



Upper Delaware Council

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UPPER DELAWARE COUNCIL MEETING MINUTES November 5, 2020

The Upper Delaware Council held its monthly meeting on Thursday, November 5, 2020 at the Narrowsburg Union in Narrowsburg, NY. Chairperson Richardson called the meeting to order at 7:00 p.m. and roll call followed.

In attendance: Town of Hancock- Fred Peckham, Town of Fremont- Jim Greier, Town of Delaware- Thomas Dent, Town of Cocheton- Larry Richardson, Town of Tusten- Susan Sullivan, Town of Highland- Andy Boyar, Town of Lumberland- Nadia Rajsz, 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 (via phone), Commonwealth of Pennsylvania-Tim Dugan (via phone), National Park Service- Don Hamilton. Staff in attendance: Executive Director-Laurie Ramie, Resources and Land Use Specialist- Shannon Cilento, Secretary- Ashley Hall-Bagdonas. Absent: State of New York-Bill Rudge. Guests: Ginny Dudko, Town of Deerpark alternate, Roger Saumure-Shohola Township alternate. Media: Linda Drollinger- River Reporter, Peter Becker- Tri-County Independent.

Approval of October 1st Meeting Minutes: A motion Rajsz seconded by Dent, to approve the October 1st, 2020 meeting minutes carried.

Public Comment on the Agenda: None.

Committee Reports: There were no questions regarding the following meetings. They were: Oct. 20th Water Use/Resource Management, Oct. 27th Project Review and Oct. 27th Operations.

Status Reports

Delaware River Basin Commission: Kavanagh said she appreciates being able to participate remotely although she sometimes struggles to hear everything that's being said. 11/12 is DRBC's 4th Quarter Public Meeting via Zoom. 11/18 is a Joint Meeting of DRBC's Monitoring Advisory and Coordination Committee & Partnership for Delaware Estuaries (PDE's) Science and Technical Advisory Committee. There is a Water Quality Advisory Committee meeting on 12/3. On 12/17 there is an Advisory Committee meeting on Climate Change. All meetings can be found on the DRBC website: <https://www.state.nj.us/drbc/meetings/upcoming/>.

Referencing the Hydrologic Conditions Report provided in the meeting packet, Kavanagh said river flows at Montague have been around the target of 1750 cfs for most of October and this is a supplement of the direct releases from NYC. The NYC combined storage is at about 63% which is a little below the median for this time of year. F.E. Walter Dam is at winter pool. Blue Marsh Reservoir is in the process of being drawn down to its winter pool elevation.

Kavanagh provided a handout on Our Shared Waters, which Peter Eschbach gave a presentation on at UDC on 2/6/2020. They just launched the crowd-sourcing website called: RateYourWaters.org; and it's for anyone in the public to make water-quality observations and add them to the site. From 11/7 to 11/30 any observation logged into RateYourWaters.Org will be entered into a sweepstakes. The winner can choose a waters-related non-profit organization to receive a \$500 donation.

NYS Dept. of Environmental Conservation: Ramie said Rudge had intended on coming to the meeting in-person but something came up at the last moment. He sent his apologies.

PA Department of Conservation & Natural Resources: Dugan said he appreciates the availability to call-in. PA government employees are still not supposed to travel out of the state with rare exceptions. He said we had very nice fall weather this year. Visitor usage throughout all of their natural resources is still high. In Delaware State Forest all of their motorized camp sites are booked every weekend as they head into the fall and the hunting season. We are entering our fall fire season. Dugan asks that people are wary and cautious that all fires can hurt; even just with a couple of days of dry weather.

Hunting seasons are in full swing. This year there are three Sundays in PA when hunting is permitted. 11/15 for archery deer season, 11/22 for firearms bear season; and 11/29 for firearm deer season. There is an increase in the number of seasons that are open this year. Dugan said observations in our region are that many people are out hunting, but with so many days and opportunities with extended season, it seems that the hunters are spread out. They have not seen a huge push in any one area or another. Christine Dettore provided a handout with an announcement about grant workshops.

