

**USDA-NRCS Maine State Technical Committee (STTC) Meeting minutes  
April 30, 2020**

Meeting commenced at 10:03 a.m., giving participants a few extra minutes to get on the line. The STTC was conducted on the phone due to Maine's Stay at Home order. Participants were encouraged to provide input over the phone, email or text Public Affairs Specialist Thomas Kielbasa and State Resource Conservationist Tony Jenkins. A teleconference was utilized to ensure maximum public access to the meeting.

**Welcome- Juan Hernandez NRCS State Conservationist**

Juan thanked everyone for their time, appreciated the flexibility to have the STTC through a teleconference due to the circumstances. Juan recognized the difficulties faced by producers during this time and stressed that NRCS is willing to help.

Juan has accepted the Florida State Conservationist position starting June 8, 2020. He will be in Maine through the last week of May. He said he appreciated all the relationships, partners, and agreements developed, and is delighted to have been the Maine State Conservationist for 11 years. Daniel Schmidt will be the Acting State Conservationist beginning June 8.

**Conservation Innovation Grant (CIG) announcement- Tony Jenkins State Resource Conservationist**

Tony submitted Maine's CIG budget proposal \$300,000 with individual awards ranging from \$25,000 - \$75,000 to the NRCS Grants and Agreement Division for approval. The CIG priority areas are forestry, soil health, aquatic organism passage and pollinator. Tony is the CIG point of contact.

Question: What is the CIG timeline?

Answer: Pending on NRCS Grants and Agreement Division approval, announce a sign-up in a week or so and the sign-up period would last a month. Tony said some interested applicants have CIG proposals ready and are waiting on the sign-up period to submit the proposals.

**Additional Agenda Items- Tony Jenkins State Conservationist**

The National Water Quality Initiative (NWQI) is coming to a close for the Meduxnekeag River watershed and Unity Pond watershed. Tony requested input on new watersheds. Juan's only parameters are to include at least one watershed from northern and southern Maine. Tony is proposing the Sheepscot River watershed and the Cross Lake watershed. He requested input for a third watershed. The principal partner for the NWQI is Maine DEP, however, more partners are welcome. Tony asked for any suggestions. Input is to be emailed to Tony as soon as possible.

Question: Do watersheds need to have at least one listed impairment?

Answer: NRCS is trying to spread a wide net for watershed proposals, not concerned about that parameter for the proposal stage.

The resource concerns have been revised. The resource concerns are still connected to the same issues, Soil, Water, Air, Plants, Animals, Energy (SWAPA+E). The difference is resource concerns are now organized by category and component; information can be found on the NRCS website.

Question: Are there resource concerns dealing with climate change?

Answer: Yes, under Weather Resilience Category are six resource components (Ponding and flooding, Seasonal high-water table, Seeps, Drifted snow, Moisture management, Drought susceptibility).

### **Local Working Group summaries review- Tony Jenkins State Conservationist**

Tony asked for feedback and any questions about the Maine Local Working Group Summaries. No feedback was given.

### **Subcommittee reports and disposition- Tony Jenkins State Conservationist**

Forestry Subcommittee:

Tony read the recommendations from the forestry subcommittee.

1. Review the practice access road usage.
  - a. Tony mentioned this has been done and policy changes are updated for the 2021 Program handbook. More flexibility is included to implement access roads in order to access an area to address resource concern(s).
  - b. Action item: Send the STTC the access road policy change
2. Add the practice rock sandwich to treat subsurface flow.
3. Increase practice 660 pruning applicability to add related fuel pruning.
4. Create a new mechanical precommercial thinning practice scenario for smaller equipment under the practice 666 forest stand improvement. It would apply for stands above 2,000 trees per acre with an average 5" or less diameter at breast height. Currently it is cost prohibitive to use smaller equipment in these stand types. Gerald Barnes the NRCS State Forester has submitted the request to the National NRCS Leadership Team.
5. Look at the NH thinning scenarios to replace the biomass market.
6. Increase the payment rate to 90% for practices 666,314, and the rock sandwich
7. Review the 2021 State level forestry ranking questions
8. Send the forestry subcommittee recommendations to the Maine Soil and Water Conservation District (SWCD) Boards.
  - a. Action item: Gerald Barnes will send the recommendations to the SWCDs

Juan wants to increase the temporary stream crossing usage for the purpose of implementing conservation practices starting in 2021.

