



Minutes of the WAC Easement Committee Meeting
February 3, 2016

Members Present:

*Tom Hutson, Committee Chair
Dave Cammer
Bud Gladstone
John Verhoeven
Joyce Bishop
John Riedl
Ken Heavey, NYC DEP

Others Present:

Ryan Naatz, Easement Program Director
Josh Gorman, Easement Program Acquisition Coordinator
Gary Lamont, Land Conservation Specialist
MacKenzie Waro, Land Conservation Specialist
Rob Birdsall, Easement Program Stewardship Coordinator
Billy Martin, Land Conservation Stewardship Specialist
Mike Federice, Land Conservation Stewardship Specialist
Troy Bookhout, Easement Program Conservation Planner
Suzie Seymour, Easement Program Executive Assistant
Craig Cashman, WAC Executive Director
Sally Fairbairn, WAC Chair
Fred Huneke, WAC
Heather Magnan, WAC Communications Director
Duncan Schmitt, NYC DEP

Public Attendees:

Kristan Janke Schneider, Delaware County Planning
Molly Oliver, Delaware Watershed Affairs
Mike Chamberlain, Development Services

I. CALL TO ORDER

Meeting Called to Order at 10:14 am

II. APPROVAL OF MINUTES

❖ Motion to approve the Minutes of the January 6, 2016 public meeting of the Easement Committee.

Motion: Dave Cammer

Second: Bud Gladstone

****Motion Carried****

Tom H. welcomed Rob Birdsall back to the Easement Program. MacKenzie has accepted the position of Regional Livestock Processing and Marketing Specialist with Cornell. Tom and Craig thanked MacKenzie for her work with WAC.

III. ADDITIONS/DELETIONS TO PUBLIC AGENDA

- Under Discussion Items – Section 26 of the CE, Waivers
- Under Stewardship Updates – Weinmann notification

IV. PROGRAM MOTIONS

1. None

V. DISCUSSION ITEMS

1. Ag/EP New WFPs

[Rob Birdsall/Troy Bookhout] Rob stated that he was very excited about rejoining the Easement team and that he was very thankful for the opportunity. He went on to explain the current Whole Farm Plan (WFP) deliverable that resides in the Ag Program contract and the nexus between new WFPs and future easement acquisition. Rob further explained that the Ag Program prioritizes new WFP development based on buffer potential and easement interest/qualifications alike.

Rob described how whole farm planning and Ag Program nexus points do not just reside in the acquisition phase. He detailed that whole farm planning comes in a variety of forms, from a new plan to a supplemental plan for leased lands, to a diverse range of perpetual stewardship related whole farm planning requirements. He added that WAC can strengthen these nexus points going forward and looks forward to initiating that through his new role and working closely with Troy.

Troy stated that while he is an employee of the Easement Program, he has the unique position of working within both the Easement and Agricultural Programs. Because WAC's Deed of CE requires that agricultural activities be in accordance with a WFP, he has a role with both Acquisitions and Stewardship. His role with Acquisitions is to confirm that any potential applicants meet the eligibility standard of having an association to a WFP. This requires Troy to review the WFP of Producers that are participating with the Ag Program to confirm that the WFP is active and current. It also requires him to review the activities and coverage of a

WFP to associated landowners. This association is documented on a Supplemental Farm Plan (SFP) which identifies the portion of the WFP that is occurring on that particular property. His role with Stewardship is similar in that he works with existing easement landowners to identify any changes in coverage by a WFP or SFP. Subdivisions and conveyances generate this workload. In the event that the WFP or SFP are not current, Troy would work within the Ag Program to develop or revise the WFP in order to meet the objectives of both the Easement and Agricultural Programs.

2. Forest CE Update

[Josh Gorman] Josh advised that we've had a good response to the outreach mailers. We currently have three forest easement applications and four ag easement applications for June scoring and ranking. We have made one offer for a forest easement and Josh is working on several more land plans.

3. CE Section 26 – Waivers

[Ryan Naatz] Bob Feller's memo regarding waivers was passed out before today's meeting. While Committee took a few minutes to read through the memo, Sally introduced John Riedl who is filling in for Nancy Bower who is out with health issues.