Regarding their budget they had a 5/12 budget that they were allotted that takes them to the end of November. He has not received any word yet on the next budget, which is supposed to be a 7/12 budget that will run from December until the end of June. They are expected to see that come out with a continued reduction.

Peckham asked if the Chronic Wasting Disease (CWD) restrictions are still in place? Dugan said next week, he's going to be sitting on a committee meeting with DCNR and PA Game Commission and the discussion is mostly centered around CWD. It is expanding, but it has not expanded very far from the central PA area. Movement is still restricted.

Greier said in the *New York Outdoor News*, there was an article about DEC asking bowhunters to report epizootic hemorrhagic disease (EHD) discoveries in the Southern Zone (Orange County). They've recovered around 750 deer that contracted EHD. EHD is carried by biting midges, small bugs often called "no-see-ums" or "punkies". Outbreaks are most common in the late summer, early fall when the midges that carry the virus are abundant. Once infected with the EHD, deer usually die within 36-hours. The disease is not spread from deer to deer or from deer to humans. Symptoms in deer include fever, hemorrhage in muscles or organs, and swelling of the head, neck, tongue, and lips. A deer infected with EHD may appear lame or dehydrated. Greier said the article tells you not to eat the deer. Greier asked Dugan if this is an issue in PA? Dugan said they have advertisements in Hunter Magazine, noting that if any hunter or outdoors person sees an animal that's behaving sick or showing signs of being ill, that they should be reporting that. There have been examples of both CWD and EHD in Pennsylvania. The reporting and testing process is similar.

National Park Service-Upper Delaware: Hamilton said it was announced this afternoon we have a new Superintendent. A copy of the announcement was provided in the meeting packet. Hamilton has not met Superintendent Joseph A. Salvatore yet; staff will welcome him and get him properly trained. Salvatore's start date is 12/20.

NPS continue to be involved in Settlement Agreement discussions regarding the Mongaup River hydroelectric facilities' Federal Energy Regulatory Commission (FERC) relicensing. NYSDEC and USFWS, USGS ODRM, TU, and DRBC are fellow resource agencies also involved in this relicensing, along with numerous other stakeholders, including American Whitewater, representing whitewater boating interests on the lower Mongaup, as well as property owners on the reservoirs. This has been a multi-year process with lots of negotiating. Hamilton said it looks like we may have a Settlement Agreement finalized in early 2021. A Wild and Scenic Rivers Act Sect. 7(a) evaluation of this development on Scenic, Recreational, and Fish and Wildlife Values will be completed.

NPS partnered with the Academy of Natural Sciences of Drexel University, and this fall, NPS completed the 3rd year of sampling in a 3-year study seeking to better understand their age structure and relative abundance of American

eels in the Upper Delaware River. American eels are a keystone species in the Delaware and other Atlantic Coast rivers, playing a critical role in their ecosystems' functions. As the primary host fish for eastern elliptio mussels, they enable reproduction of native mollusks that make up the greatest animal biomass in the Delaware River and provide important ecosystem services through their water filtration and nutrient cycling capabilities. The Delaware River is the last place in the U.S. where a commercial fishery still exists for the outmigrating adult eels, and they are seeking to better understand how they're doing here as well as establish monitoring protocols that they can use to assess their viability in the future, in a river that remains a stronghold for eels amidst a range wide population that's steeply declining.

Hamilton said regarding the Delaware & Hudson Canal National Historic Landmark update, a contract kick-off meeting was held on 11/4. Richard Grubb and Associates have been contracted to write the update that will be presented to the Advisory Board of the NHL Committee for approval. Work will begin on the Final draft of the update due in spring 2023, just in time to celebrate the 200th anniversary of the groundbreaking of the canal. Significant draft portions are scheduled to be reviewed every six months between now and then, starting in May 2021. The NPS is working with representatives from the D&H Transportation Heritage Council (DHTHC) to identify significant extant portions of the canal that retain high integrity and high national significance. This work will build off of the separate UPDE contract and survey of resources between Lackawaxen and Port Jervis that started in 2018. This is all part of an effort to secure that nomination to make that segment of the Delaware and Hudson Canal a National Historic Landmark.

