



# Upper Delaware Council

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## UPPER DELAWARE COUNCIL MEETING MINUTES January 7, 2021

The Upper Delaware Council held its monthly meeting on Thursday, January 7, 2021 via Zoom. Chairperson Richardson called the meeting to order at 7:03 p.m. and roll call followed.

In attendance: Town of Hancock- Fred Peckham, Town of Fremont- Jim Greier, Town of Cocheton- Larry Richardson, Town of Tusten- Susan Sullivan (7:16 p.m.), Town of Highland- Andy Boyar, Town of Lumberland- Nadia Rajs, Town of Deerpark-David Dean, Damascus Township- Jeff Dexter, Berlin Township-Alan Henry, Lackawaxen Township- Doug Case, Shohola Township- Aaron Robinson, Westfall Township-Michael Barth, Delaware River Basin Commission- Kristen Bowman Kavanagh, State of New York-Bill Rudge, Commonwealth of Pennsylvania-Tim Dugan, National Park Service- Joseph Salvatore. Staff in attendance: Executive Director-Laurie Ramie, Resources and Land Use Specialist- Shannon Cilento, Secretary- Ashley Hall-Bagdonas. Absent: Town of Delaware- Thomas Dent. Guests: Ginny Dudko-Town of Deerpark; Cody Hendrix- NPS, Don Hamilton-NPS, Buck Moorhead, Remy Moorhead, Wayne Holmes- Boy Scouts of America, Dave Malatzky- Boy Scouts of America, James Leone, New York State Museum and Geological Survey. Media: Linda Drollinger- River Reporter, Peter Becker- Tri-County Independent.

**Election of Officers for 2021 by Electronic Ballot Vote:** Richardson said in these difficult times we could not meet to vote in person and we chose to vote electronically for new officers. Ramie said she's pleased to report we had an excellent turnout of voters. Among the 15 people eligible to vote, we received 13 votes. Final vote results were: 13 votes for Chairperson Jeff Dexter (Damascus Township); 12 votes for Vice-Chairperson Susan Sullivan (Tusten); and 13 votes for Secretary/Treasurer Al Henry (Berlin Township). There were no write-in candidates. Richardson thanked everyone for the support this year, saying it has certainly been unusual and difficult. He thanked the UDC staff for keeping everyone on track. A Motion by Greier seconded by Richardson to accept the formal nominations of the slate of officers carried. Dexter conducted the remainder of the meeting.

Dexter said that UDC had asked Richardson last year to take the chairmanship out-of-turn because we had difficulties. Dexter said we never anticipated that Richardson would have 2-3 acting Superintendents and dealing with COVID shutting down the office. It was a monumental task and he's glad we asked Richardson to take the chairmanship. He did a fantastic job throughout the year. Dexter extended a welcome to Superintendent Salvatore. He and Damascus Supervisors met with Salvatore. He said he's optimistic we've turned a corner and are on the right track again.

**Presentation by James Leone: "Upper Delaware River Geologic Resource Mapping":** Dexter introduced James Leone, a Museum Scientist/Mapping Geologist with the New York State Museum and Geological Survey. Leone noted that he presented on Phase I of this project back in March 2016. Between Spring and Summer 2017, they did geoprobe work, took wireline cores, and finalized and submitted the maps. The maps of the individual quadrangles are available at <http://www.nysm.nysed.gov/publications/map-chart-series> Phase 1 included Lake Como, Hancock (Cadosia), Long Eddy, Fishs Eddy, Callicoon, Damascus, and Callicoon. Phase 2 included Shohola, Eldred, Pond Eddy, and Port Jervis North. The geoprobe is basically a drill mounted on a skid-sized tractor which drives a pipe in the ground and they can take cores from that. They probed Ten Mile River (TMR) Boy Scout Camp and Hickory Lane (Narrowsburg); Dirig Road (Fishs Eddy); Acid Factory Road (Long Eddy); and Kellam's Bridge Fishing Access (Callicoon). TMR Boy Scouts Camp was mainly bedded sand. The sand sample was sent to Colorado in 2017 and they are still waiting for the results. Samples collected a Dirig Road ended up being glacial till and

colluviated till. There was one AMS Carbon date of 5740 YR BP. No datable material was found during geoprobe at Kellam's Bridge. AN OSL sample was collected along the railroad track while field mapping in 2016. They did wireline coring at Peckham's property about 150 feet off the river on the flats a little bit, 151 feet to rock. OSL sample for dating was collected from about 148 feet. They went through alluvium, till, lake sediments, and alluvial sediments underneath. When the soil sample comes back it will give them a minimum aged date of the Upper Delaware River valley; that means that's the bottom of the river valley before the till came in. Test borings for a possible dam site showed potential lake sediments at the bottom of some boreholes at the Fishs Eddy East Branch Dam test site.

