

## **UPPER DELAWARE COUNCIL MEETING MINUTES**

### **September 1, 2016**

The Upper Delaware Council held its monthly meeting on Thursday, September 1, 2016 at the Council office in Narrowsburg, NY. Chairperson Fred Peckham called the meeting to order at 7:01 p.m. The Pledge of Allegiance and roll call followed.

In attendance: Town of Hancock-Fred Peckham, Town of Delaware-Harold Roeder, Jr., Town of Cochection-Larry Richardson, Town of Tusten- Susan Sullivan, Town of Highland-Jeff Haas, Town of Deerpark-David Dean, Damascus Township-Steve Adams, Berlin Township-Al Henry, Lackawaxen Township-Doug Case, Shohola Township-Aaron Robinson, Westfall Township-Mike Barth, Commonwealth of Pennsylvania-Tim Dugan, National Park Service-Kris Heister. Staff in attendance: Executive Director-Laurie Ramie, Resource Specialist-Pete Golod, Secretary-Cindy Odell. Also in attendance: Virginia Dudko, Deerpark alternate, Katt Judd, Hancock alternate. Absent: Town of Fremont, Town of Lumberland, State of New York, Delaware River Basin Commission. Media: Dave Hulse, Peter Becker, Autumn Schanil, Nicole Digennaro. Guests: Keith Haviland, Bob McCarthy.

Peckham welcomed Doug Case, the new representative for Lackawaxen Township.

**Presentation by Keith Haviland, Major Account Executive for Frontier Communications: Publicly Accessible Communication System:** Peckham introduced Keith Haviland and Bob McCarthy of Frontier Communications. Haviland passed around a Red Alert Model 393AL-00x Emergency Hands-free Telephone for members to look at. He said he met with Shohola UDC Representative Robinson several months ago to discuss options for providing emergency communications up and down the river corridor. He noted that cell coverage in the area is spotty and can present a public safety issue in the event of any number of emergencies. Haviland said he has determined that this Red Alert Emergency Telephone would be a good option for the area as it operates off a traditional land line and makes a lot more sense than trying to use WiFi or a DSL connection. The GAI-Tronics' Red Alert Emergency Telephones are designed to provide clear and reliable communications in almost any environment. The 393AL-00x model provides reliable two-way communication with the press of a single button. Haviland explained to members that these boxes could be mounted on service poles in any of the six areas that Robinson flagged as suitable for some form of Emergency Response Wi-Fi "hot spots" or a call box. He said they do not require electric to power them as they run off the impulse power from the copper line they need to be connected with. Haviland noted that the phone can be programmed with up to three numbers adding that the first line would most likely go to the 911 center with the additional lines, if needed, being programmed to call local law enforcement agencies. This programming is done by Frontier, he added. He referred to the phones as maintenance free, but recommends testing them weekly or bi-weekly as there is no way to remotely monitor them from Frontier's end. Haviland spoke of these phones being installed on the Heritage Trail in Orange County. Haviland advised members that Frontier does not provide signage that designates where the emergency phones are located. Dean questioned if there is a cage available to put the unit in to keep it from being vandalized. Haviland stated that he has not seen much vandalism to emergency phones, but there is a box available for some units to provide extra protection from the elements. Peckham questioned if you can make an emergency call from a cell phone if there is no service. McCarthy said you can't make any calls without service. Barth asked about the costs. Haviland referred to the handout provided by him

which included pricing. The costs include the price of the unit, installation, monthly phone line charge, any optional accessories, and a pole mounting kit. Robinson asked if Frontier handled the complete installation of the phones on the Heritage Trail. Haviland told him they did. He said funding of the units and associated costs will need to be discussed and the next phase would be to have an engineering meeting. A discussion about the placement of the phones and obtaining permission to install them took place. Haviland said they can go up to 200 feet from a main pole to drop a service pole. Haviland asked if there is a time frame for when members would like to see the phones go up. Robinson said he thinks they are long overdue, but issues such as funding and who manages them need to be addressed. Dean suggested getting the local liveries involved as sponsors. Haviland said that Frontier wants to be a good partner, and if the monthly fee is too high for the Council, he could inquire about a better line rate to make it more feasible. Barth suggested assigning the same number to each emergency phone as a way to save money, adding that the likelihood of more than one phone being used at the same time is slim. Haviland said they can look into that. A discussion about WiFi hotspots as an option for increasing emergency communication took place. Henry shared his idea of co-locating some sort of communication on the existing towers in the river valley. McCarthy said you would need to convince a cellular carrier that it would be a good return on their investment. Haviland said they would look at the number of subscribers, not users, in the area. Odell questioned what the recommended weekly or bi-weekly testing entails. Haviland said simply pressing the button to ensure that it connects. Barth said he does not know how you could reliably use a WiFi hotspot for emergency communication and explained his reasons why. Robinson commented for the press that “this is the missing link. There are communications for emergency responders that is fragmented, but does exist. There is no link to be able to call in an emergency.” He spoke of personal experiences where he came upon emergencies and was not able to immediately call for help. He said an increase in emergency communication is desperately needed in certain sections of the river corridor. Nicole Digennaro of PA Channel 13 said she used to work for Kittatinny Canoes and they would advise their customers to leave their cell phones behind as there was not service and so they wouldn’t ruin them. Because of this, she would advise against WiFi hotspots as an option. Peckham thanked Haviland and McCarthy and presented each of them with a UDC lapel pin.

