Activity Plans (CAPS). Applications for CAPS will be accepted on a continuous basis with no cutoff date. CAP applications do not need to be ranked and may be funded throughout the year subject to the availability of funds. For example, if a landowner does not have a Comprehensive Nutrient Management Plan (CNMP), their application would not pass the screening for Animal Waste practices. However, that individual could immediately apply for a CNMP CAP. Once a CNMP is developed, the individual could apply for EQIP assistance with Animal Waste practices.

NRCS has other CAPS that we are looking to offer. We did outreach to potential Technical Service Providers last year and were successful certifying some providers. Providers are certified under the disciplines of Organic farming, Energy Audits and Forestry. We plan to offer CAPs in Irrigation, Wildlife, Grazing and Pollinator if we are

successful in certifying TSPs in these areas. NRCS is requesting from the STTC to outreach and identify individuals, groups or agencies that are interested in becoming certified in CAPs.

The following documents were discussed at the meeting and are located at:

<http://www.me.nrcs.usda.gov/StateTechCommittee.html>:

- *EQIP Sign-up and Ranking Requirements*
- *Delivery of other NRCS Financial Assistance Conservation Programs (AMA, WHIP, WRP)*

Statewide Initiatives – Irrigation - Organic – Juan Hernandez, NRCS State Conservationist

Irrigation

There were many discussions and questions about the requirements for a Technical Service Provider (TSP) to be certified for the Irrigation Water Management – Conservation Activity Plan. Chris Jones did some research on this and determined that being a licensed engineer is not a requirement to be certified as a TSP for Irrigation Water Management – Conservation Activity Plan.

Juan announced that NRCS will establish a Statewide Irrigation Assistance pool in EQIP. NRCS will set aside \$750,000 of EQIP funds each year through 2012. The year of 2012 coincides with the year that the State of Maine has determined that all irrigation water users must be in compliance with the State's low flow rule. The Statewide Irrigation Assistance initiative is specifically meant to assist all agricultural irrigation water users meet the minimum low flow rule for the state.

NRCS asked for input from the STTC on the matter of how to use the available EQIP irrigation funds. One of the options is to limit EQIP irrigation assistance only to clients who are withdrawing from regulated water sources that need to change something or improve efficiencies to meet the requirements of the law. The other option is to make EQIP irrigation assistance available to all irrigators where the source is either regulated or unregulated. In 2009, this assistance was available to both groups. The ranking tool reflected a priority for assistance to irrigators taking from regulated sources. Irrigators pulling out of regulated water sources receive 100 points, while irrigators using non-regulated water sources would get 0 points.

A comment was made by a member regarding the flow rule. The flow rule is a six-season rule and is very elaborate on how it is implemented in states regarding water quality classification. The goal of the instream flow standard is to protect habitat. It took the Department of Environmental Protection (DEP) 10 years to develop this instream flow standard and the intention behind this flow standard was to be protective of the resource for habitat. This information is located at:

<http://www.maine.gov/agriculture/mpd/irrigation/lowflow.html>.

In making irrigation assistance available last year Juan's intent was to address water sources subject to the State of Maine low flow rule. He decided to expand this to non-regulated water sources because he felt these landowners were doing the right thing. In 2009, only one of the eight EQIP Irrigation contracts was with an irrigator using a regulated water source. All others were at farms using non-regulated water sources.

Juan mentioned that the statutory purpose of EQIP was to address resource concerns and to assist landowners meeting the State Laws and Regulations. The resource concern for non-regulated irrigation water use is not well defined in Maine. Primarily, the purpose of the EQIP Irrigation initiative is to help landowners meet the State's minimum flow rule.

Question - How do you know what is regulated or non regulated water source?

Answer – The answer is in the low flow rule, which is located at:

<http://www.maine.gov/dep/blwq/topic/flow/rule/587.pdf>.

Juan requested feedback from the STTC on whether NRCS should direct the EQIP Statewide Irrigation initiative to address only the regulated water sources or should we include the non-regulated water sources as well. There was some discussion on this but there were no recommendations made. Additional input will be solicited from the entire STTC by email and the results communicated to the STTC members at a later date.

Update: The following email was sent out to the STTC requesting their input by **November 3, 2009** to Bill Yamartino at bill.yamartino@me.usda.gov:

*This e-mail is a follow-up to our STTC meeting. During our meeting, Juan Hernandez announced that there would be a pool of funds (\$750,000 per year through 2012) for irrigation assistance available in a statewide pool. **We are asking for input addressing whether to limit the availability of EQIP Irrigation funds to irrigators that are currently withdrawing from waters regulated by Maine's "In-stream Flows and Lake and Pond Water Levels requirements".** The alternative is to open up irrigation assistance to producers who are withdrawing water from non-regulated sources (man made ponds and wells).*

The following documents were discussed at the meeting and are located at:

<http://www.me.nrcs.usda.gov/StateTechCommittee.html>.

- *CAP – Irrigation Water Management Plan*
- *Application Ranking Summary – Maine Water Use/Water Conservation*

Organic

The Chief of NRCS, David White, has officially announced that there will be an organic initiative sign up under EQIP in 2010. Juan stated that we will likely keep what we did last year and extend it to 2010 pending further direction from national program managers. Bill Yamartino mentioned that the funds set aside for the organic initiative were allocated to us at the national level and could only be used for the organic initiative. NRCS received approximately \$500,000 for the organic sign up in 2009, but we are not sure what the amount will be this year.

Juan stated that he will request all Regional Equity funds under EQIP this year. EQIP is the logical way of utilizing these Regional Equity funds because of the large backlog of applications in EQIP.

