

MINUTES
ORANGE COUNTY SOIL & WATER CONSERVATION DISTRICT
BOARD OF DIRECTORS
April 16, 2018

The **MEETING** was **CALLED TO ORDER** by the Chairman at 9:10 AM. Directors J. Wright, P. DeBlock, G. Keeton and P. Ruskiewicz were present, along with K. Sumner, T. Ferry and C. DeGroot (OCSWCD) and E. Schellenberg (CCE).

2018-4-1 Ruskiewicz made the Motion, Keeton seconded, to approve March's Board Meeting Minutes as written. All in favor

ACTIONS TAKEN BETWEEN MEETINGS –The District paid \$50.00 to the NYS DEC for a permit modification request on the Wallkill River Floodplain Bench Project.

CORRESPONDENCE

- Sumner sent around a reply we received from the NYS DEC regarding the Wallkill River Flood Mitigation Project Floodplain Bench tree planting plan permit modification. The modification was approved.
- Bank account statements from the District's banks were available for review.
- The District received a 2018 Regional Envirothon Invoice. The fee for Warwick Valley High School to attend is \$625.00. Discussion followed. **2018-4-2 Wright made the Motion, Keeton seconded, to approve payment of the 2018 Regional Envirothon Invoice in the amount of \$625.00. All in favor.**
- The NACD Annual report was available for review.

FINANCIAL REPORTS

There was a review of March's financial reports. **2018-4-3 Wright moved to file March's 2018 Financial Report for audit review, Ruskiewicz seconded. All in favor.**

Sumner reviewed the list of Bills to Be Paid with the Board. Sumner noted that the billing from Ron O'Dell for work he did on the two seeders was very reasonable given the amount of work he completed. This is included on the list of Bills to Be Paid. **2018-4-4 DeBlock made the Motion, Keeton seconded, to accept the Bills to Be Paid. All in favor.**

STAFF REPORTS

- T. Ferry
 - Ferry has been working on getting the District's two no-till seeders ready for use. Ferry will assist R. O'Dell with putting on the row cleaners on the corn planters. So far, one person has asked to be put on the list for a corn planter.
 - Ferry worked on an AEM plan out at Wessel's Farm. They are certified organic in some things and he was able to see their biomass boiler. They are seeking the Grown and Certified in NY certification.
 - Visited J. Touw's farm to update his AEM plan for Ag NPS Round 24. Two of the measures Touw is looking for help with are fuel storage and an ag chemical mixing facility.
 - Updated C. Rowe Farm AEM plan for his Stewart State Forest lands that he rents.
 - The Wallkill River inspection was last Monday. 26 issues were identified by the NYS DEC. Vellenga Lawn Care already cleaned up issue #13, a large tree that was down in the water by the Madura Bridge.
 - Listened in on an AEM webinar for year 14.
- K. Sumner
 - A man who bought property on County Route 56 aka Davis Highway has approached the District for assistance. He thought he'd be able to farm the property but then found out that most of the property was regulated wetland. He retained an engineering firm to assist him in determining what permits would be needed and in obtaining the permits. NYS DEC told him to get a farm plan from our office. We told him at a meeting here last September that we would need to know more

about his farming goals before we could prepare a farm conservation plan. He came to our office recently with a list of potential vegetables that might work on the site. Ferry is attempting to assist him by preparing AEM paperwork based on the limited information we have about his farm plans. Sumner said there are exemptions from wetland regulations for normal farming operations but his plan includes a long driveway, culverts and a house. He is tentatively scheduled to come here next week to work with the District on the AEM plan. It is sometimes difficult to determine with clarity which permitting programs will be triggered, especially when trying to define the limits of normal farming practices in the context of NYS wetland regulations.

