

**Natural Resources Conservation Service
Utah State Technical Advisory Committee Meeting Notes
September 25, 2012 • 9 am – 1 pm
125 S. State St., Salt Lake City, Utah
Conducted via Video teleconference to Price, Richfield, and Ogden, Utah**

Participants:

Salt Lake City

Michele Devaney, NRCS
Travis James, NRCS
Gary McRae, NRCS
Travis Thomason, NRCS
Niels Hansen, NRCS
Elise Boeke, NRCS
Pedro Ramos, NRCS
Shane Green, NRCS
Norm Evenstad, NRCS
Michael Styler, Utah DNR
John Hilton, NASS
Bill Hopkin, UDAF
Thayne Mickelson, UDAF/UCC
Jason Roper, NRCS
Meridith Perkins, FFSL
Geoff McNaughton, FFSL
PJ Abraham, FFSL
Mark Gibbons, Dairy Producers of Utah
Carl Adams, UDEQ - DWQ
Jim Bowcutt, UDEQ – DWQ
Kate Johnson, UDEQ – DDW
Ben Radcliffe, BOR

Price

Barry Hamilton, NRCS
Roger Barton, NRCS
Darrell Gillman, NRCS

Richfield

Douglas Pace, Fremont River CD
Mark Morrell, Fremont River CD
Richard Fillmore, Fremont River CD
Andrew G. Taft, Fremont Irr. Co.
Marv Turner, FFSL
Nick Butler, FFSL
Ron Wilson, FFSL
Jason Vernon, UDWR
David R. Pace, UACD
Paul W. Pace, FSA

Ogden

Karl Fleming, U.S. Fish & Wildlife Serv.
Blain Hamp, FFSL

Michele Devaney welcomed everyone to the State Technical Advisory Committee (STAC) meeting and apologized on behalf of David Brown, NRCS State Conservationist, who was unable to attend the meeting. Everyone in Salt Lake City introduced him/herself.

Bureau of Reclamation Funding Opportunity Announcement Timeline - Travis James, NRCS

Travis James introduced himself and discussed how the Colorado River Salinity Control Program was initiated in response to a regional and international crisis. The program, started by the federal government and seven southwestern states in the late 1960's, was as a means to meet the Clean Water Act and Salinity Control Act. Seven states participate in the program,

including: Arizona, California, Colorado, Nevada, Wyoming, Utah, and New Mexico. A lot of work has been done by the government through the program in order to sustain the quality of the river and allow full development.

Travis presented a map of the Colorado River Basin and pointed out the following regarding the basin:

- It is managed by 7 states
- It provides water to 30+ million
- It produces 20% of U.S. fresh foods
- Management of the basin meets treaty obligations with Mexico
- There are nine major reservoirs which store 65 MAF or more than 4 ½ times the annual flow of 14 MAF
- The Colorado River provides more water for consumptive use than any other river in the U.S.
- The upper and lower basins are defined by law. Water is taken out of the upper basin and the lower basin is the reuse of water.

Travis stated that there are three agencies by law who are involved with the program, the Bureau of Reclamation (BOR), the Bureau of Land Management (BLM), and the NRCS. The total program funding is \$30 - \$35 million annually. The BOR's annual appropriation to the program is \$6-7 million plus \$2.6 – 3 million of match from Basin funds. The BLM's allocation is \$800,000 from the Air, Soil, and Water Program. Travis further stated that NRCS administers the program funds. The annual NRCS allocation is \$16-\$18 million plus \$6.9 - \$7.4 million of match from Basin funds. There are 11 major NRCS projects basin-wide in three states, with five major projects in Utah and Uintah Basin. NRCS is two thirds complete of their goal. The BOR needs an additional 600,000 tons of control by 2030 to make their salinity goal.

Travis pointed out that NRCS contracts for the salinity program are for the federal fiscal year, while BOR contracts are 2-3 years, with \$20 to 25 million contract opportunities. The BOR is currently in the middle of the application process and the deadline is October 1, 2012. There is a lot of competition this year.

Travis then presented the 3-Year Funding Plan. He stated that Colorado, Utah, and Wyoming have a 3-year funding plan through fiscal year 2015, with financial assistance and technical assistance funds totaling 15,688,800; 17,308,900; and 17,809,300 for fiscal year 2013, fiscal year 2014, and fiscal year 2015 respectively.

