

MINUTES
ORANGE COUNTY SOIL & WATER CONSERVATION DISTRICT
BOARD OF DIRECTORS
September 20, 2021

The **MEETING** was **CALLED TO ORDER** by the Chairman at 9:04 AM. Directors G. Constable, J. Wright, P. DeBlock and P. Ruszkiewicz joined remotely along with K. Sumner, T. Ferry and C. DeGroodt (SWCD).

2021-9-1 Ruszkiewicz made the Motion, DeBlock seconded, to approve August'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.

The District received email approval to purchase new hoppers for one of the planter's, which cost approximately \$1,000.00.

The Board approved starting the District's Soil Health Incentive Program this fall and allocating \$25,000.00 out of our Part C money.

CORRESPONDENCE

- The bank statements and collateral agreements were available for review.
- The District received a letter from the Town of Wawayanda indicating support for the Wallkill Maintenance Agreement Expansion Project.
- The Hudson River Watershed Alliance sent a donation request. No action taken.
- The District received the Moodna Environmental Benefits Project award agreement in the mail.
- The District received three proposals for the Pulaski Highway Culvert Study.
- The Town of Goshen sent the District a letter indicating that they do not support the Wallkill Maintenance Agreement Expansion.

FINANCIAL REPORTS – There was nothing new to report.

2021-9-2 Wright made the Motion, Ruszkiewicz seconded, to file August's Financial Reports for audit review. All in favor.

BILLS FOR BOARD APPROVAL – Barton and Loguidice is assisting the District with several projects in addition to the Wallkill flood mitigation work. Billing is itemized so that expenses can be assigned to the appropriate accounts.

Richard Hoyt's billing is itemized by day, time and activity. He is giving us assistance on the Pellets Island Project. We have also used his services for a few other projects such as the DASNY contract and the EBP Agreement.

2021-9-3 DeBlock made the Motion, Constable seconded, to accept the Bills to be Paid. All in favor.

GRANT REPORT UPDATE – The Grant Update Report is updated monthly to reflect changes.

STAFF REPORTS

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

C. DeGroodt (SWCD) – DeGroodt's staff report was attached to the Draft Minutes.

T. Ferry (SWCD) – Ferry's staff report was attached to the Draft Minutes. The old seeder is having issues and it's not an easy fix. Ferry is meeting with O'Dell later in the day to discuss options.

K. Sumner (SWCD) – Office Procedures – USDA is continuing a mandatory face mask policy and are not allowing any meetings at the USDA facilities.

The catalytic converter was stolen off of the District's Dodge pickup. It cost approx. \$1,474.00 to replace it. District vehicles are now being parked closer to the building. We are still waiting to see if there will be any enhanced security measures at the building. DeBlock mentioned that the person the USDA leases the space from has been looking into getting prices to install security measures.

AEM Round 16 Tier 4 Implementation Projects Update – Projects must be completed by the end of this year. Brian Browne's project is moving forward and Van Aken's project is starting today. Sumner mentioned that the Vreeland project can not start until next year because they are waiting on the metal building installer. Sumner is in discussions with the landowner to switch from a metal building to a conventional wood frame structure. He will need an engineer to sign off on whatever type of building he puts up. Sumner is looking into having Barton & Loguidice provide a roof design for him, which will be additional cost that we had not anticipated.

Sumner said they have been pricing materials for the Van Aken job and some prices, especially lumber, have gone down. The Van Aken project plans were approved by the engineer and he is seeking contractor proposals.

Hudson Valley Carbon Farming Project Update (CFP) – This project is moving forward. Sumner is anticipating that the contract end date that ends on 4/30/21 will be extended for another year.