Irrigation subcommittee had no report.

### **Priority Resource Concerns/Areas/Practices- Tony Jenkins State Resource Conservationist**

The State Conservationist (STC) has the authority to choose priority resource concerns and geographic areas. The decision will be made in the coming months by the acting STC, Daniel Schmidt. The STC can increase a practice payment rate to 90%; currently it is 75%. The strategy is to more effectively implement practices that are: necessary to treat key resource concerns; have been historically unsuccessful to implement; and are not typical in the Maine NRCS toolbox. Practices which are popular and have no problems implementing in Maine are not eligible for the increased payment rate. Tony requested input for priority resource concerns.

Question: 90% at the practice level or scenario level?

Answer: Applied at the scenario level. Example, practice 666 may have two scenarios precommercial thinning, wildlife focused thinning. The STC can increase the payment rate for the wildlife focused thinning scenario.

Question: Is the 90% payment rate only for forestry practices?

Answer: No, it was just an example; The increased payment rate is only for 10 practices.

Comment: Suggestion to add sediment basins to the priority practices list for 90% cost share. As you know this can be a pricey practice with little to no agronomic direct benefit and often takes some land out of production.

### **Source Water Protection Area (SWPA)- Tony Jenkins State Resource Conservationist**

Tony presented the Maine SWPA initiative. The map is available online and includes the Saco River and Sebago Lake Watersheds. Practices within the SWPA can receive a payment rate increase to 90%. Tony requested input for priority resource concerns to address within the SWPA.

Question: How did Maine NRCS come up with the priority resource concerns and watersheds for the SWPA?

Answer: Maine NRCS has been actively working with stakeholders and DEP acknowledgement in Southern Maine. Tony provided background information. This started about a year and a half ago because the new Farm Bill includes funds set aside for SWPAs. Tony partnered with the Maine Drinking Water Folks (such as Mike Plaziak- Maine Rural Water Association) and the Maine Hydrogeologist to make the SWPA map. The map included all the public drinking water sources in Maine. The map was submitted to the National NRCS leadership and was rejected. The National NRCS leadership based the SWPA off the EPA national geospatial layer.

Maine NRCS decided to move toward a state SWPA, which will have priority resource concerns & perhaps payment rate increases for practices. This state SWPA will not include every public drinking water source and its watershed. It includes the Saco River and Sebago Lake watersheds.

Question: Did anyone from the Maine Forest Service (MFS) provide input for the SWPA and recommended silvicultural practices?

Answer: No, but silvicultural practices are already being considered

Comment: The MFS will get recommendations to NRCS. There is a “Forests to Faucets” map from the MFS, that will also be sent to Tony at NRCS.

Tony mentioned the best protection for watersheds with forest land uses is to keep the land use forests. NRCS will assist woodlot owners to improve their forests and wildlife habitat, increasing the incentive to maintain forests versus the attraction to change the land use.

Comment: Both the Saco River and Sebago Lake Watersheds should include water quality priority resource concerns focused on erosion control, sediment control, aquatic organism passage, nutrient management, and soil health.

Question: Looking at the map (Maine SWPA Initiative), it is not showing the Saco River and Sebago Lake Watersheds?

Answer: Need to add the Saco River and Sebago Lake Watersheds.

Comment: The drinking water representatives, such as Mike Plaziak, included 16 watersheds and their potential primary contamination sources, such as forest and under developed land, nitrogen & phosphorus sources and development (includes building lots, and land use without control or ownership by municipalities or SWCDs).

Tony requested suggestions for other watersheds to include. Tony will update the Maine SWPA initiative map to include the Saco River and Sebago Lake Watersheds.

Comment: EPA commended NRCS for taking on the challenge, for including the various stakeholders and identifying the various issues with safe drinking water.

#### **Aquatic Organism Passage (AOP)- Juan Hernandez NRCS State Conservationist**

Juan wants to keep aquatic organism passage related resource concerns as a priority resource concerns. He acknowledged that AOPs have gained significant momentum but only in specific geographic areas, and by keeping it as a priority resource concern his hope is to expand the practice to the whole state.

Tony mentioned that construction time window to complete the projects and limited labor have at times made it unattractive for landowners to take at the 75% payment rate.

#### **Other- Tony Jenkins State Resource Conservationist**

Tony requested for additional priority resource concerns and watersheds. Juan encouraged STTC input.