**Approval of August 4 Meeting Minutes:** A motion by Haas seconded by Henry to approve the August 4 meeting minutes was carried unanimously.

**Public Comment on the Agenda:** None

**Committee Reports:** Committee reports were provided based on the meeting minutes. They were: August 16 Water Use/Resource Management by Odell on Ritter’s behalf; August 23 Project Review by Richardson; and August 23 Operations by Peckham.

### **Status Reports**

**Delaware River Basin Commission:** The DRBC was absent, however, the hydrologic report was provided. The NYC Delaware River Basin Storage as of August 26, 2016 was at a combined capacity of 77.3% with Cannonsville at 71.2%. Peckham noted that Lake Wallenpaupack is to be drawn down for repairs. He believes this will lead to the NYC reservoirs becoming fuller.

**NYS Dept. of Environmental Conservation:** No report in the absence of Representative Bill Rudge. One press release titled, “DEC Announces Proposed Changes to Freshwater Sportfishing Regulations” and dated August 24<sup>th</sup> was included in members’ packets.

**PA Dept. of Conservation & Natural Resources:** Dugan provided details on the DCNR Riparian Forest Buffer Program, noting there is \$500,000 available. Applications will be accepted from August 1, 2016 through September 15, 2016. Pennsylvania has a goal of planting 95,000 acres of streamside buffers by 2025, he added. The Department’s Riparian Forested Buffer Program (Program) will provide financial assistance in the form of reimbursable grants to local governments, nonprofits and educational organizations to identify locations in need of riparian forested buffers and to design, establish, monitor and

maintain those buffers. Funding will be provided to applicants on a competitive basis with a minimum grant award of \$50,000 and a 50/50 match requirement (cash or non-cash). More information is available on the DCNR website, Dugan stated.

Dugan reported they have received their permit to draw down Peck's Pond in preparation of the dam remediation project. The drawdown is necessary to permit the most economical dam reconstruction methods, ensure safety of workers, and help address aquatic vegetation issues within the lake.

Dugan spoke of the DCNR Bureau of Forestry employees and volunteers recently deployed to fight wildfires across the country. Eighty individuals were sent out on crews and another 60 individuals as single resources, he noted.

Dugan reported that across the Commonwealth, staffing numbers are still held a little low. He noted that the budget has passed. Temporary ceilings have been put in place across a number of agencies. Some of these ceilings have moved up a bit and agencies have been allowed to fill some positions, he added. Dugan said that in particular, many maintenance positions have been lost in the Pennsylvania Fish and Boat Commission.

Dugan noted that the weather has been dry. He said there is a very good acorn crop this year. Peckham stated there are very few apples this year.

Dugan spoke about the Pennsylvania Outdoor Corps. The Pennsylvania Outdoor Corps helps to protect and restore public lands and waters, while providing young people with the knowledge and expertise to be good stewards of our natural resources. The program connects youth and young adults with job opportunities relating to the outdoors and the environment and provides training in work skills necessary for future successful employment. Outdoor Corps members tackled hands-on projects, such as trail restoration, tree planting, light construction, shoreline restorations, and invasive species management in state and local parks, state forests, and other public lands. The Corps consists of two components: A six-week, summer program for youth between the ages of 15-18 and a 10-month program for young adults ages 18-25. Initial site locations were in Philadelphia, Pittsburgh, Harrisburg, Wilkes Barre, and Johnstown, with a particular focus on disadvantaged communities. Dugan referred to the program as a success and said that a lot of positive feedback was received. The program will continue next year, he added. Applications are available on-line for this program, Dugan stated.