EQIP Payment Schedules and Ranking Criteria – Bill Yamartino, ASTC for Programs

The STTC discussed some of the “State Issues” questions in the “Application Ranking Summary – EQIP General FA” document:

- *Question 7. SOIL CONDITION – Organic matter depletion is not at the QC at the benchmark condition but will be with proposed action? 10 points.* This means that the Soil Condition Index is negative for the existing situation, but will be positive if the proposed action is implemented.
- *Question 45. – Soil Organic Matter and Carbon Sequestration. If Cropland, will soil condition index change from less than 0.5 to 0.5 or greater when contract is implemented? 10 points.*

The STTC asked for examples of crop rotations that would result in points for Question 7 and Question 45. Chris stated he would need to research this.

Update: Chris sent the following email to the STTC: *Soil Condition Index values do vary with soil, slope and row direction. Assuming a row direction of up and down the hill is typical of a potato-oats production then a potato-oats (not underseeded with clover) rotation would have a negative soil condition index, but a potato-oats underseeded with clover rotation would have a slightly positive soil condition index. A potato-oats hay rotation would have a soil condition index of 0.5 or greater.*

NRCS is looking for specific recommendations from the STTC on how NRCS ranks program applications. Additional input is sought on the program payment schedules. This input will be reflected as state level priorities in the ranking criteria. The Local Working Groups will also have an opportunity to add local priority questions to the ranking worksheet. The EQIP ranking criteria that was used in 2009 was distributed and discussed. The discussion did not result in a specific set of recommendations from the STTC members attending. Additional input will be solicited from the entire STTC by email and the results communicated to the STTC members at a later date.

During the discussion of the ranking criteria dealing with soil quality and the “Soil Condition Index” (SCI), a question was asked about typical SCI scored for potato producers. Some typical examples were developed by NRCS technical staff since this meeting and are included as an attachment to these minutes.

Update: Bill emailed the following messages to the STTC and asked that their comments and recommendations be sent to him by **November 3, 2009** at bill.yamartino@me.usda.gov.

Ranking Criteria:

*The State Priority items (as used in 2009) on the ranking tool are highlighted in yellow. Those six elements were each weighted at 100 points based on input we received from the STTC in March, 2009. **Please take this opportunity to review the "State Issues Addressed" and identify the six elements that you would like to see receive the extra points for ranking.***

Practice Payment Schedules:

*The standard payment rate is 75% and the "HU" (Historically Underserved) rate is 90%. The payment schedules are for (1). General EQIP, (2). Conservation Activity Plans, (3). Organic Initiative, and (4). Irrigation Assistance . **Please take this opportunity to review the***

payment schedules and provide your feedback on practice availability and payment rates.

NOTE: Local Working Groups will have an opportunity to tailor the "General EQIP" payment schedule once we have gathered the state level input. The other three payment schedules are for statewide initiatives and will not be further modified by Local Working Groups.

The following documents were discussed at the meeting and are located at:

<http://www.me.nrcs.usda.gov/StateTechCommittee.html>.

- *Application Ranking Summary – EQIP General FA*
- *Maine NRCS Draft 2010 EQIP Standard/Statewide Payment Schedule*
- *Maine NRCS Draft 2010 EQIP Conservation Activity Plan Payment Schedule*
- *Maine NRCS Draft 2010 EQIP Organic Standard/Statewide Payment Schedule*
- *Draft 2010 EQIP Irrigation Payment Schedule*
- *RUSLE2 Erosion Calculation Record*

Biomass Crop Assistance Program (BCAP) – Donovan Todd, FSA State Executive Director

Don mentioned that the Farm Service Agency (FSA) has currently approved 14 biomass conversion facilities and five have been approved at the state level, which totals 19 biomass conversion facilities that have been approved that can handle biomass materials. This will affect 750 suppliers of those facilities.

The Biomass Crop Assistance Program (BCAP) was authorized by Title IX of the Farm Security and Rural Investment Act of 2002, as amended by Title IX of the Food, Conservation, and Energy of 2008 Act (2008 Farm Bill). There are two phases of this program. The first phase assists with the collection, harvest, storage and transportation (CHST) of eligible material for use in qualified biomass conversion facilities. The second phase supports the establishment and production of crops for conversion to bioenergy in project areas.

The BCAP assists agricultural and forest land owners and operators with matching payments for the amount paid for the collection, harvest, storage and transportation CHST of eligible material by a qualified Biomass Conversion Facility (BCF). FSA will be working with the State Forester to help determine which forestry plans will be acceptable. The State of Maine Forest Service is taking the lead on this program. The funding for this program will come out of Commodity Credit Corporation funds, which is a top priority with the President of the United States. The FSA has not heard anything at this point on the second phase of this program and the Secretary of Agriculture and the President are stressing this program and predict this will be an ongoing program.

The CHST Matching Payment Program will provide eligible material owners matching payments for the sale and delivery of eligible material to a CHST-qualified BCF. These payments will be available to eligible material owners at the rate of \$1 for each \$1 per dry ton paid by the CHST-qualified BCF to the eligible material owners. This is limited to a maximum of \$45 per dry ton and limited to a two-year payment duration.

The following FSA documents were discussed at the meeting and are located at:
<http://www.me.nrcs.usda.gov/StateTechCommittee.html>.

- FSA Biomass Crop Assistance Program
- FSA Fact Sheet
- FSA Notice BCAP-2
- FSA – BCAP-CHST Eligible Materials List
- FSA – County Office Contacts
- BCAP Conversion Facilities Map

Agenda Items for future STTC Meeting

- NRCS Conservation Planning “backlog”