Project methods were to gather information from prior work; look for maps and publications for the area; review LIDAR (Light Detection and Ranging) to identify areas to focus field investigation; and field mapping and sample collection was done in Fall 2018 to Summer 2019. Over 200 field observations were done and 163 samples collected for grain size analysis. Six OSL samples were collected. Some of the prior work includes opening NYSGS files. The objective was to assemble a comprehensive geologic map, where little information was available. Leone showed several maps and explained them to members. Alluvium was the dominant surface material within the boundary. Leone described the distribution of surface materials. Alluvium is primary sand, gravel and silt. Glacial till is the most abundant material in the mapped area. An unsorted mixture of clay, silt, sand, gravel, and boulders, followed by bedrock. Sands and gravels deposited up most of the tributary valleys were usually bedded but sometimes massive. The Neversink Valley contains vast amounts of bedded sand with some gravels.

Leone provided a slide with maps on landforms in Eldred. He said Eskers are long sinuous ridges formed in sub-glacial tunnels and ice walled channels by flowing water. Kame deposits are hill or mounds formed when glacial ice sheds sediments either between ice blocks or along valley walls. Photos of bedding in an excavated esker on Swamp Pond Road were shown. At the Rio Road Quarry sediments were likely deposited on ice. It can be inferred that these beds were deformed as the ice melted and the sediments essentially pulled apart.

Leone provided a slide showing the glacial marines that depict the extent of glaciers moving through the area. They are making the assumption that ice came down into PA and stopped before it started melting back at the end of the last glacial cycle. Through the Catskills and the Delaware River Valley area there are no margins that are clearly mapped except one in Northern NJ. The dates and the history of the ice advancing through the area and melting back out is really unknown. The longest moraines continue north nearly to Monticello and appears to continue south in PA. These are records of the Hudson Lobe's advances up into the Catskills from the Hudson Valley. Leone showed a deltaic deposit in Sparrowbush. He explained that topsets and foresets are beds of sand and gravels forming a delta deposited underwater. The foresets are angled deposits. Topsets are nearly horizontal. Contact between topsets and foresets is at an elevation of about 896ft/273m. They can make an assumption that there was a lake at that 896 ft height filling in the Delaware River Valley in that area. They are applying the idea that the Glacial Lake Sparrowbush was static at 896 ft. The caveat is they are not fully sure where along the Upper Delaware. It may have also been blocked by ice and may have blocked off parts of the Delaware River Valley, not allowing the lake to be continuous. If it was continuous it went all the way up to Point Mountain in Hancock. It extended into PA to Hawley along the Lackawaxen River Valley. The drainage divide is north of Lake Wallenpaupack. He provided a slide for the Mill Rift Spillway explaining the ice melted back to Neversink Valley. The valley that contains Cummins Creek had a drainage divide of 800 ft. This would have allowed water to drain out of Lake Sparrowbush and into the Delaware River Valley just north of Milford. Wetlands at the headwaters of Cummins Creek could hold arctic plant fossils that could give a minimum age of the re-opening of the Upper Delaware River into the Neversink Valley. While the glacier was melting or receding down into the valleys, water filled the lowest elevation in front of the melting ice, creating pro-glacial lakes. These lakes would fill until they could find a drainage pathway. Drainage along the edge of the ice was likely happening in the Neversink Valley. Scouring glacial sediments off the rocks. This happened repeatedly over time as ice retreated north out of the Neversink Valley.

This project is funded by the NPS. Leone thanked Duane Braun for sharing expertise in mapping the regional geology and to their summer interns for a good deal of the leg work collecting samples. He also thanked private landowners who permitted access to properties. A short question and answer period followed. Dexter thanked Leone for his presentation and said that we look forward to seeing the results when they receive them.