NRCS Energy Audits - Gary McRae, NRCS

Gary McRae introduced himself and said that the new NRCS energy program in Utah encourages farmers and ranchers to do an energy audit. He stated that there are five simple steps to doing an audit:

1. The producer contacts a Technical Service Provider (TSP) to conduct the audit and completes a phone interview.

2. The TSP will do a site visit and examine anything that uses energy.
3. The TSP performs a data analysis.
4. The TSP produces a report with recommendations of usages, savings, funding sources, etc.
5. The follow-up includes the TSP working with the producer to identify the right balance for energy use.

Gary stated that the main goal is to save money for farmers and for society at large. The estimated years to receive a payback are from 2.5 – 20 years, depending on the equipment. For example, the estimated payback for ventilation equipment is 4.9 years, while the estimation for a washing machine is 20 years.

Gary presented five funding mechanisms to pay for upgrades recommended by the energy audit:

1. USDA's Rural Development provides grants and loans for energy efficiency improvements through the Rural Energy for America Program (REAP).
2. NRCS funds energy improvements through the Environmental Quality Incentives Program (EQIP)
3. NRCS also funds energy improvements through the Conservation Stewardship Program (CSP)
4. Other government grants and programs
5. Power companies with rebates and programs

A STAC member asked Gary that if a farmer has to sign up with NRCS in order for the TSP to do the energy audit. Gary responded that the producer finds, hires, and pays the TSP and then NRCS pays the producer. Mark Gibbons commented that he has been contacted by a TSP and that there needs to be a real education about energy audits for farmers. Gary concluded the presentation by stating that the bottom line is that this is a way to save money in the long run. NRCS can pay for 100% of an audit through EQIP funding, but the farmer must have a contract in place with NRCS before they can contact the TSP to conduct the audit.

Nutrient Management Practice Standard Final Draft - Niels Hansen, NRCS

Niels introduced himself and stated that the NRCS Nutrient Management 590 standard is linked to regulatory mandates and is controversial across the United States. The official definition of nutrient management is managing applied nutrients, manure, and commercial fertilizers on the field. A draft of this standard was released two years ago and the draft caused a lot of uproar in national headquarters. Therefore, NRCS negotiated with national partners and edited the standard to leave more decisions to the states.

Niels said that he discussed the standard with the Utah Division of Water Quality and Utah State University staffs. He stated that in Utah we are not overly concerned about nitrates. We don't

currently have a lot of nitrate in surface water, and if that situation develops, then we will address the issue. He further stated that it is possible that nitrate causing these problems can be from a geologic source, but it is more likely that it comes from feeding operations.

Niels said that Phosphorus, however, is used as an indicator of excess nutrient loading because almost everything else is tied to it. He stated that he revised the UMARI (Utah Manure Application Risk Index), which is the Phosphorus index for Utah. The result is a new index assessment: the Utah Phosphorus Index spreadsheet. Niels presented the spreadsheet and said that it shows 'before' and 'after' relative risk for the fields observed. If the risk of nutrients leaving the field is high now, the producer may be able to do some adjustments to make it a low risk field. Niels ran through a few scenarios on the spreadsheet to demonstrate how it evaluates levels based on geographic location, soil, irrigation, cover-type, erosion, incorporation method, and other parameters.

Niels then stated that containment is the most important method of reducing phosphorus levels. When water runs off phosphorus travels with it. The best thing to do is capture that water. Using the water from many small runoff events will significantly reduce phosphorus in streams. This can be effective in some instances and may very well fit the farm and landscape. In other cases it may not be appropriate and should therefore be evaluated on a case-by-case basis.

Niels explained that a lot of producers just guess what inputs the field needs and what the manure contains. These decisions need to be made more scientifically. It is very important that manure is applied based on soil tests and manure tests.

Niels discussed the potential pitfall of someone erroneously inputting data into the index assessment spreadsheet to gain the outcome they want. For example, if someone makes a field look like it is low risk when it is not actually low risk, then we have a problem. NRCS staff needs to be sure of this before application. The TSPs in Utah are good with the older index assessment, the UMARI, and it will not be hard for them to adjust to the new assessment. Niels said that he has presented the index assessment to Utah State University and Don Hall at the Utah Department of Environmental Quality and that they were not too concerned.

A STAC member asked Niels if there are specific areas in the state where nitrates exist. Niels responded that there are high nitrate levels in some wells that have been abandoned because they are used for drinking water.

