



MINUTES OF THE EASEMENT COMMITTEE MEETING

October 2, 2024

MEMBERS PRESENT:

Tom Hutson, *Committee Chair*
Paul Gallay, *via Teams*
Wayland 'Bud' Gladstone
Fred Huneke
John Verhoeven, *via Teams*
Shilo Williams, *NYC DEP*

MEMBERS ABSENT:

Karl Gockel

OTHERS PRESENT:

Ryan Naatz, *Executive Director*, *via Teams*
Amy Faulkner, *Director of Operations*, *via Teams*
Serena Orleski, *Easement Program Manager*
Bill Martin, *Easement Program Acquisition Coordinator*
Mike Morales, *Easement Program Stewardship Coordinator*
Dennis Heinz, *Senior Land Conservation Stewardship Specialist*
Matt Schaefer, *Land Conservation Stewardship Specialist*
Troy Bookhout, *Easement Program Conservation Planner*, *via Teams*
Kayla Atanasoff, *Easement Program Executive Assistant*
Michael Vander Werff, *NYC DEP*, *via Teams*
Lee Harris, *NYC DOI*, *via Teams*
Paul Kacmarczyk, *NYS DOH*, *via Teams*
Morgan Tarbell, *NYS DOH*, *via Teams*

PUBLIC ATTENDEES:

Sean Leddy, *Delaware County Planning*, *via Teams*
Nick Carbon, *Delaware County Watershed Affairs*, *via Teams*

I. CALL TO ORDER

The meeting was called to order at 10:03 a.m.

II. APPROVAL OF MINUTES

Motion to approve the Minutes of the September 4, 2024 public meeting of the Easement Committee.

Motion: Fred Huneke

Second: Bud Gladstone

Motion Carried

III. ADDITIONS/DELETIONS TO AGENDA

- A. Q3 Easement Program Dashboard and Successes & Challenges Report (*added to Discussion/Other Business in Executive Session*)

IV. CHAIR'S REPORT/PROGRAM MOTIONS

- A. Chair's Report
- B. Forest CE Applicant Selection Guideline Revision

Serena and Bill presented this motion. The redline edits to the existing guideline were included in the packet materials. The primary changes for applicant eligibility included:

1. *Clearly defining a "working forest."* Serena explained that this definition was somewhat open-ended in the existing guideline. Through discussions with WAC Forestry Program Manager, Tom Pavlesich, Serena and Bill considered how applicants should be scored and ranked to better satisfy WAC's goal of conserving working forest landscapes.
2. *Requirements for Forest Management Plans (FMPs).* The proposed guideline requires a current FMP prepared by a Forester or other natural resource professional to signify that a landowner is committed to actively managing, planning for the future of, and utilizing their woodlot. To clarify, Bill indicated that potentially acceptable FMPs can be associated with NYS 480-a Forest Tax Law, NRCS Environmental Quality Incentives Program (EQIP), or separate from any incentive programs depending on the goals of a landowner.
3. *Acreage and Forest Cover Minimums.* Bill explained that the minimum acreage under the proposed revision was lowered to 50 acres (from 100 acres), but with the caveat that any new applicant would also need at least 70% forest cover for the entire proposed Easement Property. The percent forest cover is not included in the current guideline but would help ensure that the program is approving applicants with a primarily forested landscape, while also reducing the sizing of Multiple Use Areas (MUAs) which may create greater stewardship monitoring burdens in the long-term.

Shilo and Michael shared questions/concerns about the 50-acre minimum and discussions ensued. Michael expressed the desire to hold off on altering the minimum acreage until the Water Supply Permit is renewed and/or the NYS Dept. of Environmental Conservation (DEC) approves the WAC Forest CE Pilot Program.

Subsequent questions, discussions, and minor edits to the proposed guideline ensued before moving to a vote.

Motion to approve the Forest CE Applicant Selection Guideline, as revised October 2, 2024.

Motion: Paul Gallay

Second: John Verhoeven

Nay: Tom Hutson, Paul Gallay, Bud Gladstone, Fred Huneke, John Verhoeven, Shilo Willaims

Motion Denied

V. DISCUSSION ITEMS

None

VI. STEWARDSHIP MOTIONS

A. Stoop, Mark & Nancy (PID# 6046-00): Preliminary Subdivision Request

Mike presented this motion. He explained that the landowners are requesting a subdivision of approximately 10 acres of the 211-acre Easement Property. The purpose of the subdivision is for estate planning purposes; their daughter is planning to move back to New York State and construct a residence within an existing Acceptable Development Area (ADA). He also noted that they were previously approved for another subdivision request for their son, Jeff Stoop, several years ago. They were allocated three (3) total subdivisions as per the terms of their Deed of Conservation Easement, utilized one to create the Jeff Stoop parcel, so they would have one (1) remaining subdivision allocation if this request is approved.

