

Ohio Soil and Water Conservation Commission
April 17, 2013 – ODNR Fountain Square Building E
DRAFT Meeting Summary

Call to Order (1:00 pm)

Pledge of Allegiance

Roll Call Commission Members Present

Chairman Tom Price

Bill Knapke

Kevin Elder

Etta Reed

Kris Swartz

Fred Cash

Additional Attendees

Karl Gebhardt, Jill Evans, Martin Joyce, Liz Cline, Rob Hamilton, Mark Bruce, Mike Bailey, Ted Lozier, Tina Ray (ODNR-DSWR); Michelle Lohstroh (NRCS); Mindy Bankey (OFSWCD); Steve Maurer (FSA); Tia Rice and Michelle Mattix (OASWCDE); Andra Troyer (OFBF)

Welcome

Chairman Price called the meeting to order and asked if there were any additions or changes to the meeting agenda as presented. Fred Cash moved to approve the agenda as presented, and Kris Swartz seconded. Motion carried.

Chairman Price then asked if there any additions or corrections to the January 23, 2013 meeting minutes, as presented. Kevin Elder and Etta Reed both offered corrections to the minutes. Kevin Elder moved to approve the minutes as corrected. Bill Knapke seconded. Motion passed.

Commission Member Comments

Etta Reed reported that the Urban Task Force has met again, and the group will be identifying a legislator who can sponsor clean-up legislation addressing several areas of the Ohio Revised Code and Ohio Administrative Code.

Kevin Elder deferred comments until the ODA report.

Bill Knapke reported the Mercer SWCD, as a recipient of one of the nutrient reduction outreach grants, has been working with a group of producers to help keep CNMPs up to date. Bill also reported that he has been involved in several meetings relative to the new legislation moving forward.

Kris Swartz deferred comments until the OFSWCD update.

Tom Price reported that farming practices have changed significantly since the 1980s, where a typical 5-year crop rotation would include corn, wheat, and several years of hay, with very little soybeans. Because of huge changes in practices, we now have P and N leaving fields. Tom emphasized that even though 90-95% of farmers are doing the right thing, emphasizing the 4Rs conveys the message to the public that we're not doing the right thing already. Tom stated that much greater emphasis should be placed on the benefits of natural design waterways.

Fred Cash reported that he found the Ohio Federation of Soil and Water Conservation Districts (OFSWCD) annual meeting to be very informative and effective.

Executive Secretary Report

The commission acted on two board appointments:

Summit SWCD: Brian James has been recommended to replace David Whited. Kevin Elder moved to approve. Bill Knapke seconded. Fred Cash asked for clarification as to how long the term for the new supervisor will be, which will extend to 2014. Motion carried.

Delaware SWCD: John Miller has been recommended to replace James G. Sherman. Kris Swartz moved to approve. Etta Reed seconded. Fred Cash also asked for clarification as to how long the term for this new supervisor will be, which will extend to 2015. Motion carried.

Recognition of Guests

Andra Troyer, Southwest Women's Trustee for the Ohio Farm Bureau Federation was introduced by Karl Gebhardt. Andra farms with her husband in Madison County, and is a former SWCD supervisor. Mike Bailey introduced Mark Bruce, who is a new Public Information Officer with ODNR. Mark was raised on a Licking County farm, and will be handling media relations issues for the Division of Soil and Water Resources.

OSWCC Action and Discussion Items

LSC Draft Nutrient and Water Quality Legislation

Karl Gebhardt discussed the status of the draft Agricultural Nutrient and Water Quality legislation. ODNR, in partnership with ODA and OEPA has held a series of stakeholder meetings over the past several months, seeking input on the draft legislation. The purpose of the legislation is to implement specific recommendations from the Directors' Agricultural Nutrients and Water Quality Working Group final report. On March 5th, a meeting with all the stakeholders was held at ODA, in which the draft was shared with agricultural and environmental organizations for the first time. Subsequent to that meeting, ODNR and ODA have been meeting one-on-one with stakeholder groups to further discuss the draft. The draft legislation has been beneficial in sparking a very good and much needed discussion. The main focus of ODNR's portion of the legislation is establishing how we can get more Nutrient Management Plans done.

