

MINUTES
ORANGE COUNTY SOIL & WATER CONSERVATION DISTRICT
BOARD OF DIRECTORS
February 22, 2022

The **MEETING** was **CALLED TO ORDER** by the Chairman at 9:05 AM. Directors J. Wright, P. DeBlock, G. Constable and P. Ruszkiewicz, B. Diehl (NRCS) along with K. Sumner and C. DeGroodt (SWCD) were present.

2022-2-1 Ruszkiewicz made the Motion, DeBlock seconded, to approve January's Board Meeting Minutes as written. All in favor.

ACTIONS TAKEN BETWEEN MEETINGS – Some bills were paid and are listed on Bills for Board Approval.

CORRESPONDENCE

- The bank statements and collateral agreements were available for review.
- After a brief discussion, the Directors Tabled the National Association of Conservation Districts annual dues request.
- The New York Association of Conservation Districts' general update including the Legislative Days booklet was available for review. On page 37 and 38 they included some of the District's project profiles.
- Various newsletters were available for review.
- The District sent a letter to the Orange County Law Department requesting their assistance with title searches for property owners in connection with the maintenance area expansion. To be discussed in Sumner's report.
- The District received a letter from the NYS Department of Environmental Conservation, Division of Environmental Permits, regarding our Permit Jurisdiction inquiry for the Wallkill River Flood Control Project maintenance area expansion. The proposal involves expanding the existing easements along the river to create an easement corridor that extends approximately 130 feet from the center of the river on both sides. It does not seem like the District will have any jurisdictional issues.
- The District sent a letter to Green Farmland regarding the next phase of the bench project. To be discussed in Sumner's report.
- The District sent a letter to parties to the Wallkill River Federal Flood Control Project Maintenance Agreement. It is a summary of activities for the previous year.

FINANCIAL REPORTS

There was a brief discussion on the one remaining No-Till receivable. **2022-2-2 Ruszkiewicz made the Motion, DeBlock seconded, to file January's Financial Reports for audit review. All in favor.**

BILLS FOR BOARD APPROVAL

#4 on the Bills for Board Approval is an additional charge from Barton & Loguidice for the Vreeland Roof Design. We had already paid for the initial design, but because of the change during construction, there was an additional charge. Sumner said this will be paid out of the District's internal funds. **2022-2-3 Wright made the Motion, Ruskiewicz seconded, to accept the Bills to be Paid. All in favor.**

GRANT REPORT UPDATE – The Grant Report is updated monthly to reflect changes. Report was reviewed by the Directors.

STAFF REPORTS

Written staff reports were emailed to Board Members prior to the Meeting for review.

Wright inquired about the Cover Crop/Soil Health Incentive Program and asked if the District used all of the money allocated towards it. Sumner said that out of the \$25,000.00 allocated, we used just over \$21,000.00 and reserved the balance for the Demberg Fencing Project. Sumner mentioned that this program is advertised through social media, our website and through other agencies.

C. DeGroodt (SWCD) – Presented a written report via email. She mentioned that she started working with O'Connor Davies on the District's 2021 audit.

T. Ferry (SWCD) – Ferry was not in attendance but had submitted a written report via email. He is interested in attending a Comprehensive Nutrient Management Training April 5th – 7th at Cornell. The cost is \$130/night for the hotel, the training is free. There is a remote option to participate. Sumner thinks it is a good opportunity for Ferry to attend. It is going to be oriented on large livestock farms because they are the ones that will need a Certified Nutrient Management Plan (CNMP) for manure storage. **2022-2-4 Ruskiewicz made the Motion, Constable seconded, to permit Ferry to attend the Comprehensive Nutrient Management training on April 5th – 7th, 2022. All in favor.**

INTERAGENCY REPORTS

B. Diehl (NRCS) – NRCS is working on applications. The ranking deadline for the EQIP program has been extended until March 18th.

P. DeBlock (FSA) – The deadline to enroll in the ARC PLC (corn based program) is March 15, 2022. The USDA's Dairy Margin Coverage deadline has been extended to March 25, 2022.

OLD & NEW BUSINESS

K. Sumner (SWCD) – AEM Round 16 Tier 4 (Implementation Projects) – The contract end date was 12/31/2021. All close out documents have been submitted and approved. A final voucher was submitted for \$35,443.00.

WALKILL FLOODPLAIN BENCH

Phase 4 Update - The District is waiting on Barton & Loguidice for a construction plan for the Phase 4 Bench. Sumner sent them some other projects from Ag NPS Round 27 that we will require assistance on, but Sumner told them we need the phase 4 plan first.

Phase 3, Area 2 – Green Farmland was informed that the District intends to take all of the project soil across the Pochuck and not build a road to their desired stockpile location, per the January Board meeting decision. They now want a “compromise” option offered to them to receive some of the soil. After speaking with our contractor, Sumner wrote to Green Farmland and offered that they could send their own trucks to receive soil from the proposed Iris Road stockpile location on the other side of Pochuck Creek, pending an agreement on specific arrangements.