There was a discussion on securing a roller-crimper, using CFP funds, that could be lent out to farmers to facilitate no-till/reduced spray cropping systems field-level research. Since last month's Board Meeting, Sumner has been asking farmers how much interest there would be to work with the District on some demonstration projects and he does have one farmer that indicated he would be willing to do so. Wright has also been researching and found that a crimper can be used to go over grain corn stubble and help break it down quicker. Sumner also researched costs and vendors. There is a 10' wide model that is towable, manufactured in Lancaster. It costs \$7,800.00, shipping not included. \$6,000.00 was approved out of the CFP money so the District would have to find the difference elsewhere or request an increase in the CFP money. Wright mentioned he would be in favor of purchasing one but wants to continue to research it some more. Sumner mentioned that a local landowner indicated that he is serious about growing no-till organic soybeans. He owns a lot of land that is coming out of the Conservation Reserve Enhancement Program next year and his current plan is to turn that ground into no-till organic soybeans. Discussion followed. No action taken.

Flood Plain Bench Phase 4 Update – The latest proposed schedule is to submit the permit application to the NYS DEC/ACoE by the end of September, which now seems unlikely. Sumner said we are waiting on a design and

construction plan from Barton & Loguidice. Sumner said he would like to have something out to the DEC so that we might have some chance of clearing the trees before March 2022. That would position us to possibly start some construction next year if all the other pieces fall in place.

Phase 3, Area 1 - This is the area where excavation work was done last fall. They were going to go in and grade back the lower banks to give them a milder slope for better vegetation growth. When Sumner visited the site last week there was a good amount of vegetation already growing on the banks, so it wouldn't make sense to go in there now and disturb it. They will revisit this in the spring and see if at that time it's advisable to go in there and disturb those banks and replant vegetation. We are still planning on planting smaller trees (#2 containers) on the bench sometime in October.

Phase 3, Area 2 – The DASNY Funding Agreement has been fully signed, but it is too late for the District to plan and organize the construction this year. The funding agreement for this also has a three year time period associated with it. We can charge P3A1 fall planting work to this contract.

Other Flood Mitigation – There was significant flooding along the Quaker Creek, especially upstream of Big Island Road, from Hurricane Ida remnants. Sumner is considering submitting an application for a bench/buffer project for the Quaker for the next round of the Climate Resilient Farming Grant. There are approximately 55 parcels along the creek, but a lot of landowners own multiple parcels. Discussion followed. Sumner said he will try to get feedback from some of the landowners and he will report back to the Board next month.

Sumner asked Wright if at the last Ag Board Meeting they discussed the public officials meeting, which is scheduled later this week. Sumner said he did not know about the date until late last week. Wright said that yes it did come up. Sumner said that with the peaked attention to flooding issues because of the recent weather, he would think that this would be a topic to be brought up. However, no one contacted Sumner about providing a report at the meeting. Ruskiewicz said he received an email about the meeting last week. Sumner asked is either Wright or Ruskiewicz planned on going. Wright is unsure. Discussion followed.

Legoland Update – The agreement is fully signed and the District is waiting for the check from Legoland. The District anticipates that most of the \$50,000.00 will be a pass-through to the Orange County Land Trust for a land acquisition project near the Legoland site. There will be a balance that could be used for another project, possibly a study on the bank failure on Moodna Creek in Cornwall. The County DPW contracted for a study on the same site that's focused on protecting their roads. Sumner was waiting to see what the results of that study are to see if it made sense to spend additional public funds doing a study there.

Pellet's Island Reach Maintenance Program – The District has been working with Rich Hoyt on this. It's moving at a steady pace. We've made good progress and the County has provided some assistance. The County surveyor created a deed plot map. On that same map there is a temporary construction easement that has since expired. However, that construction easement would get us to where we need to be for the updated perpetual easement that we would like to secure in order to be able to do maintenance on the river in that section. We could use that temporary construction easement to create a new one which might save money on sending a surveyor out to shoot in a new easement boundary. Sumner and Hoyt have a list of property owners and have been working on a landowner letter. Sumner would like to receive a support letter from the County before he sends out the landowner letters. Sumner sent a reminder letter to Harry Porr this morning to see if they are working on that letter and asking when the District could get it. We have support letters already from Warwick and Wawayanda, and information was presented to Minisink. Sumner is holding off on sending a response letter to Town of Goshen regarding their lack of support. Ruskiewicz offered to follow up with the County on their support letter.