#### **Practice and Planning Changes- Daniel Baumert State Conservation Engineer**

Vegetated Treatment Areas (VTAs) and Water wells:

Daniel mentioned policy changes for 2021 in relation to VTAs and water wells. Both practices will be continued to be used. He highlighted some changes.

Currently VTAs can be installed for situations with 15 or more animal units (A.U.) with a 300' surface water setback, and 100' surface water setback for operations with 15 A.U. or less. All well setbacks are 300'.

Daniel is proposing more limitations on VTAs, any application with 10 A.U. will have surface water setbacks at 500' and wells 300' setback. VTAs are limited to composting pads with 5% carcass and/or offal and/or meat composting content. VTAs are limited to manure storages with 5 tons or less.

The usual alternative is a roof to prevent runoff if setbacks can not be met. Written waivers to surpass the limitations are still an option if roofs are not an option and the resource concern can be met through a VTA. Daniel is addressing other issues, such as sizing for the solid retention area, modifying sites to meet the separation limitations for groundwater and bedrock, and a possible payment scenario for modified sites.

Question: Do setbacks take into account gradient flow? If not, could this reduce setback distances?

Answer: Yes, it currently setbacks take into account where the runoff is directed.

Daniel moved on to water well policy changes. Water wells under the Environmental Quality Incentives Program (EQIP) are limited to address the resource concern of insufficient water as a result of DEP low flow rule. Can not use the well practice to replace an existing well. EQIP irrigation projects are prohibited to use wells to bring new land under irrigation. Wells under EQIP are not for livestock or pasture; there is a waiver process if the primary resource concern is water quality.

Water wells under the Agricultural Management Assistant (AMA) program allows wells when a water supply is not currently available or deemed insufficient by a NRCS engineer.

Proposed changes for both programs (EQIP and AMA), wells can be used for pasture and livestock situations to meet specific resource concerns identified in implementing a grazing management plan. Wells still need to meet the pumping rate for the operations' objectives; a pumping test is required. There is no payment rate for dry holes or test wells, but there is a payment rate for well testing. If the original well does not meet the required water needs and another well is developed a second well test will not be paid for even though another well test will be needed for the second developed well.

Maine wells are small for micro-irrigation systems and livestock. Typical pumping rate needed is 10-20 gallons per minute (gpm). Maine does not have aquifers for 100 gpm applications or large irrigation systems like potato rotations.

Juan clarified that policy changes for VTA & Water wells are to be implemented started August 1, 2020.

Comment: "DEP is in strong support of the expanded well practice to address livestock access to water resources" — Wendy Garland, Maine DEP

**2021 NRCS Funding Priorities- Susan Arrants ASTC for Programs**

Susan Arrants directed everyone to the website link <https://www.nrcs.usda.gov/wps/portal/nrcs/detail/me/technical/stc/?cid=nrcseprd1577836> to review NRCS funding priorities, especially EQIP. She asked whether the STTC agreed or opposed using the individual appraisal option for determining agricultural and wetland easement payment rate per acre, because there are not many applications to compare. The individual appraisal option will have an 80% appraised value per acre with a \$5,000 per acre limit for 2021. No one opposed.

NRCS receives AMA funds from the Risk Management Agency. The funds focus on mitigating risk, and currently AMA funds are used for high tunnel systems and irrigation systems. Susan asked about expanding AMA funding for 2021 and where to utilize AMA funds.

Every year NRCS needs to identify the priority resource concerns for the Conservation Stewardship Program. Susan asked input for 2021 and proposed the priority resource concerns from years past barring slight name changes to the resource concerns. The agricultural applications' priority resource concerns are: concentrated erosion; degraded plant condition; soil quality limitations; field sediment, nutrient and pathogen loss; terrestrial habitat. The non-industrial private forestry applications' priority resource concerns are: concentrated erosion, degraded plant condition; plant pest pressure; soil quality limitations; terrestrial habitat.