Out of the Superintendent's Office there are several bridge inspections that have been permitted/approved: Cochetcon/Damascus Bridge #6 NYDOT – 11/4-5/20; Callicoon/Conklin Hill Bridge #7 NYDOT – 11/10/20; Pond Eddy Bridge #2 PENNDOT – 11/12/20; Lordville/Equinunk Bridge #9 NYDOT – 11/17/20; Kellams/Stalker Bridge #8 NYDOT – 11/23/20; Narrowsburg/Darbytown Bridge #4 PENNDOT – 12/07/20; Milanville/Skinners Falls Bridge #5 PENNDOT – not permitted/on hold until proof of consult with PA SHPO is provided. The Shohola/Barryville Bridge #3 Inspection by PENNDOT is not due for inspection until 2023.

Richardson asked if Cody Hendrix, the new NPS Land Use Planner, has arrived? Hamilton said Hendrix is now supposed to start 12/7.

Dent said he often finds mussel shells on the bank of his yard and is curious to know what animal harvests them? Hamilton said muskrats and raccoons eat them. You will find areas called "mussel middens" where there will be a pile sometimes. Sometimes they will dig mussels out of the substrate and set them on a log to dry out.

Peckham requested a copy of the Mussel Study results. Hamilton said he would get him a copy.

Peckham asked if the mussels include lamprey eels? Hamilton said he doesn't know if sea lampreys have been documents as a host fish for any of the mussels here in the river.

UDC Executive Director's Report: Ramie said our host facility here has asked that if you're not speaking or drinking, please keep masks on.

Ramie said it's unfortunate that our planned Upper Delaware Geology Mapping presentation for tonight had to be cancelled. Our speaker from the New York State Museum & Geological Survey was eager to be here but emailed her on Tuesday night to say that his travel request from Albany was denied as "non-essential". Ramie suggested that he look into the option of offering a live webinar or a recorded virtual program that we could watch, since it's impossible to say when his travel would be allowed these days.

As you know from your approval of our Social Media Policy last month, the UDC has entered the digital age more fully as of Monday with the launch of Facebook and Instagram accounts. Cilento said some of you have already followed on some platforms; which is awesome. Please follow us on our Facebook, Instagram and LinkedIn. In the past two days on Facebook we have 71 followers; Instagram we have 63; and LinkedIn we have 57. We had some help from some of our partners who did email blasts along with us to so that we can share what we're doing, our

mission, our activities, and our projects with the public. Cilento also created Vimeo and YouTube accounts because we have the Project Review Workbook that will be coming out and the videographer had suggested creating both for the UDC to have options. We have been posting the Award winners on social media since UDC couldn't have our Annual Banquet this year. The Facebook post for Dan Plummer of Friends of the Upper Delaware River (FUDR) was shared by FUDR and they have such a large following that the metrics that told us that over 2,750 people saw the post, which is a great number for UDC's first few days posting.

Ramie said this social media launch happened to coincide with a relaunch of our upperdelawarecouncil.org website by W Design of Barryville to improve its mobile device accessibility, ADA compliance, and some back-end functionality. The appearance is fairly similar but you will find a few added features, so please check that out.

Ramie has been asked by Meg McGuire, who runs an online news service called Delaware Currents, to offer ideas for Upper Delaware voices willing to be interviewed for a program by Philadelphia public radio station WHYY that would help educate listeners and readers about the watershed region above Port Jervis. The key is that they're seeking people who care about and are actively looking after the river but don't hold any professional capacity or elected position. They can contact Meg by email at delawarecurrents@gmail.com to find out more.