**Approval of December 3<sup>rd</sup> Meeting Minutes:** A motion by Robinson seconded by Boyar, to approve the December 3<sup>rd</sup>, 2020 meeting minutes carried.

**Public Comment on the Agenda:** None.

**Committee Reports:** There were no questions regarding the following meetings. They were: Dec. 15<sup>th</sup> Water Use/Resource Management, Dec. 15<sup>th</sup> Project Review, and Dec. 15<sup>th</sup> Operations.

### **Status Reports**

**Delaware River Basin Commission:** Kavanagh said their First Quarter Public Meeting is 2/10 and their business meeting will be 3/10. They are still continuing to hold their meetings virtually. All meetings can be found on the DRBC website: <https://www.state.nj.us/drbc/meetings/upcoming/>. The Toxics Advisory Committee meets 1-2 times a year and the next meeting will be 1/28. There is an opening on the Toxics Advisory Committee for someone in the Agricultural Sector. Kavanagh said feel free to reach out to her if you are interested or know someone that is. The Water Management Advisory Management Committee meetings will be on 2/25, 6/17 and 10/21. They also have a few openings on that Advisory Committee in the stakeholder areas of Industry, Fisheries or Environmental organizations.

Referencing the Hydrologic Conditions Report provided in the meeting packet, Kavanagh said we had a pretty rainy Christmas holiday. There were multiple locations between Callicoon and Trenton that reached action stage flooding. The NYC reservoirs now have a combined storage of over 90% which is above the median. The river flows are also above the median for this time of year.

**NYS Dept. of Environmental Conservation:** Rudge said they are making progress on their management plan for their lands in the Delaware Watershed; specifically, for the Neversink River Unique Area. They hope to announce the availability of a draft revision of that plan at our next meeting. Rudge said a lot of their staff is working remotely due to COVID.

**PA Department of Conservation & Natural Resources:** Dugan provided handouts in the meeting packet. PA has announced its River of the Year vote. Lehigh River is one of the candidates and the Lehigh is a tributary to the Delaware River. The vote is being conducted online. Also provided is the PA Fish and Boat Commission State Parks Winter Report. Both the PA Fish and Boat Commission and DCNR are seeing more people go out ice fishing. There was a short period of pretty decent snowmobiling activity but then unfortunately, the rain and warm came and squashed that. In the last week people have been out on the trails in the region riding snowmobiles. They just got enough snow to ride on. Lots of anglers are going ice fishing, there is lots of cross-country skiing, enjoying being out. The Fish and Boat Commission has a mandatory Cold Weather Life Jacket Wear in effect from 11/1 through 4/30. You must wear a Coast Guard approved personal flotation device while underway or at anchor on boats less than 16 feet in length and in any canoe or kayak. Dugan also included PA Game Commission Nursery Wildlife Home order form and a Tree and Shrub order form.

**National Park Service-Upper Delaware:** Superintendent Joe Salvatore introduced himself. He thanked Dexter and Steve Adams for stopping by his office to meet him. Salvatore said he's excited to be part of this team. He looks forward to working together and making this partnership what it's supposed to be. He met with Ramie this morning for about two hours and felt it was a wonderful meeting. He feels that NPS and UDC have the same goals and objectives, which is to make this partnership a great thing and do great things for the Upper Delaware. Salvatore said he started off as a young kid in West Virginia and enlisted in the Navy when he was 17 years old. He was a submarine sailor for about six years. After the Navy he worked in the private sector but was still working for Defense as a contractor for about seven years. In 2001 he became a civil servant for the military and Navy, spending three years in the Norfolk area and three years in Japan as the Director of Business for our Navy Bases over there. Salvatore said he has about seven years of experience with the NPS. He said as far as the Navy is organized when running their bases, it's very similar to the NPS. His first job with the NPS was the Chief of Facility Management of the National Mall in Washington DC. After that, he was the Deputy Chief for Facility Management nationwide. He said he has a good pace of the Washington office, how things are done in DC and Capitol Hill, and how the NPS works with their funding sources. He reported to UPDE before the holiday because he wanted to read up on how

