

**MINUTES**  
**ORANGE COUNTY SOIL & WATER CONSERVATION DISTRICT**  
**BOARD OF DIRECTORS**  
**March 18, 2024**

The **MEETING** was **CALLED TO ORDER** by the Chairman at 9:04 AM. Directors P. DeBlock, J. Wright, P. Ruszkiewicz, G. Constable and B. Cheney were present along with K. Sumner (SWCD), E. King (SWCD), M. Held (SWCD), O. Velez-Juarbe (NRCS), Erik Schellenberg (CCE), and Orion Blake (Local Farmer.)

**2024-3-1 DeBlock made the Motion, Wright seconded, to approve February's Board Meeting Minutes as written. All in favor.**

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

**CORRESPONDENCE**

- Bank statements, Account Analyses and collateral agreements were available for review.

DeBlock updated Wright that the State Soil & Water Committee met, but there was no ruling made regarding Sumner's permission to approve soil health practices without CCA. Sumner and DeBlock expressed their disappointment that the moderator did not read the letter that the Board wrote to the committee or mention Sumner's forty-three years of work experience. DeBlock spoke during the meeting and advocated on Sumner's behalf as to why he should receive approval authority. The State Soil & Water Committee decided to table the decision to research how many other District employees would be affected by this new policy. Per DeBlock, the Committee will deliberate on the matter at the next meeting in March.

Sumner mentioned that he spoke with Kristen Brown, a former District Technician, who was considered to work for the District since she is a CCA. Brown knows Darin Hickling who is one of the voting members on the State Committee, a Farm Bureau representative, and owner/operator at Hickling's Fish Farms. Per Brown's conversation with Hickling, the Committee is exploring a grandfather policy for employees such as Sumner. Hickling reported that there could be pushback from the legal department. Schellenberg remarked that not many CCE employees have CCA status.

**FINANCIAL REPORTS**

Sumner indicated that the financial report is updated to reflect the newly added funds such as the 1<sup>st</sup> Quarter County Appropriation and the Part A Reimbursement. The 1<sup>st</sup> Quarter County Appropriation totals \$219,615 and the Part A Reimbursement is \$60,000. Ruszkiewicz asked if there was an explanation given for the delay in the District receiving the County Appropriation, but Sumner reported none. Sumner stated that the District is dividing the appropriation on the receipts page between the base appropriation and the portion needed for the special projects. Sumner explained that \$69,615 is listed under the base and the remaining \$150,000 is listed under the Walkill Flood Control dedicated fund summary. Overall, the County allocated \$600,000 towards the District's special projects. The Board can view this recent addition to the dedicated fund summary under number five on the dedicated fund summary. Sumner stated that the District will be taking funds from the \$150,000 for the expenses accrued on the Walkill Flood Control Project Phase 4 North. Cheney asked Sumner whether the District needs to accelerate the county payments to meet contractual obligations. Sumner does not think so because the District is in a contract for the tree cutting, which is \$37,500, and the actual construction will not begin until summer of 2024. For this reason, he believes that the quarterly payments will stay ahead of the contract payments. If the situation were to change, Cheney recommends that the District meet with the County to arrange for earlier payments.

**2024-3-2 DeBlock made the Motion, Ruskiewicz seconded, to file February's Financial Reports for audit review. All in favor.**

**BILLS FOR BOARD APPROVAL**

**2024-3-3 DeBlock made the Motion, Ruskiewicz seconded, to pay the bills as presented. All in favor.**

**GRANT REPORT UPDATE –**

Sumner did not have a grant report, but noted that there have not been any significant updates. Sumner stated that the District is working on furthering project planning and design.

**INTERAGENCY REPORTS**

**CCE:** Schellenberg stated that CCE's annual country fair will be from 7/26/24-7/28/24. CCE is collaborating with the Otisville County Fair to provide activities and rides for attendees of all ages. Schellenberg asked Sumner if he could borrow the District's soil runoff diorama which Sumner agreed to. Additionally, CCE's completed one of five stormwater training series courses. The training series concludes on 5/21/24. Schellenberg reported that he should hear from the Conservation Innovation grant by the end of March. Sumner stated that the District has not had the chance to work on the roller crimper project, but if CCE receives the grant then the District should prepare for the fall cover crop planting and the demonstrations in 2025. Schellenberg and a few DEC employees finished an official forestry management plan for CCE's Education Center and 4-H park. CCE will implement agroforestry and cover cropping practice specifically where all the millings are. Schellenberg hopes to use the roller crimper during this process as well. Lastly, CCE is offering several logging courses from 3/26-3/28 on chainsaw safety, maintenance, and tree felling.