Richardson asked if drawing down a pond will kill much of the vegetation in it and when the pond is refilled does the vegetation regenerate quickly. Dugan said the expectation is there is going to be a large seedbank from the milfoil. As a result of the drawdown, the living plants will die and the seedbank will be affected from being exposed to the atmosphere. He said when the pond refills they will probably implement a herbicide program to try to address a lot of the areas before it gets established again.

Henry asked how effective the treating of the ash trees against the Emerald Ash Borer is and what are the costs involved. Dugan said it is very effective, noting that the kill rate is 86%, but it is expensive. He added that a tree needs to be treated for 3 to 5 years in order for the treatment to be effective. Dugan said that they recommend treating trees that may be of family interest or one may be attached to emotionally.

**National Park Service-Upper Delaware:** Heister referred to the handout of pictures from the NPS 100<sup>th</sup> Birthday Bash that was held on August 13<sup>th</sup> at the Fireman's Field in Narrowsburg. She said the event was attended by over 350 people. Heister shared some details of the day. She noted that the last leg of the 100-mile paddle in the Upper Delaware was completed on August 6<sup>th</sup>. Frank R. Hays, Associate Regional Director, Natural Resource Stewardship and Science, Northeast Regional Office, joined paddlers on that day, Heister added. The last NPS river clean-up of the year was conducted over the weekend. The next and final event for the National Park Service Centennial is National Public Lands Day which will be on September 24<sup>th</sup>. A variety of volunteer events will take place that day including the planting of a butterfly garden at the Milanville office.

Heister referred to the August 23<sup>rd</sup> National Park Service letter provided in members' packets. The letter is a copy of the one sent to Upper Delaware town and township supervisors, Planning Departments, NYS DEC, PA DEP, PA DNCR and DRBC along with a CD containing the shapefile of the official Upper Delaware Scenic and Recreational River boundary for use in GIS, as well as two files which, when combined, depict the "scenic" and "recreational" segments as required under the Wild and Scenic Rivers Act. She asked members to follow up with their respective towns to offer assistance if needed.

Law Enforcement incidents for 2015 and 2016 have been provided to Robinson upon his request, Heister reported.

Heister noted that a meeting will be held regarding the Roebling Bridge rehabilitation project on September 14, 2016 at the Lackawaxen Township Building located at 169 Urban Road, Hawley, PA 18428 from 6:00pm to 8:00pm. Representatives from NPS and FHWA will be present to answer questions about the project, road closures, detour routes and the construction schedule in an open house format throughout the evening.

Heister stated the Park Service has completed the salvage of mussels on the Pennsylvania side of the Pond Eddy Bridge. A total of 3,434 mussels were relocated about 75 meters upstream of the construction site. She added that the number of mussels that they salvaged is 8 times greater than the number that was estimated to be there during the 2011 survey. No additional recovery efforts will be made at this time due to the increased flows caused by the construction of the causeway and redirection of waters from the New York side to the Pennsylvania side, Heister said. A fair number of the salvaged mussels have been tagged and the USGS will be monitoring survival.

Heister reported that their new full-time law enforcement ranger Sean McNeil started in the Upper Delaware August 26<sup>th</sup>. The search for a Park Planner continues. The position will be re-advertised.

**UDC Executive Director's Report:** Ramie welcomed Doug Case and reiterated the invitation to serve on any of the three standing committees.

Ramie reported that we received nine FY 2017 Technical Assistance Grant applications requesting a total of \$65,935.70 in funding by the August 29<sup>th</sup> deadline. She said we have \$35,000 budgeted for the program. Project Review Committee members are receiving their review packets tonight in advance of the special meeting scheduled for Tuesday, September 13 to discuss the applications with the representatives for each project. The Project Review Committee will make a recommendation to the full Council for approval of grant awards on October 6<sup>th</sup>.

Ramie referred to the August 25<sup>th</sup> press release titled "River Communities Wrap Up UDC's 2016 Technical Grants" which provides a synopsis of all of the projects that were accomplished as a result of the FY 2016 TAG program. She noted a separate press release titled, "Revitalizing the Monarch Butterfly New Brochure Advises How to Help" was issued to highlight the partnership project between the Town of Highland, Upper Delaware Scenic Byway, and Upper Delaware Council. Ramie stated that the creators of the brochure, Debra Conway and Dorene Warner of W Design, did a great job. The brochure is proving to be hugely popular and engaging with many requests for it being received. She added that Warner posted a new resource page to the UDC website, free of charge. The page offers easy access to a digital copy of the brochure, links for more information, photos, and a check box for hard copy requests. Warner placed a similar page on the UDSB website under its "Attractions: Birds & Butterflies" heading.

