

**OATKA CREEK WATERSHED COMMITTEE
MINUTES OF MEETING**

DATE: August 19, 2019
PLACE: Woodward Memorial Library, LeRoy, NY
TIME: 6:30 PM
RE: Regular OCWC Meeting

IN ATTENDANCE:

Peter Lent, Jim Seiler, Rick VenVertloh, W. Jerome Smith, Steve Leupold, Maureen Leupold and Lisa Compton

I. Call to Order and Welcome:

- The meeting was called to order at 6:30 PM.

II. Approval of Draft Agenda for August 19, 2019

- Jim asked to add to the agenda discussion regarding a recent **fish kill in Black Creek**. Pete had also heard news of it, and suggested the discussion about it be added under Officers' Reports. Jim briefly described the situation. Maureen made a motion to add the item to the agenda, and Rick seconded the motion. All were in favor, and the item was added.

III. Approval of Draft Minutes for July 22, 2019

- Maureen made a motion to table approval of the July minutes, explaining that she would like to make a number of additions and corrections. Pete seconded the motion. All were in favor, and review/approval will be delayed until next meeting. *Maureen will edit the minutes and resubmit them for the next meeting.

IV. Old Business:

A. Update on Watershed Management Plan (WMP) Implementation/ Outreach activities:

- **Materials preparation for municipal outreach: Pete has been working to edit and assemble the digital municipal booklets and they are nearing completion.** Maureen had given him a copy of the booklet that had already been printed for the Wheatland presentation, as Pete had not seen it. He has integrated the introductory page elements of that booklet into his current work for the other communities. He elaborated a bit further on the how and why of his method. (e.g. the intro page and table of contents is different from that in workshop booklet, logo placement different, changes in info particular to each municipality, etc). The files that are already finished are for the Village of LeRoy, the Village of Caledonia, and the Town of Caledonia; the ones for the Towns of LeRoy and Pavilion will soon be finished. **Pete will be sending the files to Shannon**

Dougherty probably this week, so she can do any needed final editing and send them out for printing.

- He asked for opinions on the number of copies he should request for each booklet. It was agreed that **six copies of each booklet should be the minimum**. Rick asked **if Shannon would provide us with copies of any finished/edited electronic files?** He had noted that Shannon's team had edited and cleaned up the Wheatland booklet, and thought that it would be useful for the Committee to have copies of all booklets on hand that could be reprinted easily. *Pete will ask about it.
- **Pete needed ideas for cover page images** for the Towns of LeRoy and Pavilion. Suggestions for cover photos for Town of LeRoy were the Buttermilk Falls or maybe the "Blue Hole" - many images of the falls exist with a number of them on our own website. In Pavilion, there are various locations with nice views of the Creek, but that photos would probably have to be taken. Suggestions were:
 - the upstream view of the Creek from the Rte 63 bridge
 - The intersection at Junction and Covell Roads (near the farm there are a couple nice views).
 - Behind where the Jeffres bought the place across from the feed facility. Jim thought that the Jeffres would be willing to let someone take pictures of the Creek from their property.
 - There is also a nice location behind the Library.
- Additionally ***Lisa will resume work on the outline** for a presentation to the Village of LeRoy.

- **County Intermunicipal Agreement (IMA):**

- **Genesee County:** Maureen reports Genesee SWCD District Manager Brad Mudrzyński had contacted her about the progress of the IMA in Genesee County on July 29th. The Legislature has passed a resolution to allow the County Manager to sign it when all is finalized between counties. It is not signed yet.
- **Monroe County:** Steve Brew of the Monroe County Legislature had also given her an update about the status of the IMA in that County. The Department of Environmental Services had received a signed copy from Monroe County and it is now being routed for signatures first to Wyoming County and then next to Livingston County. This was on August 9th.
- **Wyoming County:** Pete lamented that he had not been able to attend the most recent Wyoming County Water Quality meeting as he was hoping to find out the status of the IMA in Wyoming County at that meeting.
- **Livingston County:** Maureen said as far as Livingston County, she has not heard anything new since her last report when she had given it to a Legislator at a Livingston County SWCD meeting.