**NRCS:** Velez-Juarbe reported that NRCS ranked eighteen applications for the EQUIP program of Orange County. Additionally, the agency has seven preapproved contracts for Act Now. There will be a new employee starting in Middletown in either May or June 2024. This individual has already received some training with NRCS during their seasonal employment. NRCS finished submitting the needed reports filed for the effects of the storms in July 2023. These reports will determine the cost estimates from the towns. Additionally, NRCS is waiting for preapprovals from some of the buyouts in the Town of Cornwall. Velez-Juarbe will keep the Board updated on the status of those reports.

**FSA:** There were no updates to report from FSA.

There were no representatives from NYSS or WCC present at the meeting.

**STAFF REPORTS**

\*Sumner emailed his written staff report to the Board prior to the meeting for review, but Held and King were unable to since they were away at training. \*

**M. Held (SWCD)**- Held has been working on the Tier 3 planning for the Tier 4 cost share projects. The District is still looking to allocate \$40,000 to Tier 4 projects through the AEM Round 18 grant. Held noted that she learned a lot at the Water Quality Symposium, WQS. Held found the lecture dedicated to reviewing AEM Tier 3 plans very informative.

**E. King (SWCD)**- King reported that after February's meeting, she reached out to various vendors requesting quotes for work needed for ongoing construction projects. King agreed with Held that the AEM Tier 3 planning course was very helpful. King noted that she has been readying materials for the District's routine audit scheduled for the first

week of April. Lastly, King remarked that a conflict mediation course she took at the WQS was very instructive and she feels better prepared to handle any future disputes.

**O.Blake-** Blake introduced himself and stated that he is here to address flooding issues in the Town of Warwick. Blake is the coordinator for the Climate Smart Community Advisory Board. Blake reported that for the past two years he has grown rice in Warwick. Since rice is suited as a floodplain crop, he is interested in learning how the Celery Avenue Ledge Lowering project could affect the water table and farming in the Blackdirt. Blake’s property is upstream from the Celery Avenue Ledge project. He does not own property in the Blackdirt, but intends on doing so in the future. Per Sumner, the ledge project will not impact the water table three hundred feet to the fields bordering the river. Sumner stated that the Celery Avenue Ledge Lowering project may enhance farmer’s ability to drain their soils if they are intentionally draining the water table with open ditches. Sumner questions the argument that the ledge project would lower the water table outside of any on farm drainage ditches.

Schellenberg asked whether there is a clear understanding of the water table in the Blackdirt. He noted that he owns some Blackdirt in Ulster County and that he only hit water after digging three feet below the water table while installing a high tunnel. Sumner remarked that Blackdirt does not behave in the same way that sandy loam soil does. The District has placed drainage systems and augured holes directly over the drainpipe and the water comes up right to near the surface over the pipe. Sumner does not know if there is a good understanding of Blackdirt. Additionally, the wicking action is much more pronounced in Blackdirt compared to mineral soil. Sumner referred to the work a hydrologist did using a piezometer that determined the water table in the fields three hundred feet away from the ledge work is independent of the water level in the river. Studies were conducted both at the Celery Ledge and Pochuk Ledge projects which returned those same results. Sumner admitted that not everyone subscribes to the findings of the two studies.

**K. Sumner (SWCD)-** Review “Old and New Business” for further information.

**OLD & NEW BUSINESS**

**Floodplain Bench Phase 4 South–** Sumner met with the landowner, Chip Lain, who agreed to a conservation easement for his eleven acres. Sumner reported that he asked Paul Wiley from Real Property if he could provide an updated ‘comparable sales’ evaluation since the last report was in 2016. Sumner would like Wiley to focus mainly on the land involved in Phase 4 of the project. Sumner has not received an answer yet from Wiley. Ruskiewicz will speak with Wiley regarding this matter at the Agriculture & Farmland Protection Board, AFB, meeting on 3/20/24. Sumner requested guidance from the Board as to whether he should accept a contractor proposal or wait until the easement price has been determined for the north side project. Sumner has told contractors that the District aims to make an award by the Board’s meeting in April out of courtesy for their own summer schedule. Sumner noted that it would be beneficial to have a set offer from the Board to provide to Bastek before the meeting in April. Sumner wants direction if we are accepting Bastek’s request or making a counteroffer.

Additionally, two biologists from the DEC will be visiting the bench project this Friday. According to our current permits, the DEC is supposed to inspect each phase before moving onto the next one. Sumner is not too concerned about the visit since they rarely conduct inspections. Sumner hopes that the river does not flood the bench before the DEC’s visit. Sumner stated that all the trees have been cut down on the north side project, but the tops need to be processed. Sumner reported that it would be ideal for someone to take the logs, but since 95% of them are soft maple they are less valuable.