ORANGE COUNTY SWCD SEPTEMBER 2021 BOARD MEETING MINUTES

Sumner and Ferry provided permit assistance to a local orchard regarding proposed driveway culvert installation near a NYS DEC regulated stream.

Sumner confirmed a landowner's report of construction debris being illegally dumped in the floodplain on Filomena Drive in the Town of Goshen. The fill is being placed to create a larger, useable parking area. This was previously discussed at August's board meeting. The NYS DEC was notified about this situation several years ago and they said it was out of their jurisdiction and that it was the Town's responsibility.

The District's draft 2022 Annual Plan of Work was emailed to Directors prior to the Board Meeting. This is due to the State Committee by November 1st and should be approved at the October Board Meeting. The Annual Plan of Work is a required item for the Performance Measures.

No-Till Equipment Update – The older seeder has over 5,400 acres on it. We have discussed updating the equipment a couple of times in the past and Sumner suggested doing so for the 2022 planting season. He received prices from Pine Plains Tractor for a new Great Plains drill outfitted like the ones we own in two sizes. A 7 ft model - \$34,500 and a 10 ft model for \$42,500. He recommended to the Board that we stick with this brand. Discussion followed. No action taken at this time. To be discussed and action taken at next month's Board Meeting.

Pulaski Highway Culverts – The growers want the pipes lowered and the County wants a study completed. The District sent out a request for proposals and three were received from engineering firms. The highest proposal is \$124,800.00 and the scheduled completion date is August 2022, the 2nd proposal is \$84,000.00 and had a two month time frame for completion, and the third is \$9,500.00 from Barton & Loguidice (B&L) and they said they could begin sometime in the middle of September 2021 and it would take around a month to complete. Sumner reviewed this with the County DPW and they agreed to hire B&L. The District is able to provide some field survey data to them. After the District receives an analysis from the engineers, then we can discuss funding for the actual replacement of the culverts. Sumner discussed going to the County's Physical Services Committee to request money for the construction and analysis, but the District Board had agreed to hire the consultant without any sure indication that we would get the money back from the County. The idea was, when we get closer to a completed analysis, we would go back to that committee and maybe a legislative request could be made for the funding for that project that would be separate from the County's annual budgeting process. Discussion followed.

Michael Freeman joined the meeting as a guest and introduced himself. He is new to New York and is a water consultant who does land use planning, water conservation indoors and stormwater management. He is working with the Town of Cornwall and is on their Town Conservation Advisory Council. He said he would be happy to help the District and contribute. He applied to join the Orange County Water Authority Board.

Sumner asked Freeman if he had heard about the slope issue in Cornwall. He asked Freeman if it's been discussed at the Town of Cornwall Conservation Advisory Council. Freeman thought it was currently being evaluated with an engineering firm, possibly Tectonic Engineering. Sumner asked if they were hired by the town. Freeman said he believes it was the Town. Sumner said the County DPW is doing a study there but he was curious if another study was being contracted by another entity.

INTERAGENCY REPORTS

NRCS – No one attended from the Natural Resources Conservation Service.

OLD BUSINESS

ORANGE COUNTY SWCD SEPTEMBER 2021 BOARD MEETING MINUTES

Reported under Sumner's staff report.

NEW BUSINESS

Reported under Sumner's staff report.

NEXT MEETING DATE - The next **MEETING** is scheduled for **Monday, October 18th at 9:00 AM.**

ADJOURNMENT

2021-9-4 The meeting was Adjourned at 10:36 AM on a Motion by DeBlock, seconded by Ruskiewicz. All in favor.