- **Members expressed their great appreciation for the work of Legislator Steve Brew.** Mr. Brew has strongly supported the work of both Black and Oatka Creek groups for a long time, and has been very active in tracking and assisting the progress of the IMA in Monroe County. Members were also pleased that the counties are moving forward with the agreement, and noted there have been fewer explanations required on our part than we had anticipated.
- **Village of LeRoy Mill Street Development and Park Project:** Lisa visited the LeRoy zoning office where **zoning officer Anne Podolak located the engineering report for the apartment complex project. No information was on file about the park area.** There is now an electronic copy of the project's engineering report available, and Lisa, Rick & Pete all have copies. It will also be made available to any Board member requesting it. Lisa noted that according to the report, the storm water management design included implementation of a system called "[Filterra](#)" by Contech Engineered Solutions. The report states the Filterra system will "act at [sic] the green infrastructure for the site". Pete proposed discussion on it at the September meeting.
- Lisa also spoke briefly with Anne **regarding the Green Genesee Road Map and the comments we will be submitting regarding the LeRoy environmental code** that has connection/reference to the Green Genesee Plan. Lisa recommended that when Pete sends the comments to Supervisor Steve Barbeau, to also send them to Anne, as she would be the one ultimately dealing with them.
- After her discussions at the zoning office, Lisa then went down to the construction site to see if she could find someone to contact about the park area. Calling the phone number that was given to her, she ultimately reached Jim Branciforte, who she thinks she was told is Supervisor of Grounds at DePaul. Unfortunately, the **conversation did not yield any results in finding the person in charge of the park.**
- Additionally, Anne had suggested information about who is managing the work on the park might be able to be gleaned from Facebook, as there was discussion on a local LeRoy page earlier in the year. Lisa related this, and also that several local people had recommended she contact Mark Fuller. During discussion, **Maureen looked at the page and found some information confirming Mr. Fuller's involvement in the park.** It was stated that the project was his 'giving back to the community by renovating the Mill St. Park'. Also it turned out Mr. Fuller is the president of DePaul. Additionally, from the Facebook page, Maureen said it looked like major emphasis is the creation of the new bocce court. Unfortunately, Lisa has not been able to find effective contact information for Mr. Fuller, and may ultimately end up writing a letter. It is thought that OCWC

involvement would be a good opportunity for education and effective planning.*She will continue to pursue contact.

- **Comments for Town of LeRoy environmental zoning** : *Pete still has to finish **his edits** to the document. *He will send a draft out to the OCWC Board for final review before sending it to the Town Supervisor. He is hoping to have this completed soon after he finishes the WMP booklets. He is hoping to get to it this week.

V. **New Business - 2019 Plans:**

- **Village of LeRoy Storm Drain Marking**. **The anticipated date is Saturday, September 14th, 9:00 to 12:00.** We will be picking up where we left off last fall. That event was to mark the last few areas that did not get medallions yet. The event had been cancelled due to conflicts for a number of participants. Pete still has the maps that were made for that event.
- Maureen says that her brother has noticed a number of missing medallions. We are not sure if the issue is application technique, susceptibility to being dislodged by snow removal/street cleaning equipment, or theft/vandalism. Lisa said she had never finished the Village wide inventory that she was hoping to do over the summer, so the extent of damage is unknown at this time. Maureen again brought up the idea of stenciling drains.
- *Maureen will post the event on Facebook, and *Lisa will post on the blog. Maureen recommends doing it soon so people have time to plan. The question of LeRoy High School community service was brought up. *Lisa will contact Nikki about it.

VI. **Officers Reports & Review Action Items & Announcements:**

A. Chairman (Pete):

- **Black Creek fish die off/kill**: **Early last week George contacted Pete and requested that he contact someone at DEC about a a substantial fish die off in Black Creek around Bergen.** The event happened over the weekend of the 10th/11th (or maybe the previous Thursday or Friday). Pete got in touch with the NYSDEC Fisheries Supervisor to see if they knew what was going on and find out what actions were being taken. They got back to him within an hour and said that **Fisheries and Water & Law Enforcement divisions were looking at conditions at the site.** The situation had been reported to George by a local kayak enthusiast who had discovered the problem in the area where Rte 19 crosses Black Creek. Maureen reports that Steve Brew also had sent something out to George & Dorothy today or yesterday. She says, however, that no one at Monroe SWCD knew about it. Maureen asked Pete if they

had collected fish for toxicology tests? Pete says maybe, but they would have to go upstream to investigate because that would be where problem would originate. Jim's office heard about it on Thursday when Nancy Rice from NYDEC region 8 Division of Water called. She was inquiring about what farms were in the general area (near where the fish die off occurred), both ones that Jim's office worked with, and any others that he knew of. Jim said that initially, DEC might have been thinking the cause may have been manure issues, but now, the nature and scope of the die off indicated more of a chemical toxin issue, so they have expanded their investigation to non-farm operations (e.g. golf course perhaps?). **They are still investigating.** Maureen talked about people not being educated and dumping without realizing resulting damage.