**Floodplain Bench Phase 4 North-** The District is currently soliciting contractor proposals on behalf of the sponsoring farm involved in the project. The farm in question is Sunflower Valley Farms which is owned by Brian Ford. Sumner reminded the Board that when the farm is hiring the contractor, the District is not subject to general municipal law bidding requirements. Per Sumner, the District utilizes the State Soil & Water Committee procurement policies. The

## ORANGE COUNTY SWCD MARCH 2024 BOARD MEETING MINUTES

District has requested proposals from four firms so far. Sumner tried to choose companies that were similar in their operation and size. These proposals are due on 3/21. The quotes will help the District determine whether we can afford to pay for the full construction expenses for the Floodplain Bench Phase 4 North project area. Sumner is preparing on dividing the project in half to avoid overextending the District financially. Sumner noted that the District could always commission the contractor to finish the second half of the project if their schedule allows and the District can afford it. Sumner is not concerned if construction on the project continues into 2025. Sumner asked Richard Hoyt to review the request for proposal documents he drafted for an extra layer of oversight.

**Annual Flood Management of the Wallkill River Advisory Board Meeting-** Sumner reminded the Board that this committee includes the towns of Minisink, Warwick, Goshen and Wawayanda. It was formed after the 1980s snagging and clearing project. The committee recently met on 3/1/24 and all the directors, except Wright, attended, Sumner has debriefed Wright on what occurred. Sumner highlighted some key points from the meeting with the town supervisors.

- 1.) All the supervisors were all in agreement to advocate that leftover funds dedicated to the river projects should roll over in the new year rather than being returned to the County. This would allow these funds to become available to the District for flood mitigation work. Essentially, the towns would automatically appropriate the maximum funding, as defined in the initial agreement, to create an additional \$60,000 in the fund at the beginning of every year.
- 2.) Additionally, the supervisors were okay with using funds to address road maintenance and riverbank repair. This would expand the current parameters of what the funding can be used for.
- 3.) Sumner felt that the supervisors expressed a shared interest in revitalizing the Celery Avenue Ledge Lowering Project. Sumner noted that Goshen supervisor, Betro, offered to help secure the easements not yet received from landowners at Pellets Island. Sumner reported that after the meeting Betro emailed him asking for additional information on the needed easements. Schreibeis called Sumner a few weeks ago to let him know that he and Betro were surveying the situation at Pellets Island. The two men requested information regarding the landowner on the Wawayanda side of the river to speak with them regarding the needed land easement. DeBlock mentioned that Betro issued fines to the suspected polluter on the Wallkill River.

**Flood Control Steering Committee-** This committee, which was formed in 2013, includes a number of farmers, the town supervisors, and local stakeholders. The committee is meeting on 3/20/24 at 9:00am at the CYO in Pine Island. Sumner does not know if the District's engineer, Wendell Buckman, will be attending the meeting. If he is unable to, Sumner will ask him for a report to share with the committee. Cheney asked whether Wendell could attend the meeting virtually to better accommodate him and avoid the District having to pay for his mileage reimbursement. Sumner would prefer that Wendell attend the meeting in person to better explain and have him review the work on the ground. Even though Sumner provides Wendell with reports and pictures, he primarily signs off on the work site unseen. Sumner hopes that the meeting will help the District develop a five year plan in terms of the priority projects. Sumner knows that the town supervisors from Goshen and Warwick will be at the meeting, but he is unsure if Wawayanda and Minisink can attend. Sumner feels that having the supervisors involved in that discussion will greater the chances of the project's development and success.

**Hudson Valley Carbon Farming Project-** Sumner reminded the Board that the District has a couple of projects in the Hudson Valley Carbon Farming Project that are waiting for reviewal and reimbursement. Sumner stated that the District allocated a fair amount of money to these projects so we are looking forward to that reimbursement. The District submitted reimbursement requests to Dutchess County Soil & Water last week. Sumner reported that Dutchess County Soil & Water is meeting this week and hopefully a decision will be made then. If so, Sumner expects that the District will receive those funds in the next few weeks.

**AEM Round 17-** Sumner stated that the District is still waiting on the AEM Round 17 contract to closeout. This contract ended at the end of December 2023. Ben Luskin from the State Committee is inundated with work at this time, so the District does not know when our reports will be reviewed. Sumner is not worried about that since there

## ORANGE COUNTY SWCD MARCH 2024 BOARD MEETING MINUTES

is not a lot of money involved. However, Sumner would prefer to have CRF Round 5 reviewed sooner rather than later since there is a \$30,000 final payment holdback. The District is doing well financially, but it would be ideal to have those funds available. The only completed contract that the District has received is the AEM Round 18. The District is still waiting for the three CRF Round 7 contracts and the AGNPS Round 29 contract to get approved.

