

Upper Delaware Council
PROJECT REVIEW COMMITTEE
SPECIAL MEETING
September 12, 2023

Committee Members Present: Larry Richardson, Fred Peckham (Zoom), Harold Roeder, Aaron Robinson (Zoom), Jeffrey Dexter, Dennis Bernitt, Ginny Dudko (Zoom), Al Henry

Committee Members Absent: Andy Boyar

Staff: Laurie Ramie, Kerry Engelhardt, Stephanie Driscoll

NPS: Superintendent- Lindsey Kurnath (6:37 pm)

Guests: Deerpark alternate- Bill Dudko (Zoom), Town of Tusten Deputy Supervisor- Jane Luchsinger, Damascus Township Supervisor- Steve Adams

The UDC's Project Review Committee held a special meeting on Tuesday, September 12, 2023 at the Council office in Narrowsburg, NY. The purpose of the special meeting was to interview applicants for the Fiscal Year 2024 Technical Assistance Grants Program, rank projects and recommend funding levels. Richardson called the meeting to order at 6:30 p.m.

TAG Applicant Interviews

The committee received two grant applications totaling \$27,500. Each applicant presented their grant project description and answered questions. The applicants included:

-Town of Tusten- Jane Luchsinger, Deputy Supervisor, thanked the UDC for the support given to the Town of Tusten in the past. The Town of Tusten is requesting funding for support of an Open Space and Recreation Plan to help supplement their match from the National Fish and Wildlife Foundation. She said she had looked on the New York side of the river for other towns that may have an Open Space and Recreation Plan and she hadn't found any. Most towns have a Comprehensive Plan that mentions Open Space. She said that this Open Space Plan is so important, especially since the Boy Scout property, which consists of about 24 to 26% of Tusten's property, is changing ownership. NYS DEC in its last two publications mentioned this property as having global significance. Tusten would like to be good stewards and make sure that there is a proper plan via the Open Space and Recreation Plan. Luchsinger compared the plan to a Comprehensive Plan for Land, whereas the Comprehensive Plan they have now is for so many different things.

Tusten plans to hire a consulting firm that has done a plan like this before. The consultants will do GIS mapping, climate and soil testing along with habitat and species documentation. Luchsinger highlighted that there are many endangered species just on the Boy Scout property alone. For example, Dragonflies, Box Turtles, Eagles, and more. The plan will also be instrumental in protecting the Delaware River, the river quality, and what runs into the river if there should be any further land development. The plan does not say what property owners can and cannot do. They will bring in the property owners to inform them of how valuable their property is if, for example, a company wants to subdivide or if the State wants to put a park in. The Delaware Highlands Conservancy came and lectured recently on environmental connectivity, when different ecosystems help each other. 30/35% of the US environment is considered connected and Town of Tusten has over 80% connected land. Luchsinger stressed how important it is to protect this land for the future.

Henry asked if the plan is to cover privately owned property as well as other property. Luchsinger said yes, they plan to bring in the public and educate them, since it's not a closed plan. She was recently speaking with the consulting firm who said it is very different than a Comprehensive Plan where you bring public in during the start. For an Open Space Plan, you bring the public in after the fact-finding is complete and there is an understanding of the land. Richardson said he wasn't aware of any other towns in the corridor with a plan like this and thinks it's a great idea. He asked what percentage of the land would be within the corridor. Luchsinger said she wasn't sure. Ramie went to check a chart that specifies the amount of acreage each town and township has within the corridor. Richardson said we don't have enough money to fund the amount Tusten is asking for and the other applications. Often times, the committee will evaluate how much land is within the corridor. Luchsinger said she feels that the Town of Tusten is setting a standard for other townships to have Open Space and Recreation Plans. If you look at Tusten's Comprehensive Plan, one of

