

State Technical Committee Meeting Minutes  
January 24, 2012  
USDA Conference Room  
10:00 AM – 1:00 PM

Juan Hernandez, NRCS State Conservationist, opened the meeting and asked the members to introduce themselves.

Juan welcomed Sigrid Houlette, St. John Valley Soil and Water Conservation District Representative, to the meeting via teleconference.

Juan spoke about the Farm Bill being a very interesting topic this year and was happy with proposals that were submitted. NRCS does not expect as an agency to have the Farm Bill finished this year. The Farm Bill will bring unique challenges to NRCS, and how NRCS will deliver them. Juan wanted the State Technical Committee (STTC) to remember the importance of their role as STTC members. He explained the roles of the STTC being an advisory group, and do not have any implementation or enforcement authority.

**STTC Functions, Responsibilities, Membership and future Agenda Topics – Chris Jones, ASTC for Special Projects - NRCS**

Chris encouraged the members to look at Maine's NRCS STTC website located at: <http://www.me.nrcs.usda.gov/StateTechCommittee.html> . This site contains all the information and documents regarding the STTC. There are various forms and documents for potential new members, listing of all STTC members, prior meeting minutes, and documents presented at the meetings. He encouraged the members to outreach to groups and individuals who are interested in natural resource concerns in Maine.

**\*Juan spoke about a discussion that was in the May 23, 2011 STTC Meeting Minutes, involving prioritizing the Natural Resource Concerns for specific land uses this year. NRCS needs to keep true to these prioritized resource concerns. The ranking guidelines assist NRCS in investing dollars in Maine. We will have a State Resource Assessment and establish priorities for FY2013. NRCS needs recommendations from the STTC on this process and NRCS is relying on members for their feedback for actions in FY2013.**

Question – Is this a statewide plan for priority funding?

Answer - Each District has their own committee and funding. The function of the STTC is to serve as an advisor to the State Conservationist on a statewide level. There is a similar committee called "USDA Local Working Group" (LWG), which actually functions on the boundaries of the local Soil and Water Conservationist District.

There are a certain amount of funds that NRCS has programs for and accept applications on a statewide basis. The majority of funds are directed through the LWGs and county offices. The majority of funds are distributed and directed by the LWGs pertaining to whatever funds they receive.

Bill Yamartino, NRCS Assistant State Conservationist (ASTC) for Programs, addressed the Water Quality Initiative issue. NRCS is still waiting for guidance from the National Office in Washington. The National Office determined that NRCS in Maine set aside 5% of the

Environmental Quality Incentives Program (EQIP) funds this year, but we have the option to increase the amount to address water quality issues specifically from a nonpoint source and impaired watersheds.

**Juan requested the STTC to recommend three 12 digit Hydrologic Unit Codes (HUC) impaired watersheds from the “303D Watershed Listing” developed by the Department of Environmental Protection (DEP). NRCS is required to select at least one this year. He suggested the committee meet via teleconference to discuss this recommendation. Juan is going to inform the committee on the selection process and will keep them posted of any changes. All updates and changes will be located at: <http://www.me.nrcs.usda.gov/StateTechCommittee.html>**

Question – What type of impairment is targeted?

Answer – Nonpoint source pollution.

**Wetland Reserve Program (WRP) Easement Compensation Rates – Maine NRCS 2012 WRP Geographic Area Rate Caps (GARCs) – Bill Yamartino, NRCS ASTC for Programs**

See “[Maine NRCS 2012 WRP Geographic Area Rate Caps](#)” map.