**Hoyt Farm Project-** The Hoyt farm project, which is funded by AEM Round 18, aims to address cropland erosion. Sumner noted that the owner hopes to hire Minkus farm to install a lot of the drainage by using a drainage plow. Sumner remarked that this site is different since drainage plows are typically used in the Blackdirt. Per Sumner, the soil at Hoyt's farm is variable and mainly gravelly. This method presents the opportunity for tremendous cost savings since open trench drainage installation costs \$8-\$10 a foot. In comparison, the cost for the drainage plow is \$2.50 a foot.

**Recent News from Site Near Chester Blackdirt-** Sumner updated the Board on the site in Chester adjacent to the Chester Blackdirt. Sumner reminded the Board that the landowner began bringing in large amounts of soil two years ago. This action prompted complaints from neighbors. The landowner stated that the soil was needed for his Christmas tree and pumpkin plantings. At the time, the DEC considered it to be exempt from needing a stormwater construction permit. Additionally, the town was not worried about having a site plan or erosion control plan submitted. Sumner was informed last week by an employee of the stormwater division of the DEC that the town issued a stop work order to the site two weeks ago. This incident reminded Sumner of the situation at Legoland where the property owner deposited silt into the receding water for five years before he was fined. Sumner mentioned the allegations that the previous supervisor benefited personally from the site in Chester.

**Aldo Leopold Award-** Sumner reported that he received a call a week ago from a woman named Linda Rohleder who asked Sumner if the District could sponsor her farm for their application to the Aldo Leopold Award. The Aldo Leopold Award is an Ag & Markets program that works with the Sand County Foundation. The application has a grand total of \$10,000 awarded to the winner. The application is due May 15th. Rohleder owns thirty acres of woodland near Salisbury Mills. Rohleder feels that her farm is an ideal candidate. Rohleder still needs to provide Sumner with an explanation as to why her farm is an ideal candidate. Sumner does not know for certainty if they have some sort of forestry plan. Sumner stated that Soil and Water Conservation Districts are the appointed agencies to sponsor and submit applications. The District is not familiar with the landowner or the award. Sumner brought this to the Board for their opinion as to how he should proceed with this request. Sumner has not reviewed the application yet, but he is unclear as to how thirty acres of woodland signifies a strong importance for farming practices. Sumner shared Rohleder's application with the Board to review. Sumner feels that if the District decides to move forward with this process, then we should extend an invitation for other farms to apply. Sumner stated that due to staffing limitations, the District has fallen short in the outreach and education part of our program. Velez-Juarbe told Sumner that he believes Rohleder submitted a plan to NRCS a few years ago. Velez-Juarbe never went to the site, but he will review his files and share any information he finds with Sumner. Per Sumner's review of the Aldo Leopold award, the fund is geared more towards commercial farmers. Cheney asked whether the District is expected to help fill out the application or if the landowner will assume that responsibility. Additionally, Cheney does not know how much of the District's resources we should dedicate to this application. Sumner does not know beyond submitting the application what would be required of the District.

Sumner asked the Board if they think the District has an obligation to verify the information outlined in the application. DeBlock suggested that the District be transparent and state in the cover letter that we have not done

any projects with Rohleder. DeBlock recommended this to protect the District from receiving any scrutiny from the award committee. Sumner agreed with DeBlock, but stated that he would choose his words carefully so as not to impact Rohleder's likelihood of being chosen. Cheney recommended that either Sumner or Held visit the property to validate what is written in the application. Cheney asked whether Rohleder should contact Greg Albrecht to learn whether they qualify for the award. If Rohleder does not get back to Sumner, then the District will not move forward with advertising the Aldo Leopold award. However, if Sumner hears from Rohleder then he will have Rohleder fill out the application. Afterwards, Sumner will speak with Albrecht to see if she can contact him, and the District would possibly visit the site. Cheney suggested that Sumner email Rohleder and let her know that the Board met and determined that the onus is on her as to whether she wants to proceed with the application. Cheney proposed that the District make a conscious effort in 2025 to make farmers aware about this award.