Bud feels a waiver is a good option to have available as a solution in certain scenarios. Ryan said we should look at what constitutes material vs nonmaterial to determine whether an amendment or a waiver is the best course. Duncan said he wants more time to review Bob Feller's memo; Ryan said there will be additional discussion next month.

VI. STEWARDSHIP MOTIONS

1. **None**

VII. STEWARDSHIP UPDATES

1. Hanselman, Ernest A. (PID #6034) – FHP Status

[Mike Federice] Due to warm weather there has been no activity to date on the Ernest A. Hanselman forest harvest. Stewardship staff have been in contact with the Hanselman's forester, Dick McIntosh. Dick McIntosh and Stewardship staff have agreed that current conditions are not conducive to forest harvest operations with respect to water quality. When and if conditions are forecasted to remain cold and the ground stays frozen, Dick will be in contact with Stewardship and Forestry staff to arrange an onsite meeting before the operation begins.

2. Huneke, Frederick W. & Marilyn I. (PID #6148) – FHP Status

[Mike Federice] Due to warm weather there has been no harvesting activity to date on the Huneke forest harvest, however some trail work with a bulldozer has been done. WAC Forester Karl Vonberg has been in contact with Matt Barkalow, of Gutchess Lumber, and has suggested that logger, Leland Lamont, hold off on

starting until next week when weather is colder. One concern is the location of the log landing. The landing will be located in a low lying area between the Elk Creek and a drainage ditch, due to higher ground being inaccessible to log trucks. This will require particular care and consideration, the harvest will likely be shut down during wet and warm weather. Hay bales and straw wattles will be kept on site if needed. The logger will also have to pull off this job for an extended period during spring mud season and return during drier conditions in the late spring or early summer to complete the harvest.

3. Kelly, Randall C. & Lucci M. (PID #6161) – FHP Status

[Billy Martin] On January 25, 2016, WAC Forester Karl VonBerg visited the site of the Randall & Lucci Kelly timber harvest. Upon his inspection, Karl found the skid trail through the easement property to be in good, frozen condition with water bars in place that will function adequately in the event of a thaw or rain. Again, this FHP does not involve cutting any timber on the easement property, but two landings and several skid trails are located on the easement property. The landings are holding up well and gravel has been placed at the entrance of both landings for log trucks to gain access. I contacted Randall Kelly on February 3, 2016, and due to the wet weather, the loggers were not working, but will continue once things freeze up again. There are no significant water quality issues at this time.

4. Schoenborn, Johannes Graf von (PID #6147) – FHP Request

[Billy Martin] Northeast Timber Services put this timber sale out to bid on January 19, 2016. The bidding is scheduled to close on February 5, 2016. At which time, a logger or logging company will be selected and Stewardship Staff will contact and advise the loggers as per the terms and conditions of the approved FHP. Stewardship Staff will keep Committee apprised of any updates to this project as they become available.

5. Weinmann, Ruth L. (Home) (PID #6011) – Notification of Intent to Construct Residence

[Billy Martin] On January 26, 2016, Stewardship Staff received a written notification from Ruth and Allan Weinmann indicating their intent to construct a residence within the ADA along County Route 18 in the Town of Stamford. Stewardship Staff subsequently met with the Weinmanns and set up flagging at the corners of said ADA. The construction of said residence will utilize the one residence permitted by Deed on Ruth Weinmann's CE property.

6. Workload Status - Routine Monitoring, Aerials, Notifications, Reserved Rights, BDRs

[Billy Martin] Throughout the past month, I've been working to complete outstanding amendments and schedule and conduct AMVs. To date, I've completed four 1st quarter AMVs and have scheduled three additional AMVs for the coming weeks. By the end of February, 70% of the 1st quarter AMVs that I've been assigned should be complete.

[Mike Federice] To date 6 AMV's have been completed in Q1, with another one scheduled for next week. The remaining first quarter AMVs will be scheduled over the course of the next month. Mike hopes to coordinate with the respective Ag Planners for field visits in conjunction with ASRs, when possible. Stewardship Staff may also conduct aerial monitoring in February or March.