- G. Jones, a farmer who uses land in the Chester Muck, has come to District for advice on two issues. One is with the Cromline Creek Small Watershed District, which is the entity set up to operate the pumping plant at the Chester Muck that provides drainage and flood protection to this ~400 acre pocket of black dirt. There was a large increase in the land taxes about which he has been unable to get any information. Landowners there had no warning of this large increase. There are also continuing issues with the condition of the pumping plant. P. Ruszkiewicz organized a meeting at the County Government Center that was well attended. One of the outcomes was that they were going to try to form an advisory committee so that the landowners could meet periodically with the County officials who manage the Small Watershed District. The first meeting is targeted for June. It was also indicated that the County would try to do postcards to notify the landowners of the public hearings that would give landowners the opportunity to hear about and comment on proposed budgets. A good part of the increase in assessment is due to an increase in the cost of a contract the County lets out for pump plant maintenance activities. Because the previous contractor did not bid on the maintenance contract in the most recent bidding round, and the only bidder's offer was considerably higher than what the previous contractor had historically been doing the work for, this increased cost had to be passed on to the landowners in the Watershed District. Sumner said it sounded like the County DPW has been diligent in trying to find grant money to fix the pumps at the plant. However, the landowners were largely unaware of these efforts. There are also issues with a housing development on NYS Route 94 that drains to the Chester Muck. Jones, who is an organic farmer, is very concerned about drainage from the development – both the quantity of water and what pollutants it may contain. He has had difficulty getting any agencies with oversight/regulatory authority to satisfy his concerns. D. Church from OC Planning indicated that he would see that the Planning Department's review of this site would be pulled from their archives to determine if the as-built conditions are in conformity with the approved Site Plan. Jones noted that there is a retention pond on the site, but it never seems to have any water in it.
- Update on Tire/Trench Silo Issue – P. Ruszkiewicz arranged a meeting with the County's Green Committee. Sumner feels the meeting went well. P. Ruszkiewicz talked to Eric Ooms, Vice President for New York State Farm Bureau, and was told by Ooms that the DEC said they would exercise discretion on enforcing the tire cutting/holes requirement for at least a year. FB would like DEC to pay for the removal of tires, though it is unknown if the State is considering doing so. There was Board discussion on doing a silage cover trial on a farm in Orange County. A fair method of choosing a farm where the trial would be done would need to be determined. 30-40 people responded to the District's tire survey listing approximately 20,800 tires that would need to be cut or removed. 148,000 square feet of covers would need replacing. Sumner estimated tire removal could be approximately \$60,000.00 and the covers would be at least \$70,000.00. It's the Boards' feeling to pursue this project. There was discussion about asking the Ag & Farmland Protection Board to financially assist with the demonstration.
- Harmful Algal Blooms (HAB)– Sumner was asked last week by NYSSWCC to go through a list of potential projects that had been developed for the Middletown reservoirs HABS area and weigh in on which he thought could be ready for a grant proposal this year. Sumner responded that he would need to know what discussions the HABS program staff have had with the municipalities where most of the reservoir watershed lands are located before he could further evaluate the feasibility of the proposed HABS action plan projects. Sumner received no information in response to this request. Tomorrow is a meeting by invite only in New Paltz at NYSDEC for the people on the steering committee for the Middletown Reservoir's HABS Initiative. Sumner will be attending.

- The District received a call from a local farmer. The EPA is investigating other issues on the farm and raised the issue of a CAFO permit, which the farm does not have. Sumner told the farmer we did not currently have a planner on staff with the credentials to prepare the type of plan required for the CAFO permit, but that we could get the process started by initiating the AEM planning procedures that would be part of the more comprehensive plan he needed. Sumner sent the farmer the AEM Tier 1 Worksheet to fill out.
- Monhagen Watershed Planning Grant – We are trying to get work done on this before field work starts. The goal was to have this plan written by May '18. The Watershed Plan field work has revealed that dumpsters along Dolson Avenue are a significant source of litter/garbage reaching the Brook. Many of the dumpsters lack enclosures, which are required by City code. We are trying to address this concern pro-actively with landowners and businesses, otherwise the City might issue code violations. We are hosting a stream clean-up like we did behind Shop Rite Plaza on Dolson Avenue in Middletown the last two years. It is scheduled for Saturday, May 5th behind the bagel shop, muffler shop, etc. on Dolson Avenue. Sumner is working on a letter to the businesses in the clean up area as well as up and down Dolson Avenue that provides suggestions on good dumpster management. It also invites them to participate in the clean up. The Plan team has learned that both Middletown and Wallkill have Hazard Mitigation Plans. They are both heavily focused on flooding. Some of the projects that they are proposing line up with the goals of our plan. There was discussion regarding phosphorous testing and how it comes from many sources, not just agriculture. A phosphorous testing locations map of areas tested in the Monhagen Brook was presented to the Board by T. Ferry.
- M. Lain poured the concrete floor for his AgNPS Round 22 Covered Barnyard project over the weekend.
- A farm interested in AgNPS funding complained to Cornell Cooperative Extension that the Orange County SWCD is acting slowly in seeking funding for their project. The grant they are referring to has not even had the Request For Proposals released yet and even when we do apply for it there are no guarantees we will get the grant. Subsequently, the farmer emailed the District asking about the status of her project funding. Ferry reminded her that the RFP has not come out yet and that just because we put in the application it does not guarantee we will be successful.
- Sumner received a call from R. Schreibeis from the County Executive's office after being visited by Jim Bastek about his issues with the Millenium Pipeline. Sumner briefed Schreibeis about our past involvement in this matter.
- Sumner learned that a new application will be going in to the Hudson River Estuary Program for removal of the Browns Pond dam. The District retracted our sponsorship of a similar grant request last year after learning that the Rowe farm relied heavily on the impoundment created by this dam for irrigation. Sumner was told that the new sponsors of the proposal are willing to consider options to help the Rowes.
- Kevin is doing a presentation this Friday for Orange County Municipal Planning Federation on rain gardens and similar stormwater practices.

