

**MINUTES**  
**ORANGE COUNTY SOIL & WATER CONSERVATION DISTRICT**  
**BOARD OF DIRECTORS**  
**February 24, 2014**

The Meeting was **CALLED TO ORDER** by the Chairman at 9:06 AM. Directors J. Wright, G. Keeton, and P. DeBlock were present, along with K. Sumner, C. DeGrootd and K. Brown (OCSWCD), R. Baglia (CCE), J. Heller (NRCS) and F. Barber (FSA). Also in attendance were County Legislators Paul Ruszkiewicz and Shannon Wong.

All present introduced themselves to Shannon Wong. The two new Directors have not yet been officially appointed. Ruszkiewicz said that he will look into the appointments.

Election Of Officers – G. Keeton nominated J. Wright to retain his position as Chairman and P. DeBlock as Treasurer, seconded by DeBlock. All in favor. P. DeBlock nominated G. Keeton as Vice-Chairman, seconded by J. Wright. All in favor.

DeBlock made the Motion, seconded by Keeton, to approve January's Board **MINUTES** as amended. All in favor.

**CORRESPONDENCE**

The District received an NYACD Membership Invoice in the amount of \$1,500.00. We've always paid ½ at the beginning of the year and revisit the balance at the end of the year. DeBlock made the Motion to pay \$750.00, seconded by Keeton. All in favor. A brief discussion followed regarding where the District's finances come from.

Although the Ag and Farmland Protection Board Meeting was last week, the Agenda was still passed around.

Sumner passed around a copy of a \$2 million dollar Grant Proposal to the National Fish and Wildlife Foundation's Hurricane Sandy Coastal Resilience Grants Program that went out at the end of January. The District submitted a project proposal that focused on the Wallkill River Black Dirt flood control project.

A letter was received from B&L Engineering. Sumner will discuss this in more detail later in the Meeting.

Two Proposals were received in response to a survey scope that the District sent out. We need field survey data for our consultants to support their work progressing the project designs on the Wallkill Flood work. We decided to hire this out separately. We sent out requests to four firms and received two back. We asked them to split this up between getting the raw elevation data we need and getting the boundary limits and the rights-of-way defined. MJ Engineering located in the Albany area proposed \$26,800.00 for the field survey work and an additional \$14,000.00 for the right-of-way and boundary work. Mercurio, Norton, Torolli and Marshall in Pine Bush proposed \$21,600.00 for the field survey work and \$20,000.00 for the right-of-way and boundary line work. The Board had previously authorized Sumner to proceed but both came in last week so he decided to hold them and discuss them at this Meeting. Sumner suggested we wait a few more days to see if we get any additional proposals in. Wright mentioned the District is short one staff person. Sumner said he'd recommend having three staff people out in the field to do the survey. DeBlock asked Sumner to briefly explain the difference between raw elevation data and boundary limits/rights-of-way. Sumner said that with the County's LIDAR Data, our consultants were able to develop topographic models of the project area except for the channel. They need someone to go out and take cross sections of the river every hundred feet for all three project sites. That field data is needed so B&L can tie it into their existing topo model. They also need to know where property boundary lines are and rights-of-way are because we are trying to keep this in the existing easement as much as possible. Brown and Ruszkiewicz briefly explained the Wallkill Maintenance Project to Wong. The Towns of Minisink, Wawayanda, Goshen and Warwick and the County of Orange are involved. Sumner explained where it was left off with extending the Maintenance Agreement (MA). He participated in a conference call with the OC Law Department and the DEC regional office. The conclusion was that the SEQR process would need to be followed to extend the MA. Some involved entity would need to act as the lead agency for this process. Sumer said Soil and Water would have a difficult time acting in this capacity due to inexperience with the process and limited staff. It is unclear at this time how to progress the MA extension.

Returning to the survey issue, DeBlock said this Proposal is just for three projects. Sumner said it's for two rock ledge removals and the Cheechunk extension. Keeton explained how the drainage works and especially the section Pahucki clear-cut in 2012. The blockage at that location affects people upstream. Discussion followed about the possibility of splitting up the proposals, going with the cheaper work from each company. DeBlock made the Motion to use the Pine Bush Company unless we get one that is significantly lower, seconded by Keeton. All in favor.