Ramie noted that Golod completed a review of the 28 years' worth of TAGs after a discrepancy in our directory on the UDC's Grants page of the website was discovered. No monetary impact was found, just the listing of annual projects needed to be updated which he has now completed.

Ramie reported that she submitted the UDC's application for the 2017 Leadership Sullivan Community Service Project on August 31<sup>st</sup> in advance of the September 6<sup>th</sup> deadline. The proposal is for Phase 2 of the D&H Canal Cleanup at Corwin Farm. It would expand the work area for clearing vegetation from the upstream canal bed to the other side of the causeway crossing which features a walking path along the river bank. Project selection is to be made on December 14, Ramie said, with work taking place in the spring of 2017. She said we have been invited to present to the new members of the Leadership Sullivan class on the topic of tourism and recreation on September 21<sup>st</sup>. That meeting will take place here at the UDC office and the work of the UDC, NPS, and UDSB will be summarized in a half-hour talk by Heister for the NPS, Glenn Pontier for the UDSB, and Ramie for the UDC.

Ramie said that her most recent presentation on the UDC was given on August 11<sup>th</sup> for the Upper Delaware Scenic and Recreational River Educational Tour that the National Parks Conservation Association and Friends of the Upper Delaware River organized. She said there were about 10 participants who spent the day involved in activities that included a morning orientation at the Zane Grey Museum where she and Heister spoke after the NPCA officials did; a tour of the museum and Roebling Bridge; lunch at the Lackawaxen Inn with more presentations from the National Fish & Wildlife Foundation, Upper Delaware River Business Council, and FUDR; a drift boat tour led by fishing guides in the Damascus

vicinity; then a wrap up back in Lackawaxen. Ramie said she fielded insightful questions from the participants about UDC operations and funding. The objective of the tour was to orient people to the Upper Delaware and what the issues are here. Ramie said she provided members with a handout from Amanda John, the Pennsylvania & Delaware Program Manager for NPCA, which contains what she refers to as the "key takeaways" from the day. Also provided in members' packets was a handout containing information on H.R. 4680, National Park Service Centennial Act.

Ramie referred to the updated Summary of Actions for the Upper Delaware Council's Proposal to Establish a Supplemental Public Notification System for Hazardous Incidents Involving New York City's Delaware River Basin Reservoir System provided in members' packets. She stated that the items in bold are new since the report was last updated for the WU/RM Committee on August 16<sup>th</sup>. She noted that we have now heard from all five county Emergency Management Offices. We also have received copies of six support letters. Ramie said that on Monday, August 29<sup>th</sup> we received a response from NYC DEP to our July 7 letter broaching this idea of siren usage. NYC DEP Deputy Commissioner Paul V. Rush writes that they are receptive to it, vetting it among other suggested options, and looking into other system upgrades underway so their actions are complementary. All the counties and river valley municipalities were copied on NYC's letter. Members suggested continuing the letter writing campaign to NYC DEP to keep the issue at the forefront. Ramie said that was the purpose for soliciting the letters of support.

Ramie referred to the National Park Service Centennial 1916-2016 brochure included in members' packets. She said it contains a map which depicts the 412 authorized National Park Service units. She congratulated Heister on UPDE's "Centennial Superstar Award" they received from the Regional Office for all of their ambitious programming that has taken place. Heister said it was specifically for the 100-mile paddle. Ramie shared a Dave Soete photo of the number 100 formed by members of the NPS and National Canoe Safety Patrol in their boats on August 13, taken from the Narrowsburg Bridge.

Ramie said that while she was taking photos of the number 100 formed by boats on the river, she happened to look up and discovered that the Narrowsburg Bridge identification sign has been installed. Ramie is not sure when the sign went up and said it also came as a surprise to Heather Jacksy at Sullivan County Planning who coordinated that state grant project. Ramie passed around her photo of the bridge sign, noting that it contains the river mile and identifies which state is on either side. She pointed out that the bridge is identified as the Narrowsburg, NY/Beach Lake, PA Bridge. Henry commented that Beach Lake is located 6 miles from the bridge.