the top three reasons that residents say they want to live in Tusten is because of the open space and rural feeling. If we don't protect that, we are not protecting what our residents enjoy about living here. Richardson said that the amounts listed for the project were shocking and that the cost of a project this size was surprising. Ramie said that Tusten in total has 31,198 acres in size and 4,919 acres within the corridor which is 15.8% of the Town of Tusten being within the corridor. Engelhardt asked if the Open Space Plan was the same as a Comprehensive Plan in that it would get evaluated every year. Luchsinger wasn't sure, but thinks that would be true. Engelhardt also asked: if the point of this plan is not to restrict land owners and what they can do, what are some things that would come from the plan? Luchsinger replied education and location for development. Roeder commented that there is already zoning and government agencies protecting endangered species in place, so what would this plan do differently? Luchsinger said that those endangered species areas haven't been identified. Roeder asked if the plan was just to identify what is there. Luchsinger said that's part of it, but now they are locating the areas to match with zoning. For example, if a hunting camp sells their property and there's a habitat there and zoning allows for the development, this plan would identify where the development could go.

Ramie asked if the timing lines up since Luchsinger had said that the Delaware Watershed Conservation Fund grant is a two-year grant. The UDC TAG must fall within the Fiscal Year 2024 and the portion UDC funded would need to be completed by August 2024. Luchsinger said that this would be the first phase. Ramie said they would need to identify the scope of work that would be accomplished with UDC funding. Luchsinger said she would like to find out from the consulting agency. The consulting agency has done this before and has examples, so Luchsinger is confident it will get done. Tusten is going to ask the consulting agency to work with them for implementation of the plan, since so many plans end up "on the shelf" and nothing gets done. Henry said it sounds like another layer of restriction and his recommendation is to let landowners voice their opinion now instead of after. Luchsinger said they have already formed the Conservation Advisory Committee. The committee currently consists of five members, but she thinks maybe they should expand that to include some larger landowners. Henry thinks Tusten should let people know, since in his opinion, it's more zoning and ordinances on top of what Tusten has already. Luchsinger said that after this meeting she is going to the Town of Tusten meeting to explain the grant to the public. Robinson said if it were on public property, he could see it being useful to some extent, but on private property he thinks the participation should be permissive by the landowner. It's complicated to do an inventory on flora and fauna physically on someone's property. Luchsinger said that nothing would be done without a landowner's permission. Robinson asked if it's then voluntary. Luchsinger said yes.

Engelhardt said as far as inventory goes, isn't that publicly available GIS information? Robinson said then that's already available. Richardson said that this is not creating new zoning laws, this is informational. Peckham asked if they would start using drones to survey private property. Luchsinger said she had not seen that in the details given to them by the consulting firm, so she doesn't believe so. Peckham said no one knows then how many of the private citizens are going to participate. Luchsinger said this information would be for the private citizens. The most important piece of land that this information would benefit is the Boy Scout property that is likely to go over to NYS. This will be helpful for NYS, especially if they want to create any public parks or public hiking trails, etc. The areas that shouldn't be open to the public that have sensitive habitats will be identified. Kurnath said that a lot of the habitat is visible through Google Earth, which no one has consented to. Kurnath said going back to the percentage of land within the corridor, she asked Luchsinger to relate the plan to the corridor piece of land as much as possible. She said it'll be harder to get approved by the NPS if the funding went to the opposite end of Tusten of the corridor. Richardson said he'd guess that somewhere in the process in the layers of the GIS system you'll be able to say how the property within the corridor is affected by this plan, and easily identify it. Ramie said that Luchsinger made a great argument to approach NYS for funding as the future owners of the Boy Scout property at TMR (Ten Mile River). The amount requested would go toward their match of the DWCF two-year grant and each year is \$37,500.