- **Oatka Creek Park Fish Habitat Improvement Project:** Pete and Rick both reported. Rick had been helping with project contracts (County and State) and said the **work had been scheduled to start on the 12th.**
- Pete had gone down to the site about 1:00 PM on that Monday. He had only planned to stop by to take a look at things, but ended up staying to help direct around trees, check tubes, etc. He noted that the workers/equipment went in from the fisherman's access parking area off Union St. Pete had previously proposed that they work from a route parallel but further away from the Creek and main trail and go down into the Creek at strategic places to place the dead trees. This would've helped avoid Trees for Tribes plantings. We thought this had been considered and more or less approved. When he first came in to the park, he was trying to figure out how they got down out of the parking lot, but it turns out that **they more or less followed the regular path**, cutting a swath about 20 or more feet wide. As he walked down to the where the activity was, he had visions of not finding very many tree tubes down in the planting area. When he did catch up to everyone, he realized that **many of the tree tubes on both sides of the trail were still untouched, and that the equipment operator was making a real effort to avoid plantings.** The machinery is quite large, and the technique was to grab the large, dead ash trees and drag them over to put the root balls into the creek. Big rocks were to go in too.
- Maureen inquired about what was being considered for plantings in the disturbed areas? Will they seed it? Lisa asked about the big tree grant that Monroe County got; she remembered that some trees had been earmarked for Oatka Creek Park. Would MC Parks put the trees for the Oatka Creek Park in the disturbed area? Maureen was wondering if those trees got diverted to other locations because of the timing of the habitat project. *She will ask about it.
- Gian Dodici from US Fish & Wildlife is overseeing the project and directs where to put dead trees/habitat structures. Pete said says Gian has been there three times so far, and has worked closely with the team from Monroe County Parks so they know what

to do and **things seem to be going well**. He said an issue they were experiencing was trying to get the ash rootballs secure. Usually, they would be secured by digging down into the stream bed, but in this stretch of the Oatka, the stream bed is composed of bedrock, and digging isn't an option. He noted that it looked like the roots on the dead ash being used had degenerated, as the root balls weren't as massive and extensive as one would expect for trees that size, though he noted that there were still some pretty big ones. The smaller size was actually beneficial, as it helped placement. Even though they can't get them down as far as they would like, the root balls seemed to be down far enough to provide cover for fish. He is hoping that they will stay in one piece for a while.

- As far as volunteer participation, Seth Green Trout Unlimited had set up a morning and afternoon schedule for a crew of their members to assist where needed. TU member, Dave Agness directed the volunteers' efforts. TU had posted a report on Facebook about the project that Maureen had reposted/linked to. **Pete spent the first day taking path, checking tubes and put flashing tape on trees so project folks could finish going and know better where the plantings were.** Dave and Pete were checking and picking up tubes (there were a few more empty/dead because in April you couldn't really tell). **Once they started checking they found more alive than Dave's group thought there were.** Dave was there early the day after rootballs were installed and noted trout were already under the structures.
- Pete was asked how it looked in general in regard to existing plantings? When Pete stopped the first day he noted that it looked as though they tried to avoid plantings, and had gotten to around the middle of OCWC planted sites. They had but had not yet reached the last one(s). Pete spent time marking the remaining planting areas to help workers avoid wondering where to go. He pointed out that the park path is about 15 or 20 ft away from creek, and some plantings were well away from there. There are to be 30 locations for habitat structures that have two or three root balls each. During installation, there was and will be a lot of manipulation around those chosen areas and the nature of the technique and the equipment is to drag a large swath, consequently, those area were and will be pretty well flattened. But he noted that the places that were more often chosen had fewer planted trees rather than more. He also observed that the operators are good, but there are limitations with the equipment. They are probably doing the best they can.
- **Rick had had some conversations and had sent some letters** about the importance of protecting the plantings to several entities, **recommending to check plantings and avoid as much damage as possible to live, 'better' plantings because these trees are also an important part of habitat.** It is the future shade that will protect the creek. No one has responded to his letters yet; this was on day three, and it is now day seven. Rick is part of many aspects of the project, and has been telling those concerned that you can't destroy habitat to create habitat as it all ties together and is

all necessary. They shouldn't be cavalier about earlier work. He says he believes they fundamentally understand that. Beside all the official checks by OCWC, DEC Gary Koplun has been down several times to look at the plantings, as have Pete, Maureen and Steve. There have probably been at a minimum 6-8 checks.

- Pete has to deliver some of the tubes to Maureen and Steve's barn; he has 15 or 20 of them. There are also tubes that still have to be removed. He will deliver the new ones to the barn and asks that the new ones please be kept separate from the others until a count is done.
- There was further discussion on problems and conditions. *Rick will keep us updated on the project.

