

Minutes
Black Creek Watershed Coalition

Thursday September 29, 2005

Present: Rochelle Bell, Monroe County Department of Planning and Development; George Squires, Genesee County SWCD; Charlie Knauf, Monroe County Department of Public Health; Caroline Myers, Monroe County Soil and Water Conservation District; Dorothy Borgus, Town of Chili citizen; Bob Wilkins Agricultural Protection Board, Roger Rouse, Town of Byron, Joe Carr, Town of Chili; Don Hoyt, Town of LeRoy; Jeff Van Skwier; Chuck Rettig, Town of Chili; Mary Valerio, Monroe County Legislature, District #3; Paula Smith, NYSDEC Region 8.

Action items are underlined throughout the minutes.

Introductions, assignment of roles, questions about minutes

Introductions were made. Bob Wilkins managed the meeting, Rochelle Bell was timekeeper, Charlie Knauf was Scribe, and George Squires was facilitator. The minutes were deferred until next meeting.

Tour of Mitigation Wetland to be constructed in Black Creek Park. R. Bell reviewed the project, which involves construction of a 13+ acre wetland in the northern portion of Black Creek Park in compensation for wetlands to be filled at the Monroe County Airport. *{Clarification: this wetland project is for wetlands filled between 1999 and 2002}* The project requires NYSDEC Article 24 permit, a Water Quality Certification, and must comply with SEQRA. The project was published in the September 28 issue of the Environmental Notices Bulletin, and the public comment period was open until October 14, 2005. The project involves enlargement of an existing riparian wetland through creation of an emergent marsh in the adjacent area to the riparian wetland, some additional forested wetland in an area that is currently upland meadow, and the remainder will be shrub scrub wetlands. Large (70+) year old trees in the areas to be altered will be left alone. A commentator from the Audubon Society has indicated that the existing meadow area is good bobolink habitat, and R. Bell is looking of input from the group on another area where this habitat can be created.

An outlet control may be installed upstream from the current stream and road crossing in the northeast area of the park. NYSDEC has some concerns about Northern pike spawning in this stream, but attendees familiar with the stream doubted that there was any significant spawning activity occurring in the stream currently. Monroe County will be required to monitor the success of the wetland establishment for at least 5 years to determine impacts and success, and will have to mitigate for any problems or failures. They are hoping to have their permit by October 17 in order to begin excavation. Excavation could begin in areas not covered by the permits prior to this date, but the county has decided to hold off until all public comments are in.

First stage will be installation of a gravel Road and Parking lot, installation of silt fencing in preparation for excavation, which will occur in November and December. Topsoil will be stockpiled at the site for use in the wetland, subsoils will be carted to Morgan Road. (They will be used in the construction of approximately 13 acres of athletic fields at this location- from ENB.) There will then be a hiatus in the project until spring, at which point planting of the wetland will begin. Tom Pollack, horticulturist for the Parks Department, will handle the planting. He will not be using volunteers due to the difficulty of this work, but may use inmates from the county jail. ***{Clarification: in order to enhance the educational competent of this project, interested volunteers will be welcomed.}*** There will also be a need to phase the plantings around the Parks Department schedules. The plant materials will be put out to bid, probably involving use of wetlands seed mix for side slopes. G. Squires recommended Southern Tier Consultants in Cuba, N.Y. as a source. Others commented on the need to be aware of the limitations and difficulties in establishing wetland plant materials. They may look to the BCWC for some assistance in this matter. The consultant for the project is Clough Harbor. If the planting doesn't take the first time, the USACE will require a replanting. USACE has jurisdiction over the streams and existing wetlands, and the County is doing as much as possible to have them involved in the overall project. The County will be doing follow-up monitoring for at least 5 years. This may need to go on more or less depending on how successful the plantings are. The County may contact Karl Korfmacher at RIT to see if this could be a student monitoring project. C. Rettig asked if there would be tree and shrub protection installed to minimize damage to the plantings from waterfowl.

Meetings with Senators Maziarz and Volker

Rick Van Vertloh of the Oatka Creek Watershed Committee, and Bob Wilkins of BCWC met with Sen. Maziarz on 9/12/2005. He agreed to pursue possible funding for both watersheds. He has a history of supporting environmental affairs. Sen. Maziarz suggested that the groups also contact Sen. Alesi. Because Sen. Alesi represents Wheatland and Chili, Rick Van Vertloh wants to contact him. There was also supposed to be a meeting with Senator Dale Volker, but it did not happen due to a failure to schedule from both directions. G. Squires pointed out that contacting legislators means a lot more to them if the contact comes from a member of the community rather than an agency staffer. Any opportunity that anyone has to talk to as representative will work better than a professional contact. Senator Alesi is the Senator from Wheatland and Chili; Susan John is the Assemblyperson for Chili. Mary Valerio asked about what was happening with these meetings, and the background of the attempts to obtain funding to get the watershed Management Plan written was explained to her.

Grant Updates.

GLBG Grant: R. Bell explained that D. Zorn sent out a letter to all the municipalities in the Black Creek watershed. The letter contained a matrix for ordinances in place. He also indicated that he did not have local laws and comprehensive plans on disc for the Towns of Chili, Clarendon, Bethany, Middlebury, Wheatland, and Elba, and the Village of Bergen. In the matrix, he indicates that sediment is the biggest pollutant in the watershed, and he asks the municipality to complete the matrix and return to him by mid-

October. One town in the Oatka watershed has replied, but to date no others in either watershed have returned the survey.

Questions raised by meeting attendees included: Was enough time provided for the response? Does the information even exist for all the municipalities? Is there anything BCWC can do to expedite the process? D. Zorn will send another letter if they can get an extension for the Great Lakes Commission Grant. Caroline Myers suggested that cold calling the municipalities and helping them through the survey might be the way to get the information. Dave was waiting until after the deadline for return in the original letter to decide whether to seek the extension. In the meantime, it was suggested that members go back to their respective municipalities and ask if they have received the form, and ask them to fill in what they can, and provide a contact that G/FLRPC will be able to speak with to complete the information later.

NYS SWCD Level II grant for \$4,975: Grant is to complete a gap analysis of Phase II Stormwater Management in the Monroe County towns of the Black Creek watershed. Rochelle indicated that she has met with Todd Stevenson and Dave Zorn about the project and making sure the work is done efficiently and effectively. Rochelle and Charlie will meet to discuss possible changes in the scope based on the input of Todd and Dave.

The Nature Conservancy Project. C. Knauf reported that he has been in contact with David Klein of the Nature Conservancy, but that schedules still fail to mesh. David has indicated that for the modeling purposes in which the Nature Conservancy is involved, one on one meetings with SWCD staff and the planners involved may suffice. He will be back in contact at a later date.

The next Meeting of the Black Creek Watershed Collaborative will be Monday 10/24/2005 from 5:30 to 7:30 PM. Because at least 4 individuals will also have an Oatka Meeting at 7 PM that evening, it was suggested that the Leroy Village Hall be used for the BCWC meeting even though it is outside the watershed.