A STAC member asked why the limit is set at 50 parts per million when the agronomic need for most crops is 20 parts per million. Niels responded that farmers can "bank" nutrients in their field. They can let them accumulate in the soil, up to 50 parts per million. At 50 we get concerned that the phosphorus might start to move. There are a variety of factors that affect how phosphorus is retained in the soil.

Kate Johnson, Utah Division of Drinking Water, commented that EPA mandated that drinking water be evaluated as well. She also added that livestock grazing is not being addressed.

Mark Gibbons, with the Dairy Producers of Utah, stated that one thing producers can do to address nutrient runoff is double cropping. He said that management is critical. Dairymen want to be good players and they want the education to be able to do it.

STAC Input regarding NRCS Practice Standards - Elise Boeke, NRCS

Elise Boeke introduced herself and discussed how practice standards direct the activities NRCS performs with landowners. She touched on the practice, purpose, and criteria that need to be met as we apply these standards. She said that practice standards are developed nationally and then NRCS staff in each state tailors it to their needs. States can make the standard more protective, but not less. Elise then explained that practice standards are federally regulated, listed in the federal register, and are required to be reviewed every 5 years.

Elise stated that there can be a formal process for reviewing the standards by the STAC. She said it would be beneficial to the group if they were made aware of practices that are being changed or added, and how the practice might be applied. She asked for feedback from those present regarding how they would like to review the standards. A STAC member suggested email as the form of contact. He recommended sending a link to the technical guide and contact information regarding how they can get more information or provide comment. STAC members further requested that all comments received also be emailed to everyone. Elise agreed to send out a formal notice when NRCS receives notification of a new or changing practice standard. Then, if necessary, the review could be assigned to a subcommittee of the STAC which could present comments at a STAC meeting. From there the STAC could make an official recommendation to forward to national headquarters.

Sage Grouse Initiative Update - Elise Boeke, NRCS

Elise stated that the Conservation Objective Team formal report will be sent out to the STAC when it is available. Elise then stated that since 2010 NRCS has entered into 35 contracts with landowners to address threats to sage-grouse in Utah. She further outlined that there has been upland wildlife habitat management on 178,250 acres with a breakdown by area of: 79,393.6 acres for Area 1; 49,831 acres for Area 2, and 51,025.6 acres for Area 3. She also mentioned that 27.83 miles of fences have been marked in Utah with the purpose of decreasing the number of sage-grouse fatally flying into fences. A STAC member asked what the fences are marked with. Elise responded that PVC pipes are cut and clipped onto the fence. The biggest cost is the labor to install it.

Elise explained that NRCS Chief Dave White and Dan Ash of the U.S. Fish and Wildlife Service (USFWS) recently came to an agreement that the USFWS will provide Certainty to ranchers who conserve sage-grouse habitat should the species become listed under the Endangered Species Act. The certainty will be conveyed through a biological opinion to the NRCS. It is unclear at this point exactly how the certainty will then be conveyed from NRCS to the landowner the certainties will be up to 30 years. This is an innovative way for the USFWS to

give landowners certainties that their operations will not be impacted should the sage grouse be listed.

There were many questions from STAC members, including:

- If there is a budget cut, will Certainty be affected?
- Will Certainty apply for landowners implementing conservation practices outside of an NRCS contract and/or through a non-NRCS program?
- Is the funding specific to a certain program, for example EQIP?
- Will the contract for the actual Certainty Agreement come through USFWS or through NRCS?
- Will Certainty apply to existing contracts?
- Will there be rule making and public comment?

Elise stated that she did not know any of the details and at this point the agreement is simply a letter. She did state that the regulatory mechanism is through Section 7 and that a landowner will still receive the Certainty for 27 years after the three year contract expires. STAC members requested Elise to send them details as soon as possible.

2012 Conservation Innovation Grants Recipients - Elise Boeke, NRCS

Elise stated that Conservation Innovation Grants (CIG) are used to fund innovative projects that will help form NRCS practice standards. For fiscal year 2012 Utah had \$300,000 available for CIG. Utah recently awarded two projects grants of \$75,000 each. She stated that the first project is titled, *Development of an Ecological Site Description-based Brush Management Handbook for Utah*. The second project is titled, *Compost Carryover and Cover Crop Cocktails for Innovative Soil Conservation and Fertility in Dry Land Grain Systems*. The recipient for both projects is Utah State University. A STAC member asked how many total applications were received in Utah for the 2012 CIG. Elise responded that five applications were received.