business is done here, and he's glad he did because everyone is back from their holiday vacation and he has his calendar full. As he mentioned he met with Dexter and Adams and discussed some of the issues UDC was facing with the prior Superintendents. Salvatore said personally and professionally he's a very transparent person. He tries his best to be a team player. He knows what a partnership is; it's a joint venture. It is not the NPS or UDC trying to dictate. Salvatore said it is us sitting down at the table trying to communicate how we can protect and serve this river and to support your Town/ships as well. He's looking forward to working with everyone. Salvatore provided his cell phone number to members: 202-308-5503. He said if anyone has any concerns or would like to stop by his office, he welcomes that opportunity. He thanked Leone for the enlightening presentation. He thanked Richardson for serving as 2020 UDC Chairperson.

A few updates Salvatore has is that their Facility Manager Loren Goering retired last Friday. One of his number one priority is to hire a new Facility Manager. He's going to do his due diligence to make sure they get the right person for the job. They are looking for someone with a lot of project management experience and someone that understands their funding so maybe they are able to do more for the community. Salvatore said Zane Grey is their big project right now with modifications to open up a Visitors' Center. A briefing about that project will be coming tomorrow. He and Ramie spoke about how she was interviewed for the Transitional Management Assistance Plan. A report comes from those interviews and is given to the next person filling that position. Salvatore said he's going to put that report on the shelf for three months because he doesn't like to be influenced and prefers to see things for himself. He said a few of his main priorities are staffing and the UDC. Salvatore concluded that he's a big Baltimore Ravens fan and feel confident they're going to win the Super Bowl this year. He said he's got Ohio State upsetting Alabama in the National Championship. He asked fellow NPS staff on the meeting to provide any updates.

Hamilton reported that their Natural Resources Division continues to be involved with the Mongaup River FERC Hydropower relicensing discussions. He hopes to finalize the settlement agreement before the language gets turned over to attorneys in January. He said it's been a long process but feels some good things will come from it.

A couple weeks ago they met with representatives from Friends of the Upper Delaware River (FUDR) and measured some of the knotweed plots at the Skinner's Falls Access for the knotweed control demonstration project. They are continuing to participate on a number of online meetings like the Delaware River Basin Fish and Wildlife Cooperative, the DRBC's Water Quality Advisory Committee, Catskill Region Invasive Species Partnership and Pennsylvania Invasive Species Council. This is also the time of year they are writing proposals to compete to get additional funding for studies to increase natural resources.

Salvatore said he is meeting with Cody Hendrix, the new Planner, tomorrow. They will talk about some of the issues Ramie shared with him this morning and some of his expectations on how to make this partnership a little better. He said if we can cut the red tape, we will. That's a big goal of his. He said if cutting the red tape means he's going to get fired he will not break out the scissors. Hendrix said he attended the 12/3 UDC meeting. He got his undergraduate degree at the University of Alabama in Geography and his Masters in Public Administration from the University of Mary. He's been with the NPS for one month now. He said Cilento has been a great asset. Currently he's reviewing the Shohola Township Zoning Ordinance #80.

Richardson said he appreciated the words Salvatore shared. He said each time a new Superintendent comes in, it's always kind of a new beginning. Salvatore said he's slightly familiar with the area a little more south. He was Acting Superintendent for the Delaware Water Gap National Recreation Area. He understands a lot of the communities' concerns. He feels like UDC and NPS will get some good synergy and traction and get things done.

**UDC Executive Director's Report:** Ramie said as Salvatore mentioned, they had a productive meeting this morning. She is optimistic that UDC and NPS are embarking on a new relationship where trust and understanding will be built quickly and enable working toward mutual goals. Ramie said it was a surprise to hear Loren Goering had retired but with Salvatore's background in facilities maintenance, he's bringing core experience to find an appropriate replacement. She thanked Salvatore for his partnership remarks and embracing the cooperative management model.

Ramie said Bonnie Sheard from NPS had shared a report from the DOT on the Cohecton/Damascus Bridge. She asked if Salvatore or Hamilton had any comments on that handout? Hamilton said he took a brief look at that. He said they revised their estimate of how much work the deck needs to be replaced though it didn't seem it would change the overall project all that much. Dexter asked if they mentioned sticking with their promise of doing one lane at a time and keeping one lane open? Ramie said they didn't address that; it was more about the rehabilitation needs were. Ramie said her question is also whether the detours that had been negotiated away were still off the table. Salvatore said he would talk with staff and update Ramie.

