

STEBEN COUNTY AGRICULTURE, INDUSTRY AND PLANNING COMMITTEE

Special Meeting

Monday, June 26, 2023

9:30 a.m.

*Legislative Chambers, 3rd Floor, Annex Building
Bath, New York*

****MINUTES****

COMMITTEE: Aaron I. Mullen, Vice Chair Carol A. Ferratella James Kuhl
Paul E. Van Caesele

STAFF: Jack K. Wheeler Christopher Brewer Jennifer Prossick
Brenda Scotchmer Jennifer Galvan Tammy Hurd-Harvey
Eric Rose

LEGISLATORS: Scott J. Van Etten Kelly H. Fitzpatrick K. Michael Hanna
Jeffrey P. Horton Hilda T. Lando Wendy Lozo
Steven P. Maio John V. Malter Robert V. Nichols
Nicholas D. Pelham Frederick G. Potter Brian C. Schu
Gary D. Swackhamer

ABSENT: Hilda T. Lando, Vice Chair

OTHERS: Jeff Parker, District Manager, Steuben County Soil and Water Conservation District

Secretary's Note: Hilda Lando attended via Zoom, however, not under the extraordinary circumstances exemption.

I. CALL TO ORDER

Mr. Mullen called the meeting to order at 9:30 a.m.

II. GENERAL BUSINESS

A. County Manager

1. **Urging the Governor to Veto Legislation Requiring Permits for Class C Streams** – Mr. Wheeler requested the Legislature adopt a memorializing resolution urging the Governor to veto a bill passed by the Legislature regarding the reclassification of Class C streams and the permitting process. Currently, Soil and Water is able to work on Class C streams without the onerous regulations of the DEC (Department of Conservation). With the passage of this legislation, that would slow down the work of Soil and Water. He noted this has been vetoed in the past. Mr. Mullen asked is there enough will for an override of a veto? Mr. Wheeler replied I don't think so.

MOTION: URGING GOVERNOR HOCHUL TO VETO S1725A / A4601A, IN RELATION TO THE PROTECTION OF CERTAIN STREAMS MADE BY MR. VAN CAESELE. SECONDED BY MRS. FERRATELLA.

Mr. Maio asked what is the rationale for this legislation? Mr. Parker replied he thinks this comes from a different part of the State. Rumors are that the Finger Lakes Watershed group has been pushing this issue because they wanted all tributaries along the lakes regulated by the DEC so they can control activities. Class C streams are the lowest grade stream for water quality that exists. A Class C-T has to have a permit as those are streams that have trout. Of all the streams in Steuben County, about 70 percent are classified as Class C. We currently permit 30 streams per year. If this legislation passes, that will go up to 60 – 70 permits per year which means we could have upwards of 40 more permits to do and that would be very difficult.

Mr. Van Etten asked are other counties opposing this? Mr. Parker replied yes; 90 percent of the Soil and Water Districts across the State are opposed to this. Our position has not changed statewide. The Farm Bureau is opposed and he stated that he also believes the Association of Towns are also opposed.

VOTE ON PREVIOUS MOTION: ALL BEING IN FAVOR. MOTION CARRIES 4-0. Resolution Required.

2. **Upper Susquehanna Coalition Grants** – Mr. Wheeler stated we have received notification that the Upper Susquehanna Coalition has grant funding available to help with remediation projects at the Cameron Mills site and Call Hill Road site to help clean them up and reduce runoff. The Upper Susquehanna Coalition would do the work for us and pay for it. He requested authorization to apply for and accept the Upper Susquehanna Coalition grants.

Mr. Wheeler state the Cameron Mills site work would include the removal of the old infrastructure related to the previous land use. Mr. Parker commented site reviews at both locations will be done prior to any work being done at the Cameron Mills site because that property was originally owned by Standard Oil. The Upper Susquehanna Coalition is looking at a reforestation project of wetland scrub-shrub.

Mr. Swackhamer asked if we do this are we opening the door for something else? Mr. Wheeler replied he has sent them information on the Cameron Mills site that we have record of. The environmental review was done 20 years ago. We will work with them on this project. He noted they are researching if there was a consent order on the remediation of that property and tracking down those document details. With Call Hill, because of the timber harvesting that was done, there are ruts and that has created unnatural erosion. Mr. Parker explained they will be doing some type of minor wetland restoration and tree planting. That will control the water and stop the erosion. Mr. Nichols asked wasn't the forester supposed to reclaim the land? Mr. Parker replied they do the access roads but not the skid trails. Mrs. Ferratella asked is there any protected habitat? Mr. Parker replied not at this time.

Mr. Wheeler stated this will be contingent upon the County Attorney's review and that it also allows us to include shared services work with Public Works. Mr. Parker explained that is basically for Soil and Water Equipment and the County trucks to haul debris away.

MOTION: AUTHORIZING THE COUNTY MANAGER TO APPLY FOR AND ACCEPT UPPER SUQUEHANNA COALITION GRANTS MADE BY MRS. FERRATELLA. SECONDED BY MR. VAN CAESEELE. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

MOTION: TO ADJOURN MADE BY MR. KUHL. SECONDED BY MR. VAN CAESEELE. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

Respectfully Submitted by

Amanda L. Chapman
Deputy Clerk
Steuben County Legislature