Memorandum of Understanding between NRCS and the Utah Department of Environmental Quality – Elise Boeke, NRCS

Elise informed the STAC that NRCS Utah will be entering into a Memorandum of Understanding (MOU) with the Utah Department of Environmental Quality to address how we cooperate regarding water quality issues throughout Utah. Concerns regarding the protection of Personally Identifiable Information (PII) were raised by a number of STAC members. Both Elise and Carl Adams, with the Utah Department of Environmental Quality, assured the group that a number of clauses within the MOU will protect PII and ensure that the information exchanged will not be for regulatory purposes. Carl Adams added that the MOU is needed to communicate results of the Nonpoint Source Water Quality Program as recommended in a recent report from the Federal Office of Management and Budget. He went on to explain that we need to be able to report what benefits have and will be achieved on water quality projects funded by various programs including USDA's EQIP and EPA's Section 319 programs. Elise stated that it

is in our best interest to be able to show the benefits of the actions we are taking. She added that Dave Brown wanted STAC members to know that we are working on it.

A STAC member asked about the focus and longevity of the 319 program. Carl stated that the focus of the program is on protecting high quality water and improving impaired waters. In many areas water quality indicators have been met, but we need to maintain the standard. We need to do a better job of communicating to the public the benefits of the 319 program. Carl said that success stories need to be highlighted, but there is a debate on what constitutes a success story. Elements like environmental benefits and best management practices such as the percentage of vegetation covered and the number of fish caught give us a better understanding of what is being accomplished rather than just water quality chemistry.

2012 Farm Bill Update – Michele Devaney, NRCS

Michele stated that NRCS does not have any more information regarding the 2012 Farm Bill than what is available via the media. The 2008 Farm Bill expires on September 20, 2012, but Congress did not yet pass a Farm Bill to replace it. She said, however, that a number of NRCS conservation program authorities were extended to 2014 as a result of the 2012 appropriations act. This allows the agency to move forward in fiscal year 2013 with some of the main NRCS programs, including: EQIP, Conservation Stewardship Program (CSP), Wildlife Habitat Incentive Program (WHIP), Farm and Ranchland Protection Program (FRPP), and Agricultural Management Assistance (AMA). She pointed out that the appropriations act does not include easement programs other than FRPP.

Hispanic and Women Farmers and Ranchers Claims Process – Michele Devaney, NRCS

Michele explained that USDA has established a voluntary claims process which will provide compensation to Hispanic and women farmers and ranchers who may have faced discrimination from USDA. She stated that the claims process opened on September 24, 2012 and runs for six months, through March 25, 2013. She passed out flyers with the phone number and website for people to call to file a claim and asked people to distribute the information as they deem appropriate.

2012 NRCS Accomplishments and 2013 Program and Payment Schedule - Pedro Ramos

Pedro introduced himself and presented the Utah NRCS fiscal year 2012 requested and obligated fund amounts for all NRCS Utah programs. He then discussed fiscal year 2013. He stated that NRCS Utah has submitted a budget proposal to national headquarters based on priority requests from District Conservationists and Area Conservationists. He presented the following deadlines and timeframes for fiscal year 2013 program implementation:

- October 19, 2012: Deadline for applicants to submit an application
- November 2, 2012: Deadline for eligibility determinations to be completed by Utah staff
- November 2, 2012: Deadline for Utah staff to screen applications

- January 18, 2013: Deadline for Utah staff to rank eligible applications
- January 21, 2013: Deadline for Utah staff to select eligible applications (promote from eligible to preapproved)
- January 21, 2013: Utah staff will begin obligating contracts
- February 8, 2013: NRCS' reallocation of uncommitted funds
- April 1, 2013: Deadline for 90% obligation by Utah staff
- May 1, 2013: NRCS reallocation of uncommitted funds and return to national headquarters
- July 1, 2013: Deadline for 100% obligation by Utah staff

Pedro explained three major changes that NRCS Utah will implement for fiscal year 2013 regarding funding. He stated that first NRCS will be evaluating resource priorities versus resource concerns. The priority is to assess Animal Feeding Operations and Confined Animal Feeding Operations (AFO/CAFO) concerns and irrigation system specifics. He said that the second change will be establishing fund pools to address specific resource concerns and area-wide concerns. Lastly he stated that there will be localized pools; that applicants will be competing for funding regionally instead of statewide. Pedro then presented the budget requests that Utah submitted to national headquarters by program.