Based upon all of the written comments which were submitted on April 5th, ODNR, OEPA and ODA will next meet, and discuss what changes will be made. Karl mentioned that it was his hope that a bill could be introduced before the legislature breaks for the summer, and the bill could then be further discussed through the fall.

Fred Cash commended the three agencies for their efforts in reaching out to all the stakeholders, which makes the proposal credible. Fred also commended the leadership of the three agency directors, as they are all well-qualified and know the industry. Fred shared that he was concerned about the proposed change in the legislation to the process by which a distressed watershed is designated, whereby the OSWCC would only be notified of a proposed designation, as opposed to being an active participant in the decision.

Agricultural Pollution Abatement MOU

Karl reported that the OSWCC had approved an MOU at its January 23, 2013 meeting. Since that time, and based upon discussions with leadership from the OFSWCD and the OASWDE, ODNR-DSWR has proposed to revise the MOU, specifically changing items #13 and #14. The purpose of the change is to better clarify the intent of ensuring that the Chief can recommend to the OSWCC that the district be invoiced by ODNR-DSWR for division staff time, if a District notifies the Division that they choose not to carry-out the requirements of OAC 1501:15-5 or the MOU. Karl also reported that, working in conjunction with the OFSWCD, the new MOU will be sent to all districts with a cover letter, and an extended timeline by which to return the executed MOU to ODNR-DSWR.

Kris Swartz moved to rescind the previous MOU, and replace it with the revised MOU, as presented. Fred Cash seconded. Motion carried.

SFY 2014/2015 Budget Update

Karl shared that a Substitute bill is currently in the Ohio House, and the Ohio Senate has started to hold informal hearings. Overall, both the Division of Soil and Water Resources, and the department as a whole, are faring well from a financial stand point. Some policy issues relative to oil and gas have been pulled out of the budget, but funding is still looking good overall.

Local Appropriations Estimates

Jill Evans provided the OSWCC with two handouts: "Fund 5BV0 Revenue" and "State Match." In summary, revenue is overall running about \$300,000 ahead of projections. Jill also reported that \$46,794 of funds were unused from the \$180,000 in funds which the OSWCC had set aside for the Nutrient Reduction Outreach Grant.

Bill Knapke made a motion to transfer the \$46,794 in unused funds back into the State Match fund for FY 13. Kevin Elder seconded. Motion carried.

Jill also reported that the grand total of local funds is up above nearly \$400,000, most of which is county appropriations. Overall, state match funds are currently running 82%-85% of local funds.

Jill shared that this will be her second to last OSWCC meeting, as she will be retiring effective September 30, 2013.

SWIMS SWCD 2012 Summary Reports

Martin Joyce provided each member of the OSWCC with a binder of handouts, which were various reports generated from SWIMS. Included in the binder was the "2012 SWCD State Technical Summary Report" for all BMPs and services installed/delivered in 2012, and the quantities of those services. Also provided to the OSWCC was a district-by-district breakdown of the "2012 Technical Summary," and a district-by-district breakdown of the "2012 Education & Outreach Summary."

Martin pointed out the OSWCC would historically receive a one-page summary, but the DSWR wanted to provide the OSWCC with a copy of each county's report, in order to provide the OSWCC a fuller and more detailed picture.

Nutrient Reduction Outreach Grant Summary

Mike Bailey summarized the spreadsheet that members of the OSWCC were provided in their agenda packets. With \$180,000 made available for the grants by the OSWCC, a total of \$169,086 was requested by 27 applications. The 27 applications represented 29 SWCDs. Of the total of \$169,086 which was requested, \$133,206 in funds was sent to districts. The remaining balance of \$46,794 in unused funds was just approved by the OSWCC to move back into state match.

Tom Price asked which projects particularly stood out, and Mike had referenced the success and applicability of Mercer SWCD's project, as Bill Knapke had earlier discussed. Tia Rice had also shared that Seneca SWCD's nutrient reduction outreach project was very successful, and she fully supported future grant opportunities similar to this one.