NRCS has been using the GARC rates for the past four years to establish the valuation for WRP easements. We are seeking input and recommendations from the STTC to formerly adopt these rates for WRP. NRCS had little participation the first three years outside of the Farm & Ranch Lands Protection Program (FRPP), which uses a separate process. There was very little participation in WRP for new permanent easements. An actual market survey was done this year by appraisers across the state. Prior to the market survey being conducted, NRCS used National Agriculture Statistics Service data, because they do a complete market survey every three or five years by county of land values. We looked at their county data and worked with various land trusts and State agencies who work with easements. NRCS developed some values based on this general market survey. The market survey looked at numerous transactions in each county to establish a per acre typical land sales rate of the type of lands that would be enrolled in WRP. We previously made assumptions on these types of open lands being agricultural, forestry or working lands. The easement value came to 80% of the land value, and was the same number we received a couple of years ago. We applied that same value against the open forest land values in the latest market assessment. The GARC rates for WRP last year ranged from \$350 to \$1,500, and this year ranged from \$500 to \$1,600.

Under the WRP rule, easement compensation is determined to be the lesser of an actual appraised value, these GARC rates, or a landowner offer. NRCS has made a policy decision for WRP not to conduct individual appraisals. Bill stated NRCS basically has two options. One of the options is to work with the landowner that will accept the GARC rates we are proposing, or they offer to accept less compensation.

Question – In regards to WRP, is it easements located on wetlands, or on whole parcels that contain wetlands?

Answer – Eligible land under the WRP program is primarily wetlands, but can include adjacent lands. This relates to open agricultural lands and wetland based land on soils. An example would be wet pastures and wet hayfields. All these lands mentioned are eligible to be enrolled.

In forestlands, we look at places where the hydrology was significantly manipulated so some of the wetland functions have been lost.

**The State Technical Committee made a recommendation to adopt these GARC Rates for 2012.**

Question: Are these the rates that are going to be used county by county?

Answer - Yes, these are the flat rates.

The WRP application period is open until March 30, 2012. Under the easement program of WRP is where the restoration takes place. NRCS pays the restoration and maintenance expenses. NRCS is required to check these on a regular basis.

NRCS used the WRP rates for funding the Flood Plain Easements one year. There is an option to participate in WRP and just do the restoration work, and this would be considered a permanent easement. There are also 30-year easements, but are primarily used by tribes. The rates for 30-year easements are based on a cost-share basis, unlike rates for permanent easements that NRCS pays 100% of the restoration.

Question – Is the landowner required to engage in restoration of an impaired wetland?

Answer - The landowner does not have to be engaged in regards to the restoration work. They are not the decision maker of the restoration work. When NRCS purchases the easement they purchase the restoration work also.

Question - How many acres are currently under WRP in Maine? How long has the program been around?

Answer – The program in its current state has been around since the middle 90's. We have six properties that have easements on them and another one in the process. The total number of acres in Maine is less than 1,000.

**Program Updates/Payment Schedules (State, Regional, National) and Program Initiatives - Susan Arrants, NRCS Resource Conservationist**

See "[Maine NRCS Program Schedules FY 2012](#)" document.

**Agricultural Management Assistance (AMA) Program.** NRCS is one of 16 states that receive this funding and have used the funds for new irrigation systems. We have to split the \$295,000 we received this year between small and large scale irrigation categories. We are not basing on the acreage of an operation, but the equipment. The smaller scale operations would include micro irrigation and larger scales cover center pivots and other sprinkler systems. We set aside \$50,000 for smaller scale operations and the remainder of the dollars targeted to the larger scale system. NRCS does not expect any additional allocations in AMA this year.

**Conservation Stewardship Program (CSP)** – We are in the middle of an application period that ends on January 27, 2012. We do not have initial allocations for this program because the National Office bases the allocations on the number of acres offered for enrollment. This program carries throughout the Farm Bill Program.

This year's allocation will be for new contracts. The CSP program delivery is different than our other financial assistance programs. We receive funding on a yearly basis for payments. It is not all obligated up front like the other programs.

Question – How much forestland has been enrolled in this program? What percentage of their enrollment includes forestland?

Answer - There are over 70,000 acres enrolled in the program. The majority of these acres are Non-Industrial Private Forest (NIPF).