Ramie said typically, we invite an official of the new chairperson's choosing to administer oaths to our officers and hold a swearing-in ceremony reception at the February meeting, after all the town and township appointees are confirmed at their reorganizational meetings. We currently don't plan to do that remotely but when we are able to safely meet in person again, we can arrange for those oaths then, and maybe even enjoy some cake. Ramie said she is also hoping that she can take our annual board membership photo ahead of the Spring 2021 issue of our newsletter without people having to be 6-feet apart or they will never all fit.

In terms of funding, Ramie reported at the 12/15 Operations Committee meeting that we had a balance of just over \$12,500 left of our first quarter federal allocation of \$75,000. After there was a federal budget agreement to replace the Continuing Resolutions, we awaited instructions from the NPS about applying for the balance owed for Fiscal Year 2021. Unfortunately, the federal government's new financial management software which was implemented to simplify and streamline the amount of paperwork involved is not yet having that desired effect. On Monday, UPDE Administrative Officer Michelle Blockberger advised Ramie that we will need to prepare the same SF-424 Application for Federal Assistance package of budget information, work plans, and various forms. The only difference Ramie can see is that she's submitting it online for Blockberger to process before it goes to the Regional Contracting office. It's actually an extra step for us that required training in the use of the GrantSolutions website, setting up accounts and requesting permissions for access. But after all that, we still have an inaccurate EIN and reporting dates listed on our Cooperative Agreement grant notice which Ramie's repeated messages to Tech Support have not resolved. Blockberger has also not found this new system very user-friendly yet. Ramie needs to get together with our bookkeeper and prepare the usual documentation. Until that funding is approved and made available for us to apply for through our monthly drawdown requests, we will need to dip into our non-federal funding to pay for expenses beyond the \$12,500 remaining in the ASAP account. Salvatore said after he met with Ramie and they discussed this, he spoke with Blockberger about this issue and asked her to make some calls to Regional to figure out who the expert is on GrantSolutions to streamline this for UDC. He said it's a priority to help UDC navigate this new process the federal government set up.

Ramie checked the IRS mileage reimbursement rate for 2021 and found that the new reimbursement allowance effective Jan. 1<sup>st</sup> is 56-cents per mile, which is down from 57.5 cents. Our policy is to automatically observe the annual federal rate for our staff and board member UDC travel.

1/15 will mark the completion of Cilento's 6-month probationary term as Resources and Land Use Specialist. The procedure is that the Personnel Subcommittee will offer a recommendation to the full Council for permanent employee status based on a written performance appraisal and interview. A resolution will be presented at the 2/4 meeting that will trigger certain benefits to kick in for a permanent employee. Ramie said the question is whether we do that in-person, by telephone, or Zoom. Ramie said she will defer to Henry as Personnel Subcommittee chairperson to offer his thoughts. Henry said he recommends a Zoom meeting. Cilento said she would create a Zoom link. Ramie said she would forward the written evaluation and the Personnel Subcommittee will take it from there.

1/15 is a significant date for two other reasons. The first is that it's the deadline to sign our Petition for New York State Support of the Upper Delaware River Watershed, which she circulated by email and it is also posted on our Facebook page. From 12/30 to earlier today, we have had 220 signers. 12/15 is also our requested deadline for the 15 river valley municipal boards in NY and PA to propose the names of Litter Leaders for their communities for our 1<sup>st</sup> Upper Delaware Litter Sweep coming up in April 2021. If the towns/ships don't have suggestions of who can help us organize this land-based project, we will engage the public to come forward if they're interested in those community captain positions.

She asked members to look at the calendar in the packets that lists our meetings, activities and deadlines for January. Feel free to ask questions about any of those entries of interest. The 2/4 UDC presentation will be NYC DEP Director of Public Affairs Adam Bosch: Improved Emergency Notification Procedures from the Delaware Reservoirs. Lastly, please see a memo requesting any changes to our committee memberships in advance of their first 2021 meetings on 1/19 for Water Use/Resource Management and 1/26 for both Project Review and Operations. We need to establish our quorums to conduct business. Votes will be taken at those meetings for chairs and vice-chairs as well.

