



# *Farming Fact Sheet* *for Landowners with a DEP* *Conservation Easement*



*This fact sheet is being provided as a quick reference guide for activities that need Notice and Approval under a DEP Conservation Easement.*

## **Where can I find Farming information in my Conservation Easement Deed?**

Farming is addressed in Section 4.4, and defined in Section 2F. Also see definition for Manure in Section 2N.

## **When do I need Approval?**

When you want to conduct Farming on more than 10 acres and/or use pesticides, herbicides, manure, and other chemicals anywhere on the easement property.

## **What does DEP want to see when it is considering Farming activities?**

Farming should be managed so as to maintain vegetative cover on the easement property and avoid impacts to wetlands, watercourses, and riparian areas by:

- minimizing the extent (in acres) and duration (in time) of exposed soil by seeding promptly after tilling, typically within two weeks or as soon thereafter as soil conditions permit,
- planting a cover crop after late summer harvesting of row crops or tilling so that bare soil will not be exposed through autumn and winter,
- maintaining (and establishing if necessary) a vegetated buffer strip between the field edge and any down-slope wetlands or steep slopes,
- maintaining a vegetated buffer strip between the field edge and any side-slope or up-slope wetlands that do not receive runoff from the field,
- adopting, when practical, organic farming methods and practicing integrated pest management,
- applying pesticides or herbicides only when consistent with the label and any applicable NYSDEC permit requirements. Glyphosate-type herbicides are preferable to chlorinated compounds or heavy metal based products,
- applying manure or chemicals only when consistent with expert recommendations based on applicable soil tests and/or a nutrient management plan. Composted manure will be preferable to non-composted manure,
- avoiding manure, fertilizer or chemical applications during saturated or frozen soil conditions,
- planning and maintaining appropriate erosion control practices (such as contour plowing and vegetated buffer strips) whenever row crops are planted in fields over one acre in size.

## **Why do I need Approval?**

Tilling and applying nutrients and chemicals to the land can impact water quality by exposing soil to rapid erosion, and creating a potential for chemicals to be washed into streams and wetlands during storm events and spring runoff. Careful planning and anticipation of seasonal conditions is necessary to minimize any negative impacts to water quality from farming activities.

## **How should I begin?**

Proposals for farming activities should be reviewed in the following sequence:

- Begin to think about your project considering locations, time frames, goals, and begin to gather maps. Additional copies of the baseline documentation map or other site maps and aerial photos are available from DEP,
- If you need assistance with the planning phase, please contact your DEP Land Steward for a pre-application meeting and site walk,
- Complete an application form along with required documents,
- Obtain final CE activity review and approval or requests for modifications.

*This Fact Sheet is subject to modification – Please refer to your Conservation Easement deed!*



## **Where do I send my application?**

**Director of Land Management  
City of New York, Department of Environmental Protection  
71 Smith Ave, Kingston, NY 12401**

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