Minutes Prepared By:

Christine DeGroodt, Secretary to the Board

C. DeGroodt

Board Meeting Activities August 14, 2021 – September 16, 2021

- We currently have \$422 cash awards on the rewards credit cards.
- I have been sorting/reorganizing files, Wallkill Maintenance Project files, etc.
- Updates to the District website.
- Designated an unobligated TD Bank account for the DASNY grant.
- Worked on a spreadsheet for parcels along the Quaker Creek.

September, 2021

Office Procedures – USDA is continuing a mandatory face mask policy. They also are not allowing any meetings at USDA facilities. A policy was circulated indicating that all USDA employees and ‘contractors’/partners would need to be vaccinated or present evidence of regular testing, but we have not seen this policy go into effect at the Middletown USDA Service Center. The federal mandate for being vaccinated is also pending. For the immediate future, we are inclined to go back to zoom meetings with no ‘in-person’ option.

The catalytic converter was stolen off of our Dodge truck. We reported this to USDA along with a reminder that tail gates were stolen in the past from both Soil & Water and USDA trucks. They have inquired with the landlord about increased security measures, but likelihood/schedule for improvements is unknown. We are parking our vehicles closer to Dolson Avenue and the building instead of in the designated parking spots due to lack of action on enhanced security measures.

AEM/AEM Round 16 Tier 4 (Implementation Projects) [Must be completed by 12/31/21]

Planning, design and construction progressing on all three projects.

Browne completed installation of roof gutter project component. A fencing practice is still expected to be completed and certified before the project is totally closed out.

Vreeland still waiting for metal building installers.

Van Aken plans approved by engineer. Still seeking contractor proposals.

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

Keith Stewart – engineer review of my plans has been completed. Construction tentatively scheduled for last week Sept./1st week Oct.

Matthew Southway – on waiting list for engineer assistance. Continuing to do research on facility design, including Aerated Static Pile aspects. Draft plans that include active aeration have been shared with landowner. He wants to include the aeration capability.

Minkus Controlled Drainage – Waiting on landowner .

Project Managers put out an invitation to enhance projects and request additional staff time support, our request was approved. Project managers are requesting a one-year, no-cost time extension.

I would like to continue the discussion on securing a roller-crimper with CFP funds to facilitate No-till/reduced spray cropping systems field-level research.

Floodplain Bench Phase 4

The latest proposed schedule is to submit permit application to NYSDEC/ACoE by end of September. Engineer indicates benefits of the project would be minimal if kept within the existing FFCP easement limits. I expressed opinion to him that we should abandon attempt to keep the project within the

existing easements. Unclear if the proposed schedule of submission of JAP by end of September will be met.

Phase 3, Area 1

Wet weather is challenging plan to grade lower river bank. Although water levels have decreased, field inspection 9/15 showed significant vegetation established on the bank so I have decided to postpone this work and re-evaluate in the spring. We are still planning to get #2 containers planted on the bench in Oct/Nov.

Phase 3, Area 2

DASNY Funding Agreement fully signed, but too late for P3A2 this year. We can charge P3A1 fall work to this contract, which will be good test of the turn-around time on reimbursement requests.

Other Flood Mitigation

Flooding was particularly severe along Quaker Creek, especially upstream of Big Island Road from Hurricane Henri remnants. We looked at a 'mini bench' concept here a couple years ago. Initially, our consultants said a project on Quaker would be of little benefit because of backwater limitations from the wallkill/Cheechunk. However, observations suggest that there may be storm events where flooding is occurring along Quaker independent of the Wallkill. I am giving some consideration to a Climate Resilient Farming application next round (expected to be released this fall) for a 'bench/buffer' project for Quaker. I have not had conversation with Quaker landowners about this idea, and it would be time-consuming and challenging for several reasons including a large number of landowners. I would be interested in feedback from the Board about this idea.

Round 27 ANPSACP

Submitted, awaiting results.