The following is the summary by county:

COUNTY	Number of NIPF Applications
<b>Androscoggin</b>	1
<b>Aroostook (Houlton)</b>	3
<b>Oxford</b>	3
<b>Penobscot</b>	2
<b>Piscataquis</b>	1
<b>Waldo</b>	2
<b>Washington</b>	1
<b>Grand Count</b>	13

**Environmental Quality Incentives Program (EQIP)** – We have EQIP split up into a couple of consistent categories. The Conservation Activity Plans (CAPs) in Maine are very popular. This year, we set aside \$1,000,000 for CAPs. Last year most of the CAPs dollars went into the Forest Management Plan CAPs. We take applications on a continuous basis and we fund those on a first-come first-serve basis. Eligible applications will be funded as long as fiscal year funds are available, but no later than July 1, 2012.

NRCS has national initiatives to deliver this year. These include certified organic, transition to organic, seasonal high tunnel and energy.

The “General EQIP” is the County Pools or the Local Working Groups (LWG) recommendations from the local Service Centers. We also have a Statewide Irrigation Initiative. NRCS will be looking at applications received by July 1, 2011. The Ranking and Evaluation deadlines for those applications will be February 24, 2012, and the State Obligations deadline will be May 11, 2012.

The Local Working Groups have given NRCS their recommendations for addressing local priority resource concerns.

Susan discussed the basics of the new National Initiatives, which are Organic – Certified, Organic – Transition, High Tunnel & Energy. The National Office has split the initiative delivery into three batching periods. The intent is the applications will compete in the first period (ending on February 3, 2012). The applications that do not receive funding in the first period, plus

applications received after February 3 can compete in the second round. If there is money remaining that could support a third round, NRCS would have a third round outlined on the schedule.

The ranking will be done on a statewide basis, and NRCS will request the money at the end of the ranking preapproval stage.

The ranking sheets have three parts to the National, State and Local question issues. The National Office dictated the National and State questions, and the local questions NRCS developed at the State level. All of the applications will be ranked with the same ranking sheets and questions no matter where they are located. \$50,000,000 is available nationally for the organic initiative.

Question –Is there some sort of State allocation that meets the national ranking?

Answer – They do not take the ranking that comes from the Maine applications and put into a large pool. They look and see that Maine has 50 applications, and needs \$1,000,000. Applicants from Maine do not have to compete directly with applicants from other states. Each state will get its' own allocation.

Question - How much of the funding will Maine NRCS receive?

Answer – NRCS does not know at this time.

The High Tunnel Initiative will still have the 2178 square foot limit. If a landowner has already received funding for High Tunnels in the past, and they maxed out on that amount, they will not be eligible for this initiative. If they received a contract for a smaller high tunnel in the past, they would be eligible only for what remains of their size limit. This will be the third and last year out of a three-year pilot that NRCS has had the High Tunnel Initiative available.

Chris Jones spoke about the Energy Initiative being new to NRCS this year. He mentioned that NRCS's Chief White has added Energy as a Resource Concern for our Agency. This Energy Initiative covers both farmstead energy improvements as well as field-based energy improvements. The farmstead energy improvements would refer to various pumps in milk rooms. The milk rooms would need to have an energy audit that would meet a certain standard, and NRCS offers energy audits as one of our Conservation Activity Plans. They do not need an energy audit for a Landscape practice. For example, we have cover crops that have legumes and use nitrogen. We could figure out the energy savings by using that source of nitrogen instead of using commercial nitrogen.

NRCS does not know the dollar figure available under the Energy Initiatives at this time.

**General Wildlife Habitat Incentives Program (WHIP)** – The General WHIP allocations are very small nationwide. We do not expect any dollars in 2012.

There is a concern about the New England/New York Forestry Initiative under WHIP this year. NRCS has been delivering the Forestry Initiative under WHIP in the past, but will deliver it under EQIP this year.

Bill explained to the group, the last two years we received approximately \$2,500,000 under the Forestry initiative which was about half of the total allocation to 7 states. We do not know what we will be receiving this year.

Question – Can you give the committee a brief overview of what the Initiative is?