A License Agreement was sent to the new owners of a small portion of Project Area 2. Sumner followed up by phone and email but has not received the signed agreement back yet.

Pellets Island Reach Maintenance Program – Another multi-parcel landowner has indicated support verbally. Our attorney recommends we obtain updated title searches. Sumner asked the OC Law Dept. if this work could be done under the County’s contract with Hill-N-Dale Abstractors. The cost is expected to be around \$300 per parcel and there are 20 parcels.

POTENTIAL QUAKER CREEK FLOOD MITIGATION

Sumner discussed an idea of doing a mini-buffer project along the Quaker Creek. He hasn’t had a chance to engage landowners along the creek yet. The number of parcels involved is pretty daunting. Ideally we would have a landowner we can count on who can advocate for it or be the project sponsor. Maybe we could start smaller and pick one landowner and do a pilot project. We could do a meadow bench that gets mowed periodically to keep it from growing up to trees. It would be a herbaceous buffer instead of a forested buffer.

Ag NPS Round 27 – The funding has been approved and we are awaiting the contract. We have already started some early design work. There are several projects that will require PE assistance, and we have made arrangements to get this assistance from Barton & Loguidice.

Legoland EBP Update – Sumner had a meeting with the Orange County Land Trust regarding the Legoland EBP. There are several potential land protection projects that OCLT is working on that appear to meet the Agreement guidelines. The Director would like to delay the decision for a few months to see how these projects progress. The current Agreement deadline is August 2023.

Pulaski Culverts Update – Sumner is meeting with Barton & Loguidice, Orange County DPW and B. Cheney today at 1:00 PM. P. Ruszkiewicz said he is calling in on this as well. Discussion followed.

Chester Ag Center/Pumping Plant – Sumner made several efforts to get local stakeholders to come up with ideas to get local match money, and didn’t get a lot of feedback. He spoke with Lucinda (CAC Director) and was told that the Orange County Department of Public Works submitted another proposal to FEMA with expected results in August. Sumner was not aware this second proposal had been submitted. Sumner suggested to her that we hold off on submitting a CRF application, and she agreed. Discussion followed.

Sumner continues to **assist Pine Island Turf Nursery with NYS DEC water withdrawal issues**. A proposal was received from Barton & Loguidice for assistance with a permit application.

Climate Resilient Farming (CRF) – We are proceeding with development of a Soil Health proposal. There are currently seven farms included. Sumner handed out a breakdown of participants, practices and budget. Included in the proposal is purchase of a roller/crimper and swing hitch no-till seeder purchase. Proposals are due March 28th. A Board Resolution is required. **2022-2-5 DeBlock made the Motion, Constable seconded, to approve the Climate Resilient Farming Soil Health Track/Enhanced Soil Health Field Demonstration Project Resolution. All in favor.**

ORANGE COUNTY SWCD FEBRUARY 2022 BOARD MEETING MINUTES

AEM Round 17 Update – We are waiting for the contract and advance payment. Once the weather is nicer we can make field visits and start advancing project plans/designs.

AG NPS Round 28 Update – Discussion followed on whether or not the District will submit a proposal for Round 28. Proposals are due by May 2, 2022.

OTHER ITEMS

Orange County BOCES had contacted Sumner to request he hold a 4-Hour contractor training for their Heavy Equipment students. This was discussed with the Board at the December 2021 meeting. Sumner sent them a proposal for a flat fee of \$1,500.00 and they approved it. He will do two days at 2 hours a day.

Sumner had an inquiry from Natalie Brown who is the stormwater person for the NYS DEC Region 3. She was concerned that the local DPW's needed to brush up on requirements they are supposed to be following for their MS4 permits. She asked if we could get something scheduled for that. Cornell Cooperative Extension already offers their Stormwater Series. Sumner spoke with E. Shellenberg and asked if they could add something on to their training program to address this.

NEXT MEETING DATE - The next **MEETING** is scheduled for **Monday, March 21, 2022 at 9:00 AM.**

ADJOURNMENT

2022-2-6 The Meeting was Adjourned at 10:20 AM on a Motion by Ruskiewicz, seconded by DeBlock. All in favor.

Minutes Prepared By:

Christine DeGroodt, Secretary to the Board

Report to Board KMS

February, 2022

AEM/AEM Round 16 Tier 4 (Implementation Projects)

Contract end date was 12/31/2021. All close out materials due to NYSSWCC by 2/28.

All close out documents submitted and approved. Final voucher submitted for \$35,443.

Hudson Valley Carbon Farming Project [contract ends 4/30/2022]

Time extension beyond 4/22 approved. Two construction projects are pending, as well as 'after' Comprehensive Assessments of Soil Health (CASH) for all six participants.