VIII. EXECUTIVE SESSION

◆ **Motion to go into Executive Session to discuss Project Acquisition Motions, Acquisition Updates, and Violations/Pending Litigation at 11:05 am.**

Motion: Bud Gladstone

Second: John Verhoeven

****Motion Carried****

IX. PROJECT ACQUISITION MOTIONS

AG CE

1. Property ID #6218 - Motion to Approve Purchase & Sales Contract for a Conservation Easement and Bluestone Mining Plan

◆ **Motion to authorize the Watershed Agricultural Council / Easement Committee to execute a contract for the expenditure of Two Thousand, Three Hundred Twenty-five Dollars and Zero Cents (\$2,325) per acre for the purchase of a conservation easement of approximately 155.3 acres on PID# 6218.**

Acres under easement:	155.3
Appraised "before" value:	\$3,700.00/acre
Appraised "after" value:	\$1,375.00/acre
Appraised easement value:	\$2,325.00/acre
Total Purchase Price Approx:	\$361,072.50 (62.84%)

◆ **Motion to approve the Bluestone Mining Plan for PID #6218 as detailed in the attached Bluestone Mining Plan and described in the memorandum dated February 3, 2016 from MacKenzie Waro, Land Conservation Acquisitions Specialist and Billy Martin, Land Conservation Stewardship Specialist.**

◆ **Motion to table both motions for Property ID #6218 for 30 and vote next month.**

Motion: Duncan Schmitt

Second: Joyce Bishop

****Motion Carried****

Ryan asked Committee to provide any comments by February 15, the packet deadline for the March 2nd meeting.

2. Property #6146 - Motion to Approve Purchase & Sales Contract for a Conservation Easement

◆ **Motion to authorize the Watershed Agricultural Council / Easement Committee to execute a contract for the expenditure of One Thousand, Three Hundred Fifty Dollars and Zero Cents (\$1,350) per acre for the purchase of a conservation easement of approximately 255 acres on PID# 6146.**

Acres under easement: 255
Appraised "before" value: \$2,600.00/acre
Appraised "after" value: \$1,250.00/acre
Appraised easement value: \$1,350.00/acre
Total Purchase Price Approx: \$344,250.00 (51.9%)

Motion: Dave Cammer

Second: Bud Gladstone

****Motion Carried****

3. Property #6192 – Motion to Approve Purchase & Sales Contract for a Conservation Easement

◆ **Motion to authorize the Watershed Agricultural Council / Easement Committee to execute a contract for the expenditure of One Thousand, Seven Hundred Fifty Dollars and Zero Cents (\$1,750) per acre for the purchase of a conservation easement of approximately 209.1 acres on PID# 6192.**

Acres under easement: 209.1
Appraised "before" value: \$3,200.00/acre
Appraised "after" value: \$1,450.00/acre
Appraised easement value: \$1,750.00/acre
Total Purchase Price Approx: \$365,925.00 (54.7%)

Motion: Duncan Schmitt

Second: John Verhoeven

****Motion Carried****

4. Property # 6209 - Motion to Approve Final Documents

◆ **Motion to approve the final easement, baseline documentation report, title insurance, survey, and environmental site assessment for PID # 6209 conservation easement project, contingent upon receiving COFA.**

◆ **As Amended: Motion to approve the final easement, baseline documentation report, title insurance, survey, and environmental site assessment for PID #6209 conservation easement project.**

Motion: Duncan Schmitt

Second: Bud Gladstone

****Motion Carried****

Forest Conservation Easements

6. None

X. ACQUISITION UPDATES - Discussed in Executive; No Motions

1. Workload Status: Land Planning, Easement Offers, Properties in Contract, Closings

XI. VIOLATIONS/PENDING LITIGATION - Discussed in Executive

1. **Property #6059**

2. **Property #6052**

3. **Property #6600**

◆ **Motion to confirm a violation on Property #6600 and encourage Staff to move forward toward resolution.**

Motion: Duncan Schmitt

Second: John Verhoeven

Nay Vote: Dave Cammer

****Motion Failed****

Dave said he voted Nay to give them another month to submit an amendment proposal.

XII. Personnel/Other Business

1. **Property #6086 – BLA Proposal**

XIII. COMMITTEE REPORT - Tom Hutson

None

XIV. Meeting adjourned at 1:13 pm by common consent.

Next meeting date: Wednesday, March 2, 2016 at 10:00 am in the Downstairs Conference Room at the WAC Office, Walton, NY.