Susan discussed 2021 EQIP funding based on an estimated \$11 million budget; 2020 EQIP budget was around \$10,700,000. The 2021 EQIP budget includes \$360,000 to NWQI and \$80,000 for the Working Lands for Wildlife- New England Cottontail. These funds must be used within these categories, any surplus is returned to national. Required funding categories or pools include the energy initiative, organic initiative, and conservation innovation grant (CIG). Surplus funds can be used for other categories including local fund pools. Subaccounts include 5% from the general allocation to beginning farmers which is \$528,000. Other subaccounts are \$500,000 for conservation activity plans, \$300,000 for CIG (not allowed more than 5% from the general allocation. 2020 is the last year for state high tunnel system subaccount. High tunnel systems are still offered in the state organic, socially disadvantaged fund pools and in the local Field Office fund pool if designated by DC with the Local Working Group recommendation. Water conservation or irrigation funding pool is \$1 million, decided from the last STTC meeting to fulfill the irrigation application rate as the same as the general EQIP application rate, for fiscal year 2019 it was 52.7%. On Farm energy, required category, budget is \$50,000, organic initiative is \$250,000. Pollinator interest has grown setting aside \$100,000, and reserve 1% of the general allocation incase final estimates are higher. \$1 million is for an ag waste subaccount, there is no longer a statewide ag waste pool, however, local field offices might have a large ag waste application at the top which bottlenecks the rest of the ag waste applications. The ag waste subaccount is set-aside to address high dollar, higher ranking application for field offices to able to fund the applications and get to lower ranking projects. The ag waste subaccount surplus can be move to other funding pools. Socially disadvantaged is budgeted at 5%, any surplus can be move to other funding pools. Tribal subaccount is \$300,000. Altogether is \$4,661,600, leaving \$6 million for the local field office pools. Field office pools estimated need is 56% of the EQIP budget. These are all estimates. Susan asked for input from the STTC.

Question: Are District Conservationists having trouble getting in applications and implementation to get funding out the door because of the virus?

Answer: Some flexibility has been given to acquire signatures remotely, some D.C.s are concerned about moving forward with NRCS contracts because of the current economic situation. Nothing has been heard about issues with submitting applications. This year NRCS has a new tool, CART, which is challenging to utilize, it is being developed as NRCS uses it. Hoping to stay on schedule with a May 8 ranking deadline.

### **Review of new NRCS ranking procedure and implications: Conservation Assessment and Ranking Tool (CART)- Tony Jenkins & Susan Arrants**

Tony's staff has been working with the field offices to utilize CART. The tool forms an assessment, which includes inputting the resource concerns, existing condition on the land, existing conservation practices, planned conservation practices, and quantifies expected outcomes to solve the resource concerns. Then ranking happens where the application competes in multiple pool as applicable to the project scope. The ranking still uses national, state, and local questions. Some field offices have unique fund pools, and pools have had to be consolidated because the tool limits the number of pools.

Tony mentioned that NRCS is required to use CART this year. Ranking is based on five factors: the existing condition in relation to the resource concerns; how well the planned practices address the resource concerns; category and questions from the ranking; and an efficiency score. Susan's staff has gone to great lengths to ensure the local working group input is still in this national tool, CART.

Question: Does the assessment take the conservation plan into account?

Answer: The assessment utilizes information from the field notes about the existing condition and the conservation plan practices to address the resource concern(s).

Question: How is national (NRCS) responding to the virus affecting the ag sector?

Answer: National is monitoring especially animal mortality and milk and potato disposal.

### **Sense of the STTC on issues- Tony Jenkins**

Tony asked for input on the 2021 funding plan. The Maine SWPA initiative map is supplemental to include the Saco River & Sebago Lake watersheds, Tony asked for input. Tony asked for more input on the AOP discussion, and any suggestions for priority resource concerns. He reiterated that due to the remote nature of the meeting, it is important for members to email or otherwise communicate input even after the meeting.

### **Agenda Items for Next Meeting & Closing Remarks- All**

Next STTC meeting is proposed prior to the end of the current fiscal year. By then NRCS will have a better idea what the fund pool needs will be for fiscal year 2021 based off fiscal year 2020.

Obligation deadline (fiscal year 2020) for AMA, EQIP, RCPP-EQIP is 09/01/20. Proposed agenda items:

-CART

-CIG- share what is going on around Maine

Comment: Thankful to Juan for his service from EPA and Maine DACF

Submitted Comment: One item that NRCS may want to consider is funding assistance with Potato disposal under ag waste. 2020 will likely see a very large number of potatoes being dumped due to the current situation. Back in 2004 NRCS provided some assistance and I foresee growers reaching out for help with this: George McLaughlin.

Meeting end: 12:16 pm

Minutes taken by Jaime Sandoval, NRCS-Maine