**Celery Avenue Ledge Lowering Project-** Sumner reminded the Board that they authorized hiring B&L to refile the permits for the project at February's meeting. Sumner wants to know if the Board thinks that they should be taking further actions to advance the funding plans. Ruskiewicz spoke with Schreiberis who stated that the department is reviewing funding options. Cheney stated that he will follow up with Eric Denaga from OCDPW to see if he knows of any updates. Sumner does not know if this would be addressed in the county appropriation. Cheney explained that ARPA funds need to be dedicated to a project by 12/31/24 and spent by 12/31/25. Per Sumner, the CRF grant would be the most ideal fit for the ledge lowering project, but round eight has not been released yet. Sumner noted how time consuming those applications can be and is not expecting to have the funds until next year. Wright confirmed with the Board that they are interested in pursuing this project in some regard. Sumner expects the project to be a subject of discussion at the flood control steering committee meeting this week. Sumner mentioned that there are new advocates for the projects now. Sumner stated that ideally the farmers would help mediate the situation with the adjacent landowners and assist in securing those easements.

**Reviewal of Policies-** Cheney told the Board that he shared his proposed changes with King and Sumner prior to the meeting. Cheney recommended that King make track changes to the list of policies and provide it to the Board prior to April's meeting for review. Sumner mentioned that Cheney felt that \$50,000 is too high for the District's limit on professional services. Sumner asked that the rest of the Board consider this and let him know what they think. Sumner stated that to his understanding general municipal law does not require setting a limit for professional services. Per Sumner, if it is a professional service then it is not subject to a limit procurement. However, Sumner believes that out of fiscal responsibility, most public agencies do set a limit. Per Cheney, if B&L were to exceed \$50,000 it would be fine and not a problem. Sumner assured the Board that B&L has not come close to surpassing the \$50,000. Cheney suggested that the District institute a master services agreement with B&L. Cheney stated that the District would field a request for qualification every three to four years. Sumner stated that the District has not done that since hiring B&L in 2013. The District currently hires B&L on a year-to-year basis. Wendell spoke with Sumner a few months ago informing him that his upper management wants to have a formal written agreement with the District. The two discussed major projects that B&L is expected to help the District with, but Sumner has not received an update. Similarly, Cheney wants the District to have their bases covered in the event the comptroller's office audits us. Cheney recommended the District add a list of requests to the procurement policy that asks for a firm's rate, their qualifications, and experience. This would provide the District with the tools to make an informed decision for the hiring process. Cheney stated that these requests could be sent out to ten firms that fit the capabilities, but even if the majority decline to provide the requested information it shows that the District tried. Cheney suggested that this process occurs in September or October of each year. Moreover, if it is a firm we have experience with, Cheney recommends that the District factor in how long they worked with us and our overall satisfaction with their performance.

**Next meeting date: April 22<sup>nd</sup>**

ORANGE COUNTY SWCD MARCH 2024 BOARD MEETING MINUTES

Wright asked the Board for their input regarding a concern he has with the Agriculture & Farmland Protection Board. Wright reported that Rick Minkus left the Board for unknown reasons. Wright worries that the Board is not being as productive as they could be which led to Minkus' resignation. Wright mentioned that the Board discusses issues, but rarely formulates a plan to address them. Wright is hesitant to express his concern since he represents the Board of Directors. DeBlock stated that she sees "no action taken" listed often in the AFPB's meeting minutes and wonders why that is. Ruskiewicz is unsure as to what he and Wright should do as well. Sumner thinks that the AFPB should consider having sub-contracts with more than one person so that individuals strong in various ag sectors might be able to improve accomplishments. For example, farm markets, livestock, commercial field crops.

**\*Ruskiewicz left the meeting at 10:34am**

DeBlock suggested writing a letter to the AFPB that there is not enough action being taken. Due to the unused funds, AFPB sometimes allocates fund to the District at the end of every year. Sumner suggested that the AFPB could create a funding opportunity of \$3,000-5,000 for farmers to apply that want to enhance their farm in non-environmental ways. Sumner stressed how important it is for the AFPB to have a member that will advocate for motions to be passed and execute projects. DeBlock noted that Sumner has written letters before on behalf of AFPB, but it is often unclear whether or when they get mailed. Cheney recommended that Wright have an off the record discussion with Leonard DeBuck to express his concerns. Wright reported that the AFPB receives funding from the County and that the amount awarded has decreased over the years. DeBuck corresponds with a member from the Planning Department to receive their funding. Cheney offered to speak with Allen Sorensen to discuss Wright's concerns. Wright feels that county agencies are used to things not getting done, but for farmers that is not the case.

**ADJOURNMENT**

**2024-2-8 DeBlock made the motion, seconded by Cheney, to adjourn the meeting at 10:42AM. All in favor.**

Minutes Prepared By:

Emily King, Secretary to the Board

April, 2024

**Walkkill Flood Projects –**

Floodplain Bench Phase 4 South – Waiting on B&L for quantity calculations so final bill can be adjusted as necessary. The unadjusted final bill is \$19,160.