Another project in development is by the Alliance for the Upper Delaware River Watershed, which includes the UDC. The Alliance held a series of recent Zoom meetings with the New York State Governor's office, DEC administrators, Senate, and Assembly representatives to discuss introducing a line in the Environmental Protection Fund for next year's State Budget that would be dedicated to investing in the NY portion of the Delaware River. The resulting action item to help strengthen the case was to compile a list of conservation and environmental projects that could benefit. At the Operations Committee, we discussed ideas that the UDC could contribute and Ramie has reached out to our eight NYS town members to ask about needs in their communities as well. While no specific deadline was given, the state lawmakers did say this timing is appropriate. Those meetings occurred pre-election, which could result in some changes in representation, but we will carry on to fulfill that request.

Ramie noted some dates on the calendar handout: Work has begun on the Fall/Winter issue of our newsletter which is due to the printer by 11/25, the first step of which is planning the articles and photos for those 12 pages.

On Monday, Ramie circulated a summary document that includes our Strategic Plan Survey Results, the Priority Issues, and Draft Mission Statement identified at the 10/3 retreat to a very large email list for feedback. This will be the foundation for what gets included in the UDC's new Five-Year Plan and therefore, all input is welcome, particularly by those who didn't participate but have opinions on this organization's future. We've asked for comments back by 11/9. Our 12/3 UDC presentation is scheduled to be an overview of the draft Five-Year Plan by facilitator Buck Moorhead.

The UDC office will be closed on 11/11 for Veterans' Day and 11/26 for Thanksgiving.

Our audit team from Eckersley and Ostrowski will be in the office on Nov. 12 and 13 to gather and calculate all financial data from Fiscal Year 2020, after which we expect Dick Eckersley to report the preliminary conclusions at the 11/24 Operations Committee meeting.

The National Parks Conservation Association's Scenic Wild Delaware River Geotourism project is hosting a virtual roundtable on 11/12 at 2:30 on "The Successes and Challenges of the Middle and Upper Delaware River", which includes Hamilton and Jessica Newbern from UPDE as presenters. Ramie sent everyone a link for that free registration.

We will let you know the outcome of Cilento's application to the Delaware River Watershed Environmental Fellowship 2021 program, which is due by 11/16. Thanks to funding from the William Penn Foundation, the tuition for this leadership network opportunity is free of charge.

Please see the other dates listed on the handout, as well as a preview of December meetings, activities and deadlines.

We have 2021 pocket calendars provided by the PA DCNR available.

Old Business

Planning for a 2021 Upper Delaware Litter Sweep: Ramie said to introduce this issue; we had committed to do a litter cleanup for 2020 to celebrate the 50th anniversary of Earth Day. UDC hired a coordinator for the event, Dan Paparella, and he has now left the area and had to resign from the Council. We still need to do a Litter Sweep because this is part of the project scope for our PA Grant. Ramie said we did settle up with Paparella for the hours that he had invested in putting the framework together for this program. UDC had allocated \$3,000 of that grant for the Litter Sweep. So far, we spent about \$1,700 of it. Paparella worked 117.75 before we ended up having to cancel it due to COVID. Ramie had brought this up at the Water Use/Resource Management Committee and they recommended it to the full Council to see if people have ideas on how we should proceed from here. Options would be look for someone else to hire to coordinate it. We could do it in house. Cilento and Hall-Bagdonas would be willing to take that on. We could scale it down from our original plans. It was always going to be volunteers and land-based only, and we would try to get as many materials as we could from the respective States. Ramie said April 2021 is not that far away to organize something like this.