A proposed amended 2014 Budget was handed out. We requested an additional \$10,000 from the County but it was slightly reduced. Sumner asked the Board to approve our amended 2014 Budget with this reduction and an equal reduction in the equipment replacement line on the disbursement side. DeBlock made the Motion to approve the 2014 Amended Budget, seconded by Keeton. All in favor.

Sumner explained the role of the Lower Hudson Coalition of Conservation Districts to Wong.

Sumner also explained the Agricultural Environmental Management (AEM) program. Sumner said the next contract renewal will go up to \$50,000 from \$40,000. If Brown gets certified as a CNMP then it can increase a lot more.

Sumner asked the Board if we should replenish the Ag Contingency Fund since it's the new year. No Motion needed yet. We will revisit this as funds diminish.

January Financial Reports were approved by Keeton, seconded by DeBlock. All in favor.

The January Grant Report was briefly discussed. Wright said these reports are very helpful. Sumner added two bills on the Bills to be Paid list. A Motion was made by Keeton, seconded by DeBlock to pay the bills. All in favor.

## **STAFF REPORTS**

**C. DeGroot (SWCD)** - O'Connor Davies, LLP, the firm hired by the County to audit us, will be at our office February 24-28. DeGroot has been emailing them information they've requested ahead of time in preparation.

DeGroot finished the Tree and Shrub flyer and mailed it out as well as media releases to all local newspapers and radio stations. The Greening the Orange flyer was also completed and mailed to all schools in Orange County.

DeGroot has been completing Soil Group Worksheets as the requests come in. She also completed the Annual Treasurer's Report, the Performance Measures Part C and worked on and submitted the District's 2013 Annual Report.

DeGroot completed and mailed out the 4-hour ESC course cards to people that attended the February 6<sup>th</sup> course at the Local 17 Laborer's Union.

She attended the first part of a three part Quickbooks course offered at the Cornell Cooperative Extension Ulster County's Education Center in Kingston, NY.

**K. Brown (SWCD)** - Brown asked to attend the Water Quality Symposium on March 11-14. Keeton made the Motion to allow Brown to attend the Symposium, seconded by DeBlock. All in favor.

Brown assisted with the Annual Reports and the Tree and Shrub mailing. She attended a Quassaick Creek CAC Advisory Meeting.

Brown assisted Sumner with teaching an environmental class at SUNY Orange. She has also been working on Soil Group Worksheets.

The rain garden signs for CCE and the Warwick High School were displayed for the Board. Each sign cost \$75 and additional \$75 art fee for all three for a total of \$300.

Ag Grant NPS Round 20 Proposal – Proposal is due March 31, 2014. Some of the projects to be included were briefly discussed. One producer wants a covered manure storage for their dairy farm, another wants a covered feed lot and others want composted bedded pack barns. The District may submit two separate proposals because some of the projects are high dollar amounts. Staff are still researching total dollar costs for projects. A Board Resolution for each proposal needs to be approved at the next Board Meeting and submitted with the proposals.

Brown attended meetings for the Ag and Farmland Protection Board Ag Plan Update.

The District has the new corn planter stored at the O'Dell Farm. The old corn planter is at Hudson River Tractor for repairs/updates.

**K. Sumner (SWCD)** – The National Fish and Wildlife Foundation's Hurricane Sandy Coastal Resilience Grants Program grant proposal was already discussed. A second proposal from the Lower Hudson Coalition of Conservation Districts included \$75,000 for watershed planning in the Monhagen Brook watershed, among other projects from other Coalition counties.

Sumner has been working on the Ag NPS Grant Round 15 close-out. The grant ended at the end of 2013. Also on the Round 20 proposal development, and the County Ag Protection Plan committee.