We are working on the Conservation Easement documents. The project extended on to four separate parcels, so we will need to prepare four separate Easements. See Summary of Easement Status at end of this report.

**Floodplain Bench Phase 4 North**

Tree cutting and processing complete. Paid out of County Appropriation Special Project fund. We are thinking now to wait until the road is built to remove the trees.

We are still waiting for ‘comparable sales’ report from OCRP. It is important that we resolve Easement purchase price before entering a construction contract.

As noted last month, we solicited proposals on behalf of Sunflower Valley Farms for the Phase 4 North project. Of the four contractors who were contacted and sent the plans and RFP, only one submitted a proposal. CEC Excavating bid \$751,150 for the entire project. For Areas 1 and 2 only (~half the Project), the cost would be \$394,900. If we constructed the entire floodplain bench and held off on the tree plantings, the cost would be \$549,650. This matter requires discussion in conjunction with the Easement Summary discussion.

**Other Flood Control Items**

All the directors attended the flood control steering committee meeting on 3/20. A meeting summary and executive summary was distributed after the meeting.

**Carbon Farming Project** – We finally received a reimbursement for the Southway and DeBuck projects on 4/12. NYSSWCC still needs to view the projects in the field. Visit scheduled for 4/25. We are still hoping to receive an additional ~\$3,700 towards the Southway project.

**AEM Round 17** – This contract has not been closed out yet (ended 12/31/2023). Waiting on NYSSWCC. Fortunately, we are not holding a large financial liability. Final payment expected to be around \$4,700.

**AEM Round 18** – Executed Contract documents were received. Waiting on NYS processing of initial Claim for Payment. We need to allocate additional ‘Tier 4’ implementation funds and pass resolution naming all farms receiving funding at April meeting and submit before 5/1. We are already working on project designs and related work such as SHPO clearance. It looks like Hoyt project raised a red flag already. All others cleared for SHPO concerns.

**CRF Round 7** – Work Plan materials for all three projects has been submitted to NYSSWCC – awaiting contracts. All staff are working to advance these projects while we await funding. (Same status as last month.)

**‘Sign Offs’ on Soil Health Practices** – NYSSWCC did not address this matter at their March meeting. April meeting was last week. Haven’t heard anything from NYSSWCC.



Leopold Award – I contacted the landowner and provided the recommendation of the board from last month that they complete a draft of the application and submit it to us for further action. I have not heard from them since sending that request right after last month’s meeting.

Filomena Drive Easements and Dumping. Met at Filomena 4/17 with landowner and Town of Goshen officials. Landowner claims work done by County cutting trees caused his road to subside, necessitating filling the road bank to stabilize the road. There are large quantities of fill of all kinds including large concrete chunks. Landowner claims there is no more fill in the river channel than what was there before the County work caused the road to subside. He had a meeting scheduled at the Town the next day. It remains to be seen what will happen with the situation.

Subsequent to the field meeting, I reviewed emails and Board meeting minutes from 2013 – 2014 to clarify that the impacts the landowner claims were all from the ‘County’ project in 2012, not from either of the SWCD projects (2011, 2014). Sent summary and 4/2014 SWCD Board meeting minutes to landowner and copied Town of Goshen and Rob Schreibeis.

### Quaker Creek Soil Stabilization

I received a reply from Joey Morgiewicz to my offer to explore funding opportunities to stabilize spoil piles left from the Creek cleaning project undertaken by farmers. He copied several of the farmers involved in the project. I replied to all with a summary of how to apply for funding assistance. I have not received any replies or requests.

### GIS Assistance from County

I asked County GIS Manager Dan Munoz if the County could provide GIS training to our staff. He gained approval from Paul Wiley (Dan works in the Real Property Department now), and has visited our office several times and provided access to various County mapping tools/resources. This has been extremely helpful in getting Emily and Mary started on learning GIS. We received new GIS software (ArcPro) from NRCS at no cost.

Partnering with Wallkill Wildlife Refuge on Flood Mitigation/Riparian Restoration - I contacted staff person in Ryan’s office who had previously agreed to assist in re-establishing dialogue on this matter. No reply.

Revision of Wallkill Maintenance Agreement – I contacted Paul and Barry in effort to get the ball rolling on formal amendment of the MA that would allow end of year balance to transfer to Soil and Water.

Celery Avenue Ledge Lowering – Spoke with Ryan Macguire from OCDPW. There is apparently discussion about using ARPA funding. It would be important to understand how using this funding would affect procurement and construction management relative to our typical practice of having farm hire contractor/us reimbursing farm. Apparently, there are some concerns at the County about whether this project is a good fit for the ARPA funding.