INTERAGENCY REPORTS

- E. Schellenberg (CCE)
 - Attended the last Monhagen Brook Watershed Plan Advisory Committee meeting and has been talking to the Master Gardeners to see if they would get involved in the tree planting and cleanup.
 - Lucy Joyce has been pushing for funding for the Education Center and 4-H Park.
 - Went to a meeting last week regarding Community Tree Planting grants.

(E. Schellenberg left the Meeting at 10:50 AM)

P. DeBlock mentioned that Margin Protection Program (MPP) new enrollment premiums are less this year.

OLD BUSINESS

Wallkill Flood Projects

–The permit modification request that was sent to NYS DEC to reduce planting density on the Bench projects was discussed.

Quaker Creek – The cleanout project discussed at previous Board meetings is moving forward. A public hearing will be held in Goshen today at 5:15 for the \$100,000.00 funding. Sumner and Ruskiewicz will attend.

Wallkill Floodplain Bench Phase I

Subdivision Update – Sumner went to the Wawayanda Planning Board meeting last week and our consultant was there. They appeared to be satisfied with the access to the proposed new parcel being created from the Dean Ford and Barron Field property. A public hearing is set for May 9th. And they agreed to open and close the hearing at this meeting so in theory we can get final approval at this meeting. It will also need to go to OC Planning Department and they have 30 days from the day they receive it to review it. The consultant knew before last week's meeting that the Planning Board wanted the surveyor's signature on the plans and he did not have that signature at the meeting but said he would have it at the next one.

The attorney from the County that took over the CFI case has been in communication with Sumner.

Celery Avenue Project

– State Soil and Water Conservation Committee had on their April agenda to approve CRF3 projects. Sumner tried contacting them before today's Board meeting to ask about the Celery Avenue project proposal but was not able to find anything out before the meeting. Sumner submitted a Flood Plain Development Permit to Town of Wawayanda in preparation for the Celery project and was told it may take a few weeks to hear back.

Celery Avenue Tree Cutting Project

Sumner and Ferry went out to mark proposed trees to be cut downstream from the Celery Avenue project site, per discussions with NYSDEC staff (see March Board meeting minutes). DEC staff will review the marked trees and let us know if they are in agreement.

Bench Phase 2 South Side

– We are unsure if this project will be able to be completed this year due to funding uncertainties.

Bench Phase 2 North Side

There was quite a bit of tree damage over winter to the trees planted last year from floating debris and ice. Some just had abrasions, while other were bent over and/or snapped.

NEW BUSINESS

Sumner noted that a dairy farmer previously operating in Ulster County moved his herd to a Town of Wawayanda farm. This led to a discussion on growing corn on black dirt and feeding the corn to dairy cows and whether or not this will cause the cows to produce less milk. There seems to be anecdotal evidence that there may be some truth to this, but how significant the reduction would be is very unclear.

Some general discussion took place about the number of solar energy facilities being built and proposed. Sumner had previously met with a solar company out of Canada that was attempting to initiate some projects in Orange County. There was also a discussion at last month's board meeting regarding combined use where agriculture can still go on around where the panels are placed. There is a concern that companies pick the easiest spot to put the panels which means they use up the good farmland. The Town of Wawayanda is talking about a local law that would prohibit these facilities on black dirt and better quality soil. Sumner provided some assistance to the Town's consultant with regard to different classification systems that could be used to determine which soils should be protected.

The next **MEETING** is scheduled for **Monday, May 21, 2018 at 9:00 AM.**

2018-4-5 The Meeting adjourns at 11:58 AM on a Motion by DeBlock, seconded by Wright. All in favor.

Minutes Prepared By:

Christine DeGroot, Secretary to the Board
Kevin Sumner, Conservation District Manager