Floodplain Bench

Phase 4 (CRF 5)

Still waiting on B&L for design/construction plan before JAP can be completed and submitted.

Phase 3, Area 2

Green Farmland was informed that we intend to take all the Project soil across the Pochuck and not build a road to their desired soil stockpile location, per January Board meeting decision. They now want us to offer a 'compromise' option that allows them to receive some of the soil. I wrote to them again, offering that they could send their own trucks to receive soil from proposed Iris Road stockpile location, pending agreement on specific arrangements.

Small portion of area 2 formerly owned by Brozdowski is now owned by Davandjer Farms. Sent License Agreement, followed up by phone and then again by email. Haven't received the signed Agreement yet. They want some of the soil.

Other Flood Mitigation

Pellets Island Reach Maintenance Program – Another multi-parcel landowner has indicated support verbally (via Rick Minkus). Our attorney recommends we obtain updated title searches. I have asked the County (Law Dept – D. Brady, Real Property Director E. Ruscher) if this work could be done under the County's contract with Hill-N-Dale Abstractors. No answer yet. Eric is looking into it. Spoke with NYSDEC Regional Wildlife Manager who verbally indicated we should not have jurisdictional issues with them as long as mowing is limited to trees under 4 inches and mature tree cutting is restricted to 'bat window' (Oct-March). Received written 'Jurisdictional Determination' that is lengthy and not as clear as verbal 'OK' by phone.

Quaker Creek – I have not progressed this idea. Need to discuss with some of the landowners in the proposed project area.

Round 27 ANPSACP

We have started some early design work on some of the projects. I have forwarded information on two projects that will need PE assistance to B&L. Emphasized that I want Bench Phase 4 design/construction plan before they start working on the Round 27 projects. Waiting on advance payment.

Other

Legoland EBP – Had meeting with OCLT. They have several potential land protection projects that appear to meet the Agreement guidelines. OCLT Director would like to delay decisions for a couple months to see how the projects progress. Current Agreement deadline – 8/2023.

Pulaski Culverts – Had several conversations with B&L. Meeting with B&L, OCDPW and B. Cheney scheduled for 2/22, 1PM.

Chester Ag Center/Pump Plant – Spoke to Lucinda (CAC Director). She told me that OCDPW submitted another proposal to FEMA with expected results in August. I was not aware that this second proposal had been submitted. I suggested we hold off on a CRF application, and she concurred.

Continuing to assist Pine Island turf farm with NYSDEC water withdrawal issues. Received proposal from B&L for assistance with permit application, time and expenses not to exceed \$5,500.

Grant Proposals

Climate Resilient Farming (CRF) – Soil Health Track / Enhanced Soil Health Field Demonstration Project including roller/crimper and swing hitch NT seeder purchase. We are proceeding with this proposal development. Currently have seven farms included. See handouts for participants, practices and budget breakdown. Proposals due 3/28/2022 Need Board Resolution.

AEM Round 17 – Waiting for contract and advance payment. Waiting for better weather to make field visits and start advancing project plans/designs.

AgNPS Round 28 – Still evaluating whether we should attempt to submit a proposal. Due by May 2nd.

2022/2023 Soil Health Incentive Program (SHIP) – Contacted farms that signed up for 2021 program, gave them until 3/1 to 'update' their applications. After that, we will assess whether additional sign-ups can be solicited. We will also coordinate 2022/2023 SHIP with CRF 6 Soil Health Project if it is funded. This will require some flexibility to make adjustments if CRF proposal isn't funded. This should be manageable since most of the practices will start with fall, 2022 cover crop and we should know results of CRF 6 before then.

Other Financial Matters

C. DeGroodt

Board Meeting Activities January 22, 2022 – February 18, 2022

- We have \$472 cash awards on the rewards credit cards
- Assisted with soil group worksheets.
- Completed the 2021 1099 tax forms and sent out to producers.
- Completed a monthly salary and service certification for Ferry for the NYS Retirement system.
- Started the 2021 sales tax report.
- Annual Orange County Personnel Dept. forms submitted.
- Completed the 2021-2022 Hartford audit.
- Submitted a Wallkill Maintenance reimbursement request to the County.
- Submit requested paperwork to DASNY re: cancelled checks, statements.
- Submitted the AEM RD 16 final claim for payment.
- All annual reports for 2021 loaded into sharepoint and confirmed received.
- Typed Resolution for CRF Round 6.
- Bank accounts set up for retirement liability and the EBP legoland project.

TF February Board Meeting Activity Summary

- Working through soil group worksheet requests as they come in.
- Worked on AEM 16 closeout, submitted and approved this week.
- Worked on a letter to a Warwick landowner about enlarging a pond and using that material to construct a dike along Pochuck Creek.
- Had an issue with an access gate along the Wallkill River, neighbor reportedly claimed the gate was run over by our contractor. Upon further investigation and video provided by the neighbor, it does not appear that this was the case at all.
- Worked on CRF grant proposal.