Sumner and Pat Ferracane, NYS DEC, taught the contractor's 4-hour erosion and sediment control workshop for the Local 17 Laborer's Union at Stewart Airport. He will be doing one in March at CCE.

Sumner spent time in the field with staff from L&G Engineering regarding street tree issues in Warwick.

Time was spent on the end-of-year reports, and the preparation and follow-up on the Wallkill Flood Project Survey Scope/RFP. Also on the amended 2014 budget and monthly budget reports.

Sumner taught a class at SUNY Orange. He also spent some time supporting the Grass Pelletizer Project.

Sumner has been working on the District vehicles, the rain garden signs and Soil Group Worksheets.

He attended a Manager's Meeting last week.

On March 28<sup>th</sup> the Hudson River Watershed Alliance will be having a meeting at SUNY New Paltz. The focus will be on Water Quality Monitoring in the Wallkill River. Sumner may attend.

## **INTERAGENCY REPORTS**

**R. Baglia (CCE)** - Today is Vegetable Growers' School, a half-day program in Marlboro. Other programs coming up are "The Secrets of Healthy Houseplants" and the Philadelphia Flower Show on March 4<sup>th</sup>.

There are two stormwater programs this week. On February 26<sup>th</sup> there is Green Infrastructure: Computing the RRV and Making GI Green and on February 27<sup>th</sup> is Fundamentals of Stormwater. All classes are at Cornell Cooperative Extension Orange County.

Approximately 50 people signed up for the 4-hour Erosion & Sediment Control Contractor Training to be held on March 4, 2014.

Onion School is March 7<sup>th</sup>. March 12<sup>th</sup> is Dairy and Livestock Day.

There is a "Create Your Own Rain Barrel" class at CCE on March 15<sup>th</sup>.

On March 18<sup>th</sup> there is a class “Gathering of Gardeners: Pruning” from 7-9 PM at CCE.

On March 29<sup>th</sup> there is a “Youth Herd Health and Calf Health” class from 10 am – 12 pm at Indian Acres Dairy Farm in Port Jervis.

An “Introduction to Artisan Cheesemaking” class will run from March 31<sup>st</sup> – April 2<sup>nd</sup>. It’s being held at the Pine Bush Fire Hall.

The Flood Plain Managers Association Meeting is March 25-27 in Poughkeepsie.

**F. Barber (FSA)** – The Farm Bill passed. There will be new programs offered to replace some of the old ones. There will be new programs to benefit farmers in this area. The old DCP is gone, replaced by two new programs, one is margin-based protection and the other yield based protection.

There will be a NAP buy-out but it may not take effect until 2015.

TAP – trees, vines, hops has been reauthorized. It can replace plants but not yield loss.

There are no programs that cover property damage.

There might be plant loss with perennial crops because of the weather. They are putting in storm reports. Producers with damage should document everything.

**J. Heller (NRCS)** – Because of the new Farm Bill there were program changes that are being finalized. Here is what is proposed: There is no longer a Wildlife Habitat Incentive Program (WHIP) . WHIP practices will now be covered under the Environmental Quality Incentive Program (EQIP). All easement programs will fall under one title – Agricultural Conservation Easement Program (ACEP).

Conservation Security Program (CSP) – you are now allowed to re-enroll.

AGI – is no longer a million dollar income cap. It has gone down to \$900,000.

EQIP used to have a cap of \$300,000 in funds you could get for one year. The new cap is \$450,000 with no waiver. Organic went up to \$80,000 cap but it’s over the life of the contract (\$20,000/year).

No Year Funds – funds can now be rolled over year to year.

AMA is still authorized under the Risk Management Agency

The current Secretary of Agriculture decides the technical and financial assistance funds and the percentage of distribution. DeBlock asked if this is a first-come, first-serve basis for New York. Heller said it’s all through an application process and it’s based on resource concerns. Three state office program staff are involved in a ranking process derived from Protracts Software. Before a farm is entered into the system there is a peer review. Brief discussion followed.

PL566 – a flood control program that was not funded in the last Farm Bill was refunded.

Wetland Reserve Program (WRP) – You used to have to own the land for seven years but only have to own land two years now to be eligible.