Answer – NRCS has selected certain conservation core practices that are important to maintain our forestland in the New England and New York region. The core practices are Brush Management for the control of invasive plants, Early Successional Habitat Development and Management, Fish Passage, Forest Stand Improvement, Forest Trails and Landings, Herbaceous Weed Control, Riparian Forest Buffer, Tree and Shrub Establishment, and Upland Habitat Wildlife Management.

NRCS looked at various practices, but we typically looked at the wildlife benefits or habitat type. The emphasis is keeping Northern forests as forests in a National perspective. The challenge is the eligibility between WHIP and EQIP is different. Landowners that have had applications under WHIP and do not have a Forest Management Plan will not be eligible for EQIP funding.

NRCS is still accepting applications this year. NRCS will be sending out a press release soon.

Question – Are the 2013 funds under EQIP Farm Bill dependent? Is the cutoff date on July 1, 2012?

Answer – Yes, the application cutoff date for general EQIP is July 1, 2012 for next year's consideration. We are not sure what the 2013 allocations will look like at this time.

Juan stated EQIP is doing well in regards to the new Farm Bill. If everything stays the same, EQIP will still be one of those programs.

Susan spoke about this year's challenge of going through the payment schedule with the assistance of John Long, Economist. The National Office determined that there were going to be certain practices regionalized on the payment schedule. There were 15 of those regionalized practices, and Maine delivers 14 out of the 15. The conservation practice rates listed on the payment schedule are common across all 6 New England states.

Some of the regionalized payment rates may be greater than what we had in Maine. Some of those rates were lower. The rates are posted at <http://www.me.nrcs.usda.gov/programs/EQIP2012.html>.

There were certain conservation practice payment rates that were nationalized in 2012. The nationalized rates included the different Conservation Activity Plans and the Seasonal High Tunnel rate. The only Conservation Activity Plan not included in the Nationalized Payment Rate exercise was the Comprehensive Nutrient Management Plans (CNMPs). NRCS will have the same rates for CNMPs this year as it had last year.

See "[Maine NRCS Practices with FY 2012 Regionalized or Nationalized Payment Rates](#)".

### **Review of 2012 Application Ranking Summary (Irrigation) – Bill Yamartino**

See "[2012 Application Ranking Summary \(Irrigation\)](#)".

NRCS is proposing to change the Irrigation Ranking Summary sheet for 2012, which is a Statewide Initiative. All the National questions located under the “National Priorities Addressed” section and the points associated are established nationally. Under the “State and Local Issues Addressed” section, we have used the same points in the last couple of years for irrigation applications. Bill explained under section “State Issues Addressed” - Question #2 on Page 2, there are three different parts that have been rewritten this year by NRCS and the Maine Department of Environmental Protection (DEP). Under EQIP relating to Irrigation sources, the reduction of water usage is required in EQIP.

Bill discussed with the group “Questions 2a, 2b and 2c – State Priority Issue” located on Page 2. *Is the irrigation water source subject to State of Maine low flow rules? If yes, award 100 points.* Bill described in more detail the three basic questions that people are using with these regulated water sources and how we came up with the points.

Bill spoke about looking at the other questions in the Application Ranking Summary. NRCS took out some questions in this ranking tool that were not related to water use. The “Local Issue” questions look at how efficient a system you are installing, and if you install a more efficient system you receive more points.

There were comments made by the committee in relation to Question #6 on Page 2. The opinion of the STTC was that it should be combined with question #4 of the ranking sheet.

**The State Technical Committee recommended the “2012 Irrigation Ranking Summary” to be used with the exception of Question #6 being combined with Question #4 on Page 2.**

In 2011, we made a commitment to create a statewide irrigation allocation to comply with low flow rules by August 22, 2012. An Irrigation Subcommittee of the State Technical Committee’s major role would be to look at these irrigation and endangered species issues. They would need to come up with what the continuing needs are and what level of commitments are necessary beyond August 22, 2012.