### Old Business

**Jan. 25 Virtual Launch of Project Review Workbook Instructional Video, 3 or 5:30 p.m.:** Cilento said we are so excited that Quiet Light Films has finished our Project Review Workbook 2.0 Instructional Video for which Richardson, Jennifer Claster, Tom Shepstone and she were filmed. It's a great 45-minute video that's really put together well. She has already added it to UDC's Vimeo and YouTube channels. Cilento said it was decided with National Parks Conservation Association (NPCA) assistance that we would have a virtual launch. Hendrix has committed to being part of the virtual launch so we will have UDC, NPS and NPCA participating. A question-and-answer session will follow the instructional video. There will be two sessions on 1/25 at 3 p.m. and 5:30 p.m. Cilento feels it will be very fruitful. An added benefit is for NY planning and zoning boards who need four credit hours per years, that we will be offering 1.5-hour training credits for which she will make certificates. She posted on social media, we issued a press release, and she will be sending out links tomorrow for registration. Cilento said grab your bag of popcorn and register for one of the times and join us for the video we've been working so hard on.

**Other:** None.

### New Business

**Draft Resolution 2021-07: Contract with Eckersley & Davis, LLP for Fiscal Year 2021 Financial Review:** A Motion by Richardson seconded by Henry to approve Resolution 2021-07 carried.

**Draft Resolution 2021-08: Authorizing Signatories for UDC Bank Accounts in 2021:** A Motion by Richardson seconded by Henry to approve Resolution 2021-08 carried.

**Draft Resolution 2021-09: Approving UDC Five-Year Operating Program for Oct. 1, 2020- Sept. 30, 2025:** Greier said he read through the whole document and didn't see anything about 100% conformance. He wanted to thank Buck Moorhead, Remy Moorhead and the committee for revising that and at this time he feels he can support it. A Motion by Boyar seconded by Richardson to approve Resolution 2021-09 carried.

**Draft Letter to NYS DEC: New York State Trout Stream Management Plan Regulations:** Ramie said this was sent in advance for review. Cilento said Richardson suggested some draft language to incorporate his sentiments about designating some section of the river that is not only catch-and-release so children can take home a prize fish if they wish. She said that was word-smithed it and she hopes that meets Richardson and Peckham's concerns. A Motion by Richardson seconded by Dudko to approve the draft letter to NYS DEC carried with an abstention by Rudge.

**Annual Conflict of Interest Disclosure Statement and Anti-Sexual Harassment Training Needs:** Ramie said these are two issues that come up annually. Hall-Bagdonas will be mailing the Conflict of Interest Disclosure Statements to each representative and alternate. A return envelope will be included. She will also send them out via email. She will include a memo that explains how to fill that out. The Anti-Sexual Harassment Training is a NYS law. Ramie found a free training video through the New York City Human Rights Commission that has all the NYS requirements. One requirement is having an interactive component as well. Ramie will send out the link to the 45-minute video. At the end you receive a certificate that you can email back to Hall-Bagdonas documenting you watched it. Henry asked what the compliance of the staff was last year? Ramie said staff fulfilled the training requirements. Cilento was covered through training from her previous job. Rudge said this training is required for his job and asked if her can provide documentation to fulfill that requirement? Ramie said that's fine.

**Other:** Henry asked if the Personnel Subcommittee could provide him with times that they are available next week for a Zoom meeting with Cilento.

Buck Moorhead said he wanted to comment on the approving of the UDC Five-Year Operating Program. He wanted to thank everyone who was participating with UDC with the steering committee and acknowledged a lot of support from the staff. He feels the plan is better because all that effort was put into it. He feels it's a pretty good foundation for UDC moving forward. Ramie thanked Buck and Remy Moorhead for leading us through that process and thanked the board for supporting the plan. Cilento will be putting our Mission Statement on social media and Ramie will issue a news release to announce its availability to the public.

**Public Comment:** Greier thanked Salvatore for his opening presentation tonight. He said he can't wait to meet him in person.

**Adjournment:** A motion by Barth, seconded by Robinson, to adjourn the meeting at 9:00 p.m. was carried.

*Minutes prepared by Ashley Hall-Bagdonas 1-31-2021*