Historically Underserved can now get an advance payment up to 50% and can be given 90 days to do the project (in the past it was 30).

Voluntary Public Access Program – Allows people hiking, fishing and hunting on property. \$40 million in this.

If you're in NYS you can't receive financial assistance from NRCS to install black plastic mulching anymore.

### **OLD BUSINESS** -

NFWF Grant Proposal – Our original intent was to utilize our coordinator we hired through our Lower Hudson Coalition and have her develop a group proposal that included projects from multiple counties, including Wallkill flood control work discussed earlier in the meeting. The NYS DEC said they would not support the proposal if it had the Wallkill in it. So it ended up that the Wallkill went in as a separate proposal for \$2 million. LHCCD Coordinator Emily Svenson still was able to provide a great deal of assistance in developing and submitting the proposal. Sumner said that NRCS provided a support letter as did CCE, the State Soil & Water Conservation Committee and one from the County Executive. Rob Schreibeis stopped in our office one day and Sumner asked for a support letter, which Schreibeis then managed to acquire for us. The NYS Dept. of Ag & Markets did not send a support letter. After Sumner was told we would get one, we were told by Jackie Moody that they do not normally do support letters and we didn't give them enough time. Wong asked if someone could send her a summary of the project for review. Maloney's office sent a letter for the Coalition project but not for the Wallkill. Sumner said that if State elected officials made calls to the State, it would be better than coming from District staff and it would be better for growers to contact the State elected officials.

Sumner passed around the latest Scope of Services from Wallkill Flood Project consultants B&L, previously emailed to Directors. The Committee and the SWCD Board had prioritized three projects: Two rock ledge modifications and extension of the Cheechunk Canal. Our consultants prepared the Scope of Work for progressing these projects through the permit process. The cost for this work is \$135,000. Our Procurement Policy says we need three bids for professional services contracts over \$50,000 but this is not subject to an annual aggregate restriction so we should be able to start a new contract with B&L once the current \$50,000 contract is completed, assuming the Board approves. There is currently \$25,000 left on the first contract. What Sumner discussed with B&L engineer Wendell is that we would focus on items 1-7 in the work scope initially. He is recommending to the Board that we revise the current contract by way of an amendment letter and reassign the remainder of this contract to go as far as possible with the new work scope. Discussion followed on how well B&L knows the project and the territory. A Motion was made by Keeton for Sumner to draft a proposed amendment letter to our current contract asking to post the remaining funds on starting this work scope, seconded by DeBlock. All in favor.

A grant offering named the Community Block Development Grant – DR(disaster relief) is still expected to be coming out. If this comes out we'll try to apply. It's for disaster recovery for states that were impacted by Hurricane Sandy.

**NEW BUSINESS** - Cover Crop Policy – Brown developed a Draft Cover Crop Policy and passed it out to the Board. The cap rate is currently set at \$20/acre. Sumner and Brown came up with a new rate of \$60/acre. Keeton made the Motion to accept the new rate, seconded by DeBlock. All in favor.

Rental Space – almost all of the District's equipment is currently being stored at the O'Dell Farm. DeBlock made the Motion to authorize Sumner to offer an increase in the rental payment from \$150/month to \$175/month, seconded by Keeton. All in favor.

A new Draft Financial Policy was passed around. It will be discussed at a future Meeting, along with a review by the Directors of current and proposed new office policies.

Sumner said that Brown was asked to answer questions by an Attorney for a local farmer that installed an EQIP practice. DeBlock requested that this be discussed in Executive Session. A Motion was made by DeBlock to go into Executive Session at 11:37 AM for discussions regarding proposed, pending or current litigation. The motion was seconded by J. Wright.

The Board returned from Executive Session at 11:57 AM.

The **NEXT MEETING** is scheduled for Monday, March 24, 2014.

The **MEETING** was adjourned at 11:59 AM on a Motion by Keeton, seconded by DeBlock. All in favor.

Respectfully submitted,

Christine DeGroot  
Secretary to the Board