**Juan stated we have an ongoing agreement that expires at the end of this fiscal year and recommended the committee establish an “Irrigation Subcommittee” branched from the State Technical Committee. He also recommended the STTC receive detailed instructions on the process of developing a Subcommittee.**

One of the roles of the Irrigation Subcommittee would be to help NRCS move forward after our existing current Memorandum of Understanding (MOU) with Maine Department of Agriculture and Maine Department of Environmental Protection (MDEP) expires. **If you are interested in serving on the irrigation subcommittee let Christopher Jones, NRCS, know as soon as possible.**

### **Conservation Reserve Program (CRP) – Ken Gustin - Farm Service Agency (FSA)**

See [“2012 CRP Eligible Practice Cost List”](#).

See [“Per Acre Maintenance Rates for Continuous Signup Practices”](#) handout.

Ken described briefly what the Conservation Reserve Program (CRP). The Secretary of Agriculture for Farm Service Agency announced there will be a Conservation Reserve Program (CRP) General Signup, beginning March 12 and ending on April 6, 2012. The CRP has a 25-year legacy of successfully protecting the nation’s natural resources through voluntary

participation, while providing significant economic and environmental benefits to rural communities across the country. CRP is an important program for protecting our most environmentally sensitive lands from erosion and sedimentation, and for ensuring the sustainability of our groundwater, lakes, rivers, ponds and streams. The CRP is a voluntary program available to agricultural producers to help them use environmentally-sensitive land for conservation benefits. Producers enrolled in CRP plant long-term, resource-conserving covers to improve the quality of water, control soil erosion and develop wildlife habitat. In return, USDA provides participants with rental payments and cost-share assistance. Contract duration is between 10 and 15 years. Producers with expiring contracts and producers with environmentally sensitive land are encouraged to evaluate their options under CRP. Producers also are encouraged to look into CRP's other enrollment opportunities offered on a continuous, non-competitive signup basis. Currently, about 30 million acres are enrolled in CRP, and contracts on an estimated 6.5 million acres will expire on September 30, 2012. Ken Gustin asked STTC if they have a recommendation for maintenance rates for CRP practices.

**The State Technical Committee recommended these maintenance rates to the FSA State Committee for a Final Decision.**

### **National Environmental Policy Act (NEPA) – Network Diagrams – Christopher Jones**

Chris mentioned the development of the NEPA document is to cover our conservation programs. The policy states, as we develop new or revise existing conservation practices, NRCS will also be responsible to revise the Network Diagram document. The Network Diagrams shows the impacts of various conservation practices on resources. For example, the Farm Energy Improvement Practice deals with improvements made on pumps, heating exchangers, etc., within the farm building. The diagrams look at the impacts on the various resources. He emphasized to the group that the Network Diagrams reflect the new energy initiatives and they are posted at <http://www.me.nrcs.usda.gov/STTCMeetings2012.html>.

### **Questions & Answers**

Question – Are there statues that are barriers for having certain practices on the ground in Maine?

Answer – Bill stated on the “wildlife side”, the WHIP payment limitations and the restrictions make a huge difference compared to what NRCS did in the past. This relates to the legalities being changed and payment and funds limited.

Question – Is there any latitude in regards to the Farm Bill dealing with the Industrial Forestland owners?

Answer – By statute and rule, Industrial Forest Lands are not eligible for NRCS conservation programs.

There was a consensus by the committee that felt it would be useful to provide feedback to the State Conservationist about the forestry aspects of NRCS programs, including EQIP, WHIP, New England/New York Forestry Initiative, CSP and the TSP program. As evidenced by the growing number of the Conservation Activity Plans and other forestry practice implementation contracts, this topic has become a big part of the NRCS mission in Maine.

**A recommendation was made for the STTC to create a Forestry Subcommittee this year.**

**Juan Hernandez asked if STTC meetings should be held on a regular basis or only when there was a need with specific items that need to be discussed.**

**The STTC recommended the meetings be held only when there were specific topics on the agenda to address.**