Other

Legoland EBP – We received a Funding Agreement from DEC for \$50,000. I had Rich Hoyt look at it before signing.

Pellets Island Reach Maintenance Program – Working with Hoyt to advance this project. County assisted with creation of a 'deed plot' of the existing WVDID easement, and locating historic maps of the area from the County Clerk's office. Received letter of support from Wawayanda. H. Porr at CE office indicated they would provide a support letter. We already had support in writing from Warwick. Provided information to Minisink Supervisor for discussion at Town Board meeting. Goshen submitted a letter indicating they do not support the expansion. I will report in more detail at the meeting.

Pulaski Culverts – Three proposals received from engineering firms. In communication with OCDPW, Barton and Loguidice was selected to do the analysis. They indicated they could start mid-September. They will be relying on us for on-the-ground survey information.

Received review from PE Buckman at B&L of my pond plans for Callisto Winery. Construction planned for this fall, but wet weather could change that plan.

We provided permit assistance to Masker Orchards regarding proposed driveway culvert installation near a NYSDEC regulated stream. Inquiry sent to NYSDEC 8/27, no reply yet.

Did additional research on roller-crimpers, following up on discussion at August meeting. Request additional discussion this month. I have had several discussions with a local landowner who has expressed interest in 'collaborating' on a project to secure the equipment needed to allow for no-till/reduced spray cropping systems (pumpkins, soybeans, corn), which would include a roller-crimper. There are some questions as to whether this could be a viable arrangement.

Did recon in Black Dirt after Ida, prepared Trip Report. Supplied report to CE office.

Visited Filomena Drive (Town of Goshen) – confirmed landowner report of filling of C&D debris in the floodplain, as discussed at August Board meeting.

After Board approval of funding allocation by email, initiated pilot Soil Health Program by sending out funding approvals to five producers for 338 acres of cover crop.

Dairy producer called requesting assistance for a manure storage facility. Considering options for completing the planning necessary as pre-requisite to requesting funding.

Completed draft of 2022 Annual Work Plan. This is due at State Committee November 1st. We will provide the draft to directors by email, please let us know if you want a paper copy. We should plan on approving it at the October meeting.

Called landowner who had inquired about funding assistance for tire removal/disposal to report on Board's actions at last month's meeting. He said he would call back on a rainy day.

No_till Equipment Rental Program

Older seeder has over 5,400 acres on it. We have discussed updating the equipment a couple of times in the recent past and I am suggesting we do so for 2022 planting season. I got prices from Pine Plains Tractor for new Great Plains drill outfitted like the ones we own in two sizes. 7 ft model - \$34,500, 10 ft - \$42,500. I am recommending that we stick with this brand, assuming I get confirmation that we can specify the brand (purchase will be subject to NYS GML requirements). We will need to discuss options for funding this purchase.

TF September Board Meeting Activity Summary

- New fertilizer hoppers picked up for Old planter, waiting on Ron's schedule to get them installed.
 - Soybean meter was repaired at Pequea Planter, a new one was ordered earlier this year, so we now have 1 extra soybean meter in case one breaks down.
- New seeder is being used.
- Old seeder has multiple issues, potentially related to the gear box issue that was repaired earlier this year.
 - Front seed box is leaking seed at the seam.
 - New chain is wanting to slip off sprocket and another chain broke.
 - Will meet with Ron this week to generate parts list/get repairs done.
- Chris removed a large tree and debris pile from the mouth of Quaker Creek.
- Officially attained CCA certification.
- Round 17 AEM information has been released, Annual Action Plan is due November 1st
 - Currently working on a 1st draft of the AAP
- Contracts for soil health/cover crop program went out in the mail & emailed to participants that we had emails on file for, we have currently received 1 contract signed. We set a due date of October 1st, 2021 for the signed contracts to be returned.
- Been working on preliminary designs for some projects submitted as part of Round 27.
- Conservation skills workshop is next week.
- Been receiving a few soil group worksheet requests lately.