I developed a brief Work Scope to accompany the B&L Plans for the Ledge Project, and asked a contractor to provide an up-to-date informal bid in effort to move forward discussions on how the project might be funded. Asked B&L for update on permit renewal. No reply yet.

## **Status of Conservation Easement Acquisitions Associated with Walkkill River Flood Control/Floodplain Bench Projects 4/2024**

Background: The Floodplain Bench construction projects being implemented by OCSWCD are all permitted by NYSDEC. One of the permit conditions is that a Conservation Easement be placed on the constructed bench areas. To date, Floodplain Bench projects have been completed from the Pochuck Creek/Walkkill River confluence to properties south of the County Route 1 bridge over the Walkkill, involving multiple landowners. The projects were undertaken in six different phases over the time period 2016 to 2024.

### **PHASE 1 – Walkkill-Pochuck Confluence to Rutgers Creek, North Side**

OCSWCD initially acquired a Conservation Easement (CE) on the Phase 1 area, subsequently the 10.4 acre CE area was subdivided from two parent parcels and purchased by OCSWCD from two landowners in 2017.

### **PHASE 2 North – North side of the Walkkill, east of County Route 1 and west of Rutgers Creek**

CE acquired in 2017 on 3.6 acres from Robert Gantt, P/O Town of Minisink 7-1-21.2. A portion of this project was on Town of Warwick 3-1-6.22, but CE was not acquired at time of construction.

### **PHASE 2 South – South side of Walkkill, east of County Route 1**

CE acquired in 2019 on 1.8 acres from Green Farmland, P/O Town of Warwick 3-1-6.22. A portion of the P2S project (0.787 acres) was on Warwick 3-1-1 but CE was not acquired at time of construction.

### **PHASE 3**

Completed in two separate projects from 2020 to 2022. Area 1, south side of Walkkill at Rutgers confluence, 4.26 acres, owned by Green Farmland (a portion of this 4.26 acre area is on the north side of the river and was constructed in conjunction with P2N). Area 2, south side of Walkkill west of Pochuck Confluence, 5.02 acres, owned by Green Farmland. Area 2 south side of Walkkill west of Pochuck Confluence, less than 1 acre owned by Davandjer Farms.

Status – Maps and Descriptions finalized by County Surveyor, April, 2024. OCSWCD prepared CE documents using existing template which have been submitted to attorney for review before presentation to Green Farmland. Have not begun work on the Davandjer Farms CE.

### **PHASE 4**

#### **Phase 4 South**

Construction complete, some additional plantings may be undertaken. Verbal agreement with Landowner on CE purchase price. Maps and Descriptions finalized by County Surveyor, April, 2024. OCSWCD prepared CE documents using existing template which have been submitted to attorney for review before presentation to owner Pine Island Turf Nursery. P4S covers parts of four Town of Warwick parcels, all controlled by the same landowner(s). The total acreage is 15.05. Four separate easements will be required. The 0.787 acre area on Warwick 3-1-1 not acquired in 2019 will be included in the P4S acquisition and is part of the 15.05 acres.

Phase 4 North

Negotiations are in progress with the P4N landowner(s). Construction is currently anticipated for summer, 2024. Tree cutting/processing was completed in March, 2024. Anticipated size of the CE area – 16 acres.

PENDING CE EXPENSES

PHASE 3 Green Farmland 9.28 acres

PHASE 3 Davanjer Farms <1 acre

PHASE 4S Pine Island Turf Nursery 15.05 acres

PHASE 4N Bastek 16 acres

The cost per acre has not been defined for these CE's, except for the verbal offer from PITN of \$3,000/acre.

If all acreage can be acquired at this price, the total cost would be:

41.3 acres \*\$3,000=\$123,990.

P4N landowner has requested \$5,000/ac. If OCSWCD agrees to this price:

25.3 \* \$3,000=\$75,900

16 \* \$5,000=\$80,000

\$155,990

Considerations

These expenses can probably be split over a two-year period, and largely covered by 'Part C' funds (\$207,800 was received in Part C for 2024, similar anticipated for 2025). However, we rely on Part C funds for other expenses as well, including local match for current and future farm project grants.

I would like to discuss this matter with the Board at April meeting to ensure that we do not over-extend the District financially. Options include only contracting for one half of planned P4N construction to reserve funds for CE payments, reducing use of future Part C funds to match NYS funds for farm projects, delaying tree planting component of P4N, other?

Emily King

4/22/24

To the Board of Directors,

Since we met in March, I have undertaken a variety of new tasks and responsibilities. Leading up to the District's yearly audit I corresponded with the audit firm, PKF O'Connor Davies, to learn what materials they needed. When the auditor was at our office, I assisted him with his requests such as Schedule B for form 941. This is used to show the District's tax liability for the quarter. I received assistance from a fellow office manager whom I met at the WQS. I wanted to thank the Board again for allowing Mary and I to attend the WQS and further our education and professional connections.