B. Vice Chair (Maureen):

- **Facebook Stats:** Maureen reports that **she has had good responses reposting or liking news from other groups** (as in the recent case of Trout Unlimited post about the habitat project), She tries to find a variety of subjects that might appeal to readers with pictures and news. Maureen is hoping this will help get more volunteers. This week's statistics are:
 - 517 people visited
 - 277 engaged in one post
 - 21 liked the TU post
 - 38 people liked the additional fish habitat post (maybe the same people?)
 - 190 LIKES (this means they get our feed)
- **Genesee River Watch Cruise/Bash:** Maureen and Steve as well as Pete attended. **The event was an upstream cruise aboard the Harbor Town Belle. Weather was very nice. George Thomas did some chemistry testing** and Maureen says her only criticism is that some activities should've been more publically/obviously announced that they were happening so they would not be missed. It was a nice day. They also displayed information on the Genesee River Watershed Basin Report Card for everyone to see, and Maureen noted how the Oatka & Black Creeks received the highest grades.
- **Agricultural Soil Health Field Day:** **Next week, August 29 10:00AM to 2:00PM (register by the 25th) at John Macauley Farm 5815 Swan Hill Road, Mount Morris, NY 14510.** Maureen has gone before to one by American Farmland Trust and she highly recommends attendance, as there is a lot of very useful information. Also it is a good event to make lot of connections. The Genesee River Coalition of SWCD's regionally owned interseeder will be demonstrated for cover cropping with corn.
- **Conservation Field Days:** **Monroe County is looking for teachers for the Field Days program.** There are still a couple of slots open. Maureen thought perhaps a fly

fishing session would generate a lot of interest (hint to Rick!). **Dates are the September 17th, 18th & 19th.**

C. Treasurer (Jennifer) via email August 19:

- Transactions last month:
 - none
- Balance as of 6/12/19:
 - Balance: \$3,453.13

D. Secretary (Lisa):

- **Updating Mailing List:** She recommends **adding email from attendees at the LeRoy festival to permanent email list.** One couple is planning on attending next month.
- She also asked Pete if he would like her to explore ways to jointly update the mailing list? Pete agreed that might be useful. *Lisa will find out more about it.

E. Retirement for Jerome!

- **Jerome says that this will most likely be the last meeting he will be able to attend.** There are family health issues, as well as the fact that he intends to give up his driver's licence in the coming months. He will be turning 90 very soon and the trips up to meetings are getting more difficult, especially in bad weather or darkness. He expressed disappointment that he hasn't been able to talk anyone in Wyoming County into replacing his role on the Committee. He says he will still be 'needling' us.
- There followed discussion about how **OCWC needs to do more outreach in Wyoming County.** Jim sited a recent state sponsored flood/emergency preparedness event that drew a large crowd (they gave away 'go bags'). Maureen asked how they advertised? Jim thinks on radio and the PennySaver. **Jim also mentioned an event that is popular is Sidewalk Days in Warsaw. It would be a good venue and we can do it instead of the LeRoy festival for a change in pace.** Also we would be able to do only one day of macros and then have other things. Jerome says if the Committee is interested, just call him. Jim also thought maybe the Wyoming County Fair might be good too. Sidewalk Days goes two and a half days Thursday morning Friday & Saturday.
- **Some time was also spent looking at the maps Jerome provided of his property and the area near his house on Old Buffalo Rd (the old Indian trail).** The maps had topographic information as well as deliniation of extensive federal and state wetlands. He had talked about the area at a recent meeting, as well as some of the issues going on there with neighboring properties. It was helpful to have visual information to match up with the previous discussion. He also talked a bit more about his farm (at a different location) and that area in general. He mentioned 4th generation family/neighbors near by that just had a little baby.

- **All members thanked Jerome for his dedication, expertise, and extensive historical knowledge.** His close connections to the farming community have been very helpful to work of the Committee, and Pete expressed his special thanks for Jerome's vital assistance in helping Pete gain access to back areas for water testing (and poking around) that were generally off limits.

VII. Adjourn:

- Jerome made a motion to adjourn the meeting. All seconded (no formal second, but much agreement). The meeting was adjourned at 8:01 PM

Action Items:

- Maureen will edit the July minutes and resubmit them for Sept meeting.
- Pete will complete the booklet PDF files and send them to Shannon Dougherty within approximately a week. He will ask about getting finished electronic files (if there are edits, etc)
- Lisa will finish work on the outline for a outreach presentation to the Village of LeRoy.
- Lisa will continue looking for a contact for the Mill St. Park upgrade.
- Pete will finish the comments for the Town of LeRoy environmental code. He will send to Board for final look before forwarding to Town. He will make sure to copy Zoning Officer Anne Podolak when sending to the Town.
- Maureen and Lisa will post information on the Village of LeRoy Sept. 14 drain marking event
- Lisa will contact Nikki about High School communtiy service for the Sept 14 event.
- Lisa will find out about handling shared mailing lists. Also add new email from LeRoy festival.
- Pete will keep Jim (and George Squires) up to date on anything he finds out about the Black Creek fish die off.
- Rick will keep OCWC updated on the TU habitat project.

Next meeting: September 16, 2019. Location Woodward Memorial Library, 7 Wolcott St, LeRoy, NY. Start time 6:30PM.

Respectfully submitted by Lisa M. Compton