Update on July OSWCC Meeting

Liz Cline provided members of the OSWCC with an agenda of the July 9th – 10th tour of Southwest Ohio's Area IV. Liz shared the details of the various planned stops on July 9th, and the location of the OSWCC Meeting at the Warren County Engineer's Office at 9:00 am Wednesday July 10th. Liz shared that she will be providing more information in June to members of the commission, in preparation for the meeting.

Agency and SWCD Reports

OSU: No report.

NRCS: Michelle Lohstroh reported that Ohio will have approximately ½ of the amount of funding for EQIP this year as compared to last year. Additionally, the over 100 various funding pools have been re-arranged into a resource concern base, which means that many SWCDs with zero or one applicants will be funded accordingly. Michelle also reported that a number of SWCD employees using the USDA backbone for computer use are not taking the mandatory training. The deadline for the Hispanic and Women Farmers and Ranchers Claims Resolution Process has been extended through May 1st. National Volunteer Week is April 21st – 27th. The small farmers' conferences in Wilmington and Zanesville have been well attended, and there has been a lot of interest in soil health and grazing. Over 500 people attended an event at David Brandt's farm recently.

FSA: Steve Maurer provided members of the OSWCC with a handout titled "Ohio FSA Update." Steve reported that FSA is about to replace its 1986 computer system with a newer system, and this change will be good for the agency. The anticipate CRP sign up period will be May 20th through June 14th, for both continuous and general acres. Steve expressed a desire to tweak the Lake Erie CREP program, as there are still a lot of acres to be utilized.

OEPA: No report.

ODA: Kevin Elder reported that the Division of Livestock Environmental Permitting currently has 14 new and expanding applications going through, including a 4 million hen egg-laying operation in Defiance County. NPDES-related legislation is included in the current budget bill, as USEPA is requiring changes to certain criminal penalties. The Dangerous and Wild Animals Building is complete, and the issue

continues to receive a lot of attention. The Phosphorus Task Force II continues to meet, of which Karl Gebhardt co-chairs with Kevin and Gail Hesse of the Ohio Lake Erie Commission. The pilot dealer 4R certification program continues to develop.

ODNR: Karl Gebhardt reported that, of the five Chief's Orders in Grand Lake St. Marys (GLSM), three appear close to satisfying the requirements of the order. Relative to monitoring in the lake, the monitoring of both nutrient and flow is taking place on both tributaries, and also on the outflow on the Beaver (as of May 1st). The issue of hydraulic fracturing and water withdrawal continues to be important, as the number of registrations have increased from 20 applications last year to 65 this year. The department has recently entered into a contract with a consultant to evaluate all water monitoring programs that are currently out there, in order to develop an effective model.

The Division of Wildlife will be conducting a Wildlife Council meeting, in which proposed changes to deer hunting regulations will be considered. Fred Hammon is now working for the division in eastern Ohio, in an effort to provide more resources to issues relative to pipelines and hydraulic fracturing.

OFSWCD: Kris Swartz reported that the federation had a successful annual meeting, the Board of Directors had a good discussion with Chief Gebhardt relative to the MOU and the draft legislation. Mindy Bankey reported that Summer School is coming together, and that participation in volunteer week and development of the dealer certification program have all been important. Districts all over Ohio have been very active in nutrient stewardship, and over 40 staff members recently completed the online course offered by the American Society of Agronomists. The OFSWCD will continue in partnership with Scotts through the Healthy Lawn Initiative.

OASWCDE: Tia Rice reported that the Association had a good annual NACD fly-in to Washington, D.C., and that she and Michelle Mattix had a good conversation with Karl last month. Tia shared Karl has agreed to visit SWCDs in each area with the OASWCDE. Tia stated that she is excited to serve as the new president of the association.

Chairman Price requested a motion to adjourn at 2:45 p.m. Kevin Elder moved. Etta Reed seconded. Motion passed and meeting was adjourned.