Boyar said with all Litter Sweep programs, many hands make light work. He said each component Town/ship might think about designating a Litter Sweep coordinator to act as a point person or a facilitator. Boyar said we could contact local governments in our respective Town/ships and see if we can put together a list and that would be a very good working group to start with. At previous meetings DOT noted that they wanted Litter Sweep participants to wear reflective vests and hardhats if picking up litter on the highway. Boyar did a Litter Pluck on the Lackawaxen three weeks ago and they had a box of reflective vests and gloves that were handed out to the 40 volunteers and it took about 1 ½ hours. He called the coordinator of the event and found out that PennDOT furnished them; all they had to do was reach out to them. Boyar said we can work off the template from last year. Paparella was expanding it more than his original idea. Paparella wanted to go into schools and do education components, and showcase an art component. While picking up litter is a giant job for an entire corridor; if you take just the frontage of each respective Town/ship, it's not that much. Easily a group of 6-10 people could take care of it. He said some Town/ships even have environmental committees. Richardson said if Hall-Bagdonas and Cilento are willing to take on another project he thinks we should do it in-house. He agrees that we should reach out to the Town/ships. He said it's with great sadness to announce that Jerold Yavarkovsky passed away. Richardson said he was their go-to guy in Cocheton for their Litter-Sweep efforts and will be hard to replace. He said he's excited for this event and hopes it can happen this year. Sullivan said she was impressed by the number of people Paparella rounded up for the meeting she attended last year. Boyar said he also thinks it will be easier to get word out with UDC's new social media and continued press releases. Richardson said in his experience as a member of the committee that adopted 17B in Fosterdale, the State was providing equipment and had to return them when you were done. He's not sure what the protocol will be now with COVID.

Rep. Maloney Response Letter: Funding the Land and Water Conservation Act: Ramie said we had written a letter to our federal representatives for the Great American Outdoors Act which passed, and the letter in the meeting packet is Congressman Maloney's response. Since then, Ramie has asked the NPS to provide UDC with the list of maintenance projects that they had in mind. When we wrote our letter, it was sort of general to say you'll be seeing lists eventually of needs in the Upper Delaware. Greier said he read the letter and Maloney talks about being our congressman and mentions the Hudson Valley but doesn't mention the Delaware Valley. Greier said he took offense to that.

Other: Rajs said an ongoing discussion UDC has been having is increased tourism. On the Hawk's Nest, there was an accident that happened in October with a motorcycle. She's seen less law enforcement. She said she's not sure whether they're just not coming out or maybe the time of day she's driving, she's not seeing them. Regarding this accident the motorcycle was speeding, lost control and ran into two people that were standing and looking at foliage. She believes one of them died. She said the issue is more accidents waiting to happen. The Hawk's Nest was shut down for at least six hours after that accident and people on motorcycles are driving 90-miles an hour. It's an inconvenience to the people and it's really a deterrent to people who are coming up here for visitation. She said lately on nice days, they're parking on both sides. When you're coming up from Port Jervis, they're parking up

against the rock wall. Dean said they decreased the speed limit and have it posted to 35-mph. He said they have police patrols constantly and they are writing tickets constantly. Rajsz said it can't just be on the shoulders of the Town of Deerpark either. She said maybe it would just take a conversation with State Trooper to have more of a presence. Dean said he agrees.

New Business

Draft Resolution 2021-03: Awarding the Printing of "The Upper Delaware" Newsletter to Courier Printing Corp. for Fiscal Year 2021: A Motion by Rajsz seconded by Boyar to adopt Resolution 2021-03 passed. Boyar suggested putting something about EHD in the Newsletter and on our UDC social media so more people become aware of it.

Draft Resolution 2021-04: Approving a Land Use Complaint Policy: Richardson said the Project Review Committee had a long discussion about approving the Land Use Complaint Policy, and you've all had a chance to see the final draft. A Motion by Robinson seconded by Rajsz to approve Resolution 2021-04 passed.

Draft Letter to PA DCNR: UDC Comments on 2020 Pennsylvania Forest Action Plan: A Motion by Henry seconded by Boyar to approve the Draft Letter to PA DCNR on the 2020 PA Forest Action Plan carried. Dugan said appreciates the committee's effort to review the document and make some solid comments. Saumure asked if the PA Forest Action Plan was sent out? Cilento said yes, before the last WU/RM committee meeting, and she would send it to him.

Other: Richardson said it's time to appoint a Nominating Committee. Next month we'll ask that committee to come back with a list of candidates to be presented and then the voting takes place in January after Town boards have reorganized. Richardson asked Rajsz, Greier, and Robinson to serve on the Nominating Committee.

Public Comment: None.

Adjournment: A motion by Peckham, seconded by Boyar, to adjourn the meeting at 8:01 p.m. was carried.

Minutes prepared by Ashley Hall-Bagdonas 11-18-2020