Henry added that the exact percentage within the corridor is in the RMP (River Management Plan) on page 169, and that the percentage that should be used. It's 34,707 acres for Tusten and 4,917 acres within the corridor at 14.2%. Ramie said that her chart is based on Census Bureau and USGS data from 2017, making it more recent and it's also the Upper Delaware Scenic and Recreational River acreage estimates. Engelhardt said she can use her new GIS skills to find out the percentage of the open space within the corridor. Richardson said that this is a multi-year project so they are only asking for their share for this year and that's something else to consider. Luchsinger departed at 6:55 pm to attend the Tusten Town Board meeting.

-Damascus Township- Steve Adams, Supervisor, said the township is looking for funding to update and distribute emergency action educational material in the event of weather events and other disasters. A copy of the brochure that was distributed several years ago was included in the meeting packet. Damascus would like to revamp the entire brochure and send it out again. The project is to update the design and distribute the disaster emergency preparedness guide. Adams said it's a simple project that would be mailed out to all the residents, NPS, UDC and any other local entity that would care to have it.

Kurnath said she knows a UDC TAG had funded this project in the past, but rules and regulations for TAGs have changed. She sees in the brochure that many of the disasters involve the Delaware River and streams, but is there any way more could be tied to the river? Adams said it's geared toward a flood response plan and natural disaster. Kurnath said she thinks it may have a hard time getting approved by NPS although she believes it would be valuable personally. Adams said that the RMP (page 40, bullet 2) says it will provide protection for the health, safety, and welfare of residents and visitors. He said this brochure is a way to keep the people prepared for emergencies. Kurnath said she thinks some edits need to be made to highlight the river part of the brochure. Adams said that the brochure doesn't only benefit Damascus, that any town or township can use it. The information isn't specific to Damascus. Kurnath said she wonders if there is an opportunity for the UDC and the towns/townships to work together to make a corridor wide emergency response plan. Adams said that's something Damascus would be open to, but it would cost more than what they are asking for. Kurnath said a little more data would help, like how many flood watches Damascus is under a year. Information that indicates flooding, particularly from the Delaware and its tributaries, is one of the top risks in Damascus. Robinson said we've had incidents along the railroad and that the people should know how to contact the railroad or emergency responders, and that might be one thing universal within the corridor.

Richardson said we should apply the percentage within the corridor to this. Ramie and Henry agreed that 11.5% of Damascus is within the corridor. Peckham said that the Town of Hancock has a great emergency preparedness plan after the devastations in 2004, 2005 and 2006. Disasters don't start within the corridor; they start farther away and by the time they get to the corridor they are full blown disasters. He said that someone should reach out to Hancock; they know how to handle emergencies. Adams said that another incident was the railroad accident that dumped diesel fuel into the river, not that there was anything Damascus could have done. Adams wants to update the brochure, since the current one is outdated. They plan to print 2,500 copies. Adams departed at 7:06 pm.

Following the interviews, the committee discussed each project. Ramie said that a tentative budget of \$16,140 has been earmarked for TAGs in FY2024 but that is flexible since the budget has only been approved through the 2nd quarter, before TAGs come due. After substantial discussion, the following projects and grant awards (total \$6,250) will be recommended to the full Council for approval by resolution at its October 5th meeting based on a motion by Henry, seconded by Peckham and carried, with Dexter opposed:

- Town of Tusten – Open Space and Recreation Plan, funding for the approximately 15% within the corridor, approximately \$3,750
- Damascus Township – Update & Distribute Emergency Action Educational Material, \$2,500

The motion included that the UDC will work with Damascus Township to modify its application to provide additional river-related justification to increase its likelihood for approval by the NPS financial overseers. This will occur in advance of the September 26th Project Review Committee meeting if possible or the October 5th UDC meeting, where it will be subject to a vote.

Other Business: Engelhardt has the Town of Deerpark river corridor map ready. G. Dudko said they would pick it up at the next meeting.

Dexter reported that the Cochection-Damascus Bridge is one-way only, due to painting as of 9/5.

Public Comment: None.

A motion was made by Richardson, seconded by Henry to adjourn the special Project Review Committee meeting at 7:41 p.m.