

**State Technical Committee Meeting  
Comfort Inn, Bismarck, ND  
December 8, 2010**

Jack Russell, NRCS facilitator, called the meeting to order and welcomed everyone and thanked them for taking the time to attend the meeting to share thoughts and input. Participants from around the room introduced themselves.

Paul Sweeney, ND State Conservationist, was introduced and welcomed everyone and gave opening remarks. Mr. Sweeney informed everyone that the NRCS Chief announced that NRCS will now treat energy as a major and equal resource concern. New program opportunities may develop from this. He announced that NRCS will have some new special initiatives. Also, portions of the 2008 Farm Bill will expire at the end of 2011. Authorization for three programs will expire; WRP, CSP, and WHIP will need reauthorization.

**Red River Basin Commission Efforts - Lance Yohe, Executive Director, RRBC**

- RRBC mission is to develop an integrated natural resources framework plan; to achieve commitment to implement the framework plan; and to work toward a unified voice for the RRB.
- Three states and one Canadian province working together – goals/issues are: forecasting; mitigation; water quality; water supply and conservation. Drainage is also a big issue for the area and water boards are working on that.
- Discussion on Goal No. 6, reduce the risk of flood damages for people, property and the environment in the mainstem and floodplain and tributary watersheds. Showed models, charts and hydrograph examples with different scenarios.
- 2009 State Legislatures funding in the amount of \$500,000 and RRBC to report to them to what is causing the problem; what is it going to take to solve the problem; and how long is it going to take to fix the problem. RRBC to come up with recommendations, costs, and timelines.
- A goal of 20 percent retention in each watershed has been set. Twenty-six projects total with Manitoba and US possibly cost-sharing. Question is can we get there with retention. Floodplain management complicated; working with FEMA; goal is to reduce damage from flooding.
- LTFS concept is to identify what people and leaders want; develop plan; what can best reduce flood damages; engage the public; make recommendations for action.
- The annual RRB conference is January 18-20, 2011, at the Fargo Ramada, Fargo, ND. At that time, findings are to be reported to the State Legislature.
- NRCS is assisting in water retention and floodplain management through technical assistance, AWEP, and other Farm Bill Programs.

**FSA Report - James Hochhalter**

- 39 signup for general CRP; 1,748 offers; 187,733 acres offered for enrollment with 80 percent acceptance; 1,398 accepted offers; 151,985 acres; 1,322 contracts for 144,196 acres.
- Expiring acreage - next four years a large amount of land coming out of CRP - expecting another general signup in 2011.

- Continuous signup summary -
  - CREP - 1,668 acres
  - Continuous and FWP - 270,000 acres
  - CP37 - 67,000 acres allocation
  - CP23A - 16,000 acres allocation
  - FWP - 90,000 acres allocation
- SAFE Program - 45,172 acres, all of which has been allocated.
- Routine grazing under CRP - 2008 Farm Bill added authority for change in grazing frequency. Routine grazing -
  1. Allows for environmental assessment;
  2. Environmental assessment paid for by party requesting grazing;
  3. Frequency established by FSA State Committee in consultation with State Technical Committee.
- The Emergency Forest Restoration Program is to carry out emergency measures to restore non-industrialized private forest land damaged by natural disaster. Damaged lands eligible under ECP are not eligible under EFRP. Forest Service at local or National level has technical responsibility.
- Also discussed program for public access for hunting; North Dakota Game and Fish received a grant for that program in the amount of \$300,000 and it is open to ND Game and Fish on how they want to use it. FSA's only involvement is to publicize it and direct public to Game and Fish if they want to use the program.

### **Farm Bill Program Initiatives – Jennifer Heglund, NRCS**

#### **Oil Spill Prevention, Control, and Countermeasure (SPCC) Program**

- Oil Spill Prevention, Control and Countermeasure (SPCC) Program is new initiative that was introduced by the Chief. There is \$3M available nationwide. The initiative is to help producers comply with revised regulations issued by EPA.
- EQIP will be used to provide technical and financial assistance. There will be signup periods; the first will end January 28<sup>th</sup> and second on June 3<sup>rd</sup>, 2011. SPCC practice code will be 150; secondary containment system practice code is 710. Producers need to work with TSP and have plan completed. SPCC plan identifies the type of system; TSP will provide design and certify. \$10,000 payment cap for 710. Certified TSP's will provide all of the technical assistance.
- It is a program with lots of demand; 191 applications for spill plan; 241 for implementation; currently \$150,000 dollars available; uncertain if there is more to come. One-third of the monies to be used for plan and 2/3 for implementation.

#### Questions:

1. Does this cover all fuel stored at different locations?  
Storage is per producer, not per location.
2. Who is going to do the inspection of the sites? Is someone going to monitor gallons?  
At this time we are not sure, just not NRCS. It will be a good faith effort on producers to meet the regulation.

3. Will State Health Department have any potential for responsibility?  
They have not been approached assisting in regulation.
4. When producer applies for various programs, if they do or do not have this plan in place, will it jeopardize other programs they apply for?  
No, it does not come into play for USDA program participation.
5. Will there be cost-sharing or partnering with industry on this?  
Currently this is very new to us, working on going through the standards but if there is a private entity we could partner with we would look at all the options. Department of Ag would be a good partner.

Paul Sweeney made the comment that the Chief is very committed to assisting producers with this endeavor. \$150,000 is not much money to work with but there is the possibility that other States will not be that aggressive with this program and we may get some additional funding.