Motion to grant Preliminary Approval for the Mark & Nancy Stoop Subdivision request submitted by Mark Stoop as described in the Easement Program Staff memo and the Stoop Subdivision Plan dated September 10, 2024. The landowner shall provide the Easement Committee with a metes and bounds survey, prepared by a licensed professional surveyor at the landowner's sole expense, in order to obtain a final approval of the subdivision. Prior to the actual deed conveyance of the property, the Stoop's shall submit the proposed deed for WAC Easement Program Staff to review and approve.

Motion: Bud Gladstone

Second: Fred Huneke

Motion Carried

VII. STEWARDSHIP UPDATES

A. Murphy, Douglas W. (PID# 6024-00): Forest Harvest Plan-Staff Approval

Dennis presented this update. He explained that staff approved a Forest Harvest Plan over approximately 5 acres of the forested property for the removal of ash - as well as some light thinning. The proposed harvest area is located on the northern forest stand, but the landowner may seek to expand the harvest to the south. If that is the case, staff would approve a revision to the approved plan and provide an update to the Committee.

B. Martin, Edwin W. (PID# 6035-00): Forest Harvest Plan-Staff Approval

Matt presented this update. He explained that the landowner requested a harvest of primarily

ash, as well as some sugar and red maple, over approximately 32 acres. There are no stream crossings or water quality concerns for this harvest, but the existing skid trails will need to be re-graded ahead of closeout.

C. Frederick & Marilyn Huneke Irrevocable Trust (PID# 6148-00): Emergency Stream Work

Mike and Matt presented this update.

Mike started by explaining that, in August, Hurricane Debby created flooding issues for several local landowners who in turn notified WAC stewardship staff of their intent to begin emergency stream work on their properties. He explained that the Deed does allow for emergency stream work. That being said, staff did conduct follow-up site visits to provide updates to the Committee. He turned the floor over to Matt to provide the first update.

Matt explained that the Hunekes had recently installed several cattle crossings as Best Management Practices (BMPs) - through the WAC Agricultural Program - that experienced some erosion and material loss from the storm. Their stream permit will repair the erosion and add a grass waterway to divert future storm waters. The Agricultural Program is currently coordinating these repairs.

D. Larry George Revocable Trust (PID# 6019-00): Emergency Stream Work

Mike presented this update. He explained that the landowner, Larry George, reached out to WAC stewardship staff regarding significant flooding in the basement of his residence and a field that he utilizes for hay. One site visit with the landowner was conducted in conjunction with the NYS DEC. An emergency stream work permit was prepared and submitted, but the landowner is still waiting for approval due to the high volume of emergency permit requests that the agency received because of the storm. Additionally, the landowner is waiting for federal funding approvals through the Farm Service Agency (FSA) before moving forward with any stream work, regardless of permit approval.

As a follow-up discussion item, Fred posed the idea of cost-sharing flood insurance with program participants because of the high costs to landowners to perform stream work following storm events. Subsequent discussions ensued.

VIII. EXECUTIVE SESSION (IX-XI)

Motion at 11:00 a.m. to go into Executive Session to discuss Violations/Legal Updates, Acquisition Project Motions/Updates, and Other Business.

Motion: Bud Gladstone

Second: Fred Huneke

Motion Carried

Motion at 11:23 a.m. to come out of Executive Session.

Motion: Paul Gallay

Second: John Verhoeven

Motion Carried

IX. VIOLATIONS/LEGAL UPDATES

A. (PID# 6132-00): Encroachment Violation Update

X. ACQUISITION PROJECT MOTIONS/UPDATES (*MOTIONS IN PUBLIC MEETING*)

ACE Project Motions

None

FCE Project Motions

None

Updates

None

XI. DISCUSSION/OTHER BUSINESS

A. Q3 Easement Program Dashboard and Successes & Challenges Report

XII. ADJOURNMENT

The meeting was adjourned at 11:24 a.m. by common consent.

The next meeting will be held on **Monday, November 4, 2024 at 2:00 p.m., via Teams**