I spoke with a representative from NYSHIP and reset my account to obtain access to the Health Benefits Administrator and NYS Health login. I updated the office binder with the new login information.

I attended and wrote the meeting summary for the flood control steering committee meeting on 3/20. The approved meeting and executive summary were shared with everyone who attended.

I worked with Kevin and Mary to replant trees on the Floodplain Bench at Pine Island Turf Nursery. While there, we replaced stakes that went missing and cleared away debris that stood to impede the growth of the saplings. I prepared BMP reimbursements under Kevin's guidance and shared them/delivered them to Pine Island Turf Nursery.

Additionally, I received a few calls regarding the rental of the No-Till seeders and refreshed myself on the No-Till rental agreement, the rental rates, and the required insurance certificate.

I reviewed edits to the list of policies made by Barry and updated the policies based off these recommendations. The updated policies were shared with Kevin and his suggestions were factored into the final draft that was shared with the Board of Directors. I reconfigured the District's discrimination policy as well as the discrimination/harassment complaint form based off the County's 2024 version.

I conducted a field survey with Kevin and Mary at Greystone Stables to advance their access control project through AgNPS Rd 29. I learned how to use the appropriate equipment, take detailed notes, and how to calculate the elevation rates. Additionally, Kevin showed Mary and I how to graph survey points.

Last week Mary and I visited Wagon Wheel Farm to collect soil samples and soil penetrometer readings. This visit was needed to satisfy the terms of his 2023 fall cover crop agreement.

Towards the beginning of April, I collected the information needed for the quarterly taxes and filed them in a detailed Excel workbook. I submitted the quarterly taxes well before the end of month deadline.

I helped Kevin with edits to the conservation easements that were shared with Richard Hoyt for review which pertain to the Walkill floodplain bench project.

Mary and I are working with Dan Muñoz from the GIS division of the County to familiarize ourselves with ArcGIS Pro and Near Map software. These lessons have proven to be very informative, and I look forward to contributing more to the design of soil maps, etc.

Furthermore, I updated all the ledgers for the various grants we have and with that information updated the dedicated fund summary on the March receipts financial report. I have been updating the digital and physical ledgers, checkbooks, as well as the monthly financial reports.

## **OCSWCD Technician Update**

**Mary C. Held**

4/18/2024

Since the last board meeting, I have been involved with a variety of new things to learn and practice. To begin, Kevin spent a great deal of time with me explaining survey notes and helping me practice plotting information we took in the field onto paper.

We have also reached out to a couple of individuals who have helped us become familiar with ArcGIS Pro, the newest GIS software that the state has been encouraging districts to utilize. Dan Munoz of Orange County GIS has come into the office a few times to get us more familiar with the functions and comfortable with starting basic projects such as soil group worksheets. It is our intention that once we are comfortable with using the GIS software, Emily and I will be able to help a bit more during soil group worksheet season.

Aside from learning new things, I have been making sure our Tier 3 farm planning information for our projected AEM Tier 4 projects is up to date and consistent with AEM standards.

With the growing season coming into full swing once again, the seeders have been moving as requests for rentals come in. Thankfully, it has so far been smooth sailing.

### **CRF Update:**

Round 6: Soil testing at Jason Touw's has been completed.

Round 7: No updates on the technician's end.

### **HVCFP Update:**

Final materials were submitted to Ben Luskin for submission. Kevin has been mostly in contact with him about what is still required.

### **AGNPS Update:**

Round 27: Contract End Date: March 2025

- Marty Lain: Has indicated one final payment he would like to record and we are waiting on that before submitting the full closeout package to Ben.
- No other updates on other farmers within the contract.

Round 29: Still waiting for a contract.

- Moraski: The team (Kevin, Emily, and I) went into the field to take survey shots of the area where the project is being suggested. We got a general profile of the area plus numerous cross sections to get a better picture of the scope of work needing to be performed.

### **AEM Update:**

Round 18: Materials for Rick Minkus, Joe Minkus, Mark Hoyt, and Devon Simpson have been signed and prepared, including budgets and landowner contracts.

We plan to get survey shots of the Rick Minkus property (heavy use area runoff protection) as soon as the weather is favorable.

It is our hope to include Dembrook Farm for an access control project and Peter Ewanciw for a barnyard enhancement project in our AEM Tier 4 track, pending board approval.

Demberg and Ewanciw have signed budgets to agree with projected project costs. We still need to have their LO contracts signed. Budgets for all six farmers are available for review.