#### **Migratory Bird Habitat Initiative Proposal -**

- Currently gathering ideas and working with other states to develop initiative to improve wildlife habitat. This is a landscape based initiative utilizing prairie potholes and wetlands. WHIP will be a part of this. Iowa, Minnesota, Montana, Nebraska, North and South Dakota are involved in this proposal. Currently it is just a draft. The different practices involved would be 327, 644, 645 and 657.
- Once draft is functional, it will be rolled out to partners.

#### **Questions:**

1. Would there be more upland encouraged rather than small buffers for migratory birds?  
Chief wants this to be a “working lands” initiative. Buffer size flexibility.
2. On farm cropland, would producer be able to hay the area?  
Yes, as long as it meets criteria for wildlife habitat management.
3. Is there additional WHIP money for this?  
Yes, we’d hope we could access additional funding through “special initiatives”. Different WHIP funding pool from traditional.

#### **Grassland Reserve Program -**

- NRCS recommendation is to continue with MLRA 53A and B, and west, for lands eligible for Grassland Reserve Program.

#### **Living Snow Fence -**

- \$500,000 towards Living Snow Fence. Some applications but no media campaign as yet. Media campaign and batching period starting mid-January, ending March 1<sup>st</sup>; contracts completed by April.

Questions:

1. Should Reservation go through the County or through Reservation Authority?  
There is a separate funding pool for Tribes. Should work with Tribal Liaison on this.
2. Is this applicable for cropland or non-cropland?  
Applicable to both. On rangeland must consider endangered species issues. Some opportunities on grassland.
3. Pipeline companies are required to have mitigation plan. Can the living snow fence count toward mitigation?  
Yes, the landowner can participate and maybe Company will provide landowner share.

### **WRP - Todd Hagel - NRCS**

- First signup period for FY11 program ended on November 1<sup>st</sup>; 800-850 applications with somewhere between 100,000 and 125,000 acres. New budget is same as last year. We exceeded National goals last year and there may a cap on it this year and also there will be a rollback of acres. We were number one in acres for the Nation and this will affect our budget allotment.

### **Ranking Worksheet Changes – Curt Bradbury**

- Ranking worksheet has had some modification made as follows:
  - Factor No. 2 - emphasis on hydrologic restoration. Six different categories that will now broaden number of points on the worksheet based on US Fish & Wildlife and DU recommendations.
  - Factor No. 3 - Upland/Wetland ratio will not change.
  - Factor No. 4 - Wetland types. There will be a priority on types and diversity of wetlands.
  - Factor No. 6 - Proximity to other permanent easements. Assign points if adjacent to other lands protected by permanent easements.
  - Factor No. 7 - Few adjustments to threatened and endangered species.
  - Factor No. 12 - Producer to take less than 75 percent - can provide points. Restoration costs more standardized.
  - Factor No. 14 - Calculation in inventory process automatically process.
  - Factor No. 15 - Issue is 100's of survey points - costly-offered points to square offers as best as we can.
  - Factor No. 16 - Added to be compliant with O&E audits. Adds points for cost benefits.
- Wetland Inventory worksheet - Field office develop maps and identify wetlands. They then have a number and assigned acreage derived from the inventory. Basins identified on NWI with multiple labels are consolidated and assigned the wettest label.

Question on CRP mix availability and if any substitutions are available.

Answer is that no substitutions, not yet anyway.

- Land use inventory - identify all the fields on all WRP applications - identify land use - identify upland acres to be planted - rest of information on inventory page - information shared across the different worksheets.
- GARC - values have been submitted with a three to five percent increase in each county. There is some difficulty with getting market analysis done; however, we did get a waiver to our process and our appraiser went through an amended market analysis and provide an update by region.
- Reserved rights grazing pilot - focus is on MLRA 53A and 53B. Landowners have to meet general WRP requirements.

Questions:

1. Would expired CRP work on this?  
Yes, it would.
2. Are there fewer points for sediment removal?  
Yes

- Wetland Reserve Enhancement Program (WREP) - proposals due this Friday.

Question:

For the grazing pilot; are landowners allowed to decide what to plant?  
Need to plant as close to native grass as possible - restored back to natural state.

- Paul Sweeney added that we have 30,000 acres; a huge number of acres needed to be seeded and restored and we are struggling with how to have that done. We cannot rely on producers to restore and question as to how we are going to get all those acres done next year. It was requested that any ideas or thoughts on this would be appreciated.
- Eligibility criteria questionnaire issues deal with landownership questions; tax statements; liens on the land. Once applications get accepted we order a title search; get legal land survey work done which establishes acres for WRP. Tax related questions are all deferred. CRP acres can be rolled over into WRP.

Questions:

1. Lose base acres forever?  
Yes
2. So many different programs and so much funding for each. If money is not used in in one program, does money get shifted to something else?  
State allocation is single year money. If we don't use the money, the Chief can redistribute it.

Comment - refund on practice incentives. County Committees have ability to waive up to \$10,000.

- There is a Continuing Resolution but not until the end of December. NRCS has all of the regular programs money allocated. Also, we need to reach producers to make them aware of what programs are available. Our LWG meetings need to meet more often to get information out as well.

Question:

With all of the applications for different programs, how often do we end up in front of National Appeals division?

Wetlands has a steady flow of items that get appealed; Programs have a few but not very often.

- Finals comments consisted of Mr. Sweeney wanting comments on the number of meetings the State Technical Committee should have during the year. Requested input for number of meetings - twice per year? Location? If July and December works? Open for comments.
- Everyone agreed that two meetings per year were sufficient. Suggested we look towards the third week in July and third week in December. With that being said, the next meeting dates will be July 20<sup>th</sup> and December 20<sup>th</sup>, 2011.

Paul Sweeney noted that he would welcome any suggestions at any time and the meeting was adjourned.