Pedro then went on to discuss the focus for fiscal year 2014 funding. The main focus will be projects that are: resource assessment driven, outcome-based, scalable, and part of the three year plan. He stated that the Utah is changing to a three year plan since the budgeting process begins 18 months before the next fiscal year. The focus of the resource assessment is to evaluate the condition of the area's natural resources and baseline information for establishing local priorities and policy recommendations. He further stated that NRCS staff will shift to a team-based approach.

Pedro then described the action plan for establishing the budgeting proposal:

- Identify Priorities
- Set SMART Goals
- Identify needs and work collaboratively with local work group representatives to meet the needs
- Provide input to the STAC to address problems not covered under existing programs

NRCS Local Work Group Process and Schedule – Pedro Ramos, NRCS

Pedro presented the local work group process and schedule for fiscal year 2014:

1. Local work group meetings and resource assessments will occur.
2. Utah staff will develop budget proposal guidelines in January 2013 and issue the guidelines by February 15, 2013.
3. Local work groups will hold meetings to submit input for developing budget proposals.

4. Utah staff will then review the budget proposals by May 15, 2013. Finally, Utah will submit a state budget proposal by May 21, 2013.

Geoff McNaughton with the State Division of Forestry, Fire, and State Lands commented that he did not see any forestry programs on the list Pedro presented for fiscal year 2013. Pedro responded that if forestry emerges as a priority, then funding could be established.

A STAC member asked if staffing in Emery County has been addressed for fiscal year 2013. Barry Hamilton stated that he was interviewing applicants that day.

Another STAC member asked how the fiscal year 2013 budget will affect the program funding that Pedro presented. Pedro responded that NRCS is operating under a continuing resolution for farm bill programs which allows for funding through March. He further commented that answers to budget questions can be found by reading the "*Concurrent Resolution on the Budget - Fiscal Year 2013 - Report of the Committee on the Budget House of Representatives to Accompany H. Con. Res. 112*". A STAC member asked what producers can do while waiting for a new farm bill. Pedro said that they can participate in an existing, appropriate program that fits them.

A STAC member asked what the difference is between a resource assessment and a local work group. Pedro responded that a local work group is a local group led by a conservation district which develops the resource assessment. This is phase one of the planning process. The local work group then devises a budget proposal which is phase two.

NRCS Irrigation Replacement Payments – Pedro Ramos, NRCS

Pedro stated that NRCS Utah is currently soliciting comments regarding irrigation replacement payments. He said that there is a statewide committee that will be making a recommendation to Dave Brown in the next few months regarding the payments. Michele Devaney stated that although Dave could not be at the meeting today to personally listen to comments from STAC members, he encourages people to send him written comments via email or postal mail. Travis Thomason stated that financial incentives for irrigation replacement payments should be proportional to the benefit.

Andrew Taft, Fremont Irrigation System President, said that the irrigation lines they are using are on average 35 years old and, therefore the flow of gallons per minute varies greatly. He said that they have completed some replacements and have greatly benefited from the resulting peak flow reductions. He further said that they have completed only one third of the replacements, and they'd like to continue until all the old lines have been replaced. He stated that the existing policies have helped them a great deal.

Doug Pace, Fremont River Conservation District, stated that irrigation replacements are critical in their area since the farms are not contiguous and are too cut up to use pivots effectively.

Mack Morrell, Fremont River Conservation District, said that they have been saving 5.8 tons of salt by replacing nozzles which really helps reduce salinity loads downstream.

A STAC member from the Price areas stated that irrigation replacements are an issue in the upper basin. A STAC member from Wayne County said that Wayne County would like to be represented on the committee that is making the recommendation.

STAC Input and Next Meeting Date - Michele Devaney, NRCS

Michele asked if there was anything else STAC members would like to discuss. There were no comments or questions. She stated that the next STAC meeting is scheduled for January 2013. The exact date, time, and location are to be determined. She then asked what topics should be covered at that meeting. STAC members requested two topics: a presentation of the state water quality tool by Carl Adams and Casey Burns' presentation that was postponed from today's meeting.