Henry questioned if the UDC received a response from NYC DEP regarding our request for a copy of the Emergency Action Plan for the Delaware River Reservoirs. Ramie said that was not addressed in Paul Rush's reply letter. Henry asked Ramie to make that request again.

Regarding FY 2016 projects, Ramie said we received the Project Review Workbook converted files with incorporated recommendations from Environmental Planning & Design yesterday as had been promised by the end of the month. These files will be reviewed closely before turning over to the graphic designer for her phase. Iron Mountain Document Capture Services picked up the four boxes containing our meeting minutes and newsletters to be digitized earlier today. Those documents will be returned to us upon completion of the project as described in the contract. Ramie added that the new computers are en route and will be installed by Jeff Chorba in mid-September, after the September 14 newsletter deadline.

Ramie referred to the September calendar of UDC Meetings, Activities and Deadlines. She said that for our next presentation at the October full Council meeting, we have invited Wayne Conservation District to talk about their Baseline Groundwater Study results. We await confirmation of this presentation, she added. If Jamie Knecht of Wayne Conservation District is unavailable to present at this meeting, Ramie said she will renew our invitation to Sullivan County Public Safety Commissioner Dick Martinkovic and 911 Coordinator Alex Rau to provide information on emergency response and the 911 river valley towers.

Peckham asked how we are in regards to our funding surplus balance. Ramie provided the balance and told members she awaits a response from Dorene Warner about the cost to add a member portal to the UDC website and any additional monies could be used to purchase office supplies.

**Old Business:** Katt Judd asked that the northern section of river corridor be considered when discussing the enhancement of a publicly accessible communication system. She offered her assistance to Robinson addressing this issue. Robinson said he is looking to get one section done to use as a model in other areas. Ramie asked members what they would like the next step to be following Haviland's presentation.

Robinson said it should be determined if Frontier owns the poles that have been identified as good areas for the emergency phones and if they are in a publically accessible area. After a brief discussion, it was decided to include discussion of the UDC's next steps to explore installation of red alert phones in cellular signal dead zone sections of NYS Route 97 on the agenda of the next Project Review Committee meeting.

Peckham asked if any information has been obtained on the Schoharie Valley's early warning system of siren usage associated with the Gilboa Reservoir. Ramie said that Golod has been researching the system and will be providing a report on it at the September 20<sup>th</sup> WU/RM Committee meeting.

Henry asked if following up on the recently installed bridge identification signage on the Narrowsburg Bridge could be included on the September 20<sup>th</sup> WU/RM Committee agenda. He stated that referring to it as the Narrowsburg, NY/Beach Lake, PA bridge is confusing as the hamlet of Beach Lake is located six miles from the bridge. Heister stated that the address used for NPS headquarters office located on River Road one and a half miles from the bridge is Beach Lake, PA.

### **New Business:**

**Draft Position Paper on Large-Scale Solar Energy Systems:** Ramie stated this paper was sent out in advance to all members. The idea was for the full Council to receive this paper that was originally addressed in the Project Review Committee to decide how to handle it from here. Henry commented that he finds the paper "overreaching". He shared his reasons why and questioned, "What harm would a solar panel farm with ten acres do, if you can't see it from the river and you couldn't see it from any other place in the middle of a 400 acre parcel?" Peckham spoke of the erosion and ecological problems. Adams said solar is a lot more complicated than most people realize and he encourages people to really look into the issue. Richardson said it was decided at Project Review that this paper would be shared with the full Council so that members could read it and get any questions they may have to the Project Review Committee before the September 27<sup>th</sup> meeting. Peckham suggested members with questions attend that September 27<sup>th</sup> meeting to participate in the discussion. Dean suggested that discussion on the Draft Position Paper on Large-Scale Solar Energy be the only item on the agenda for that night as there will be a lot to talk about. Henry asked if this paper has been sent to the local officials. Ramie said that members were directed in Golod's August 24<sup>th</sup> email to look the paper over and to "use it to consult with your local governments in advance of the UDC meeting scheduled on 9/1 as it will be on the agenda." Henry urged that the paper be sent by staff to all the elected officials. Ramie said we've had this discussion before and it has been decided that it is the job of the UDC representative to pass along anything that they want to consult their local government about. Henry asked that the paper be sent to Berlin Township. Ramie said that could be done. Robinson stated that in Pennsylvania, if the UDC restricts something on policy level, it contradicts how townships follow through on their obligation through the Municipal Planning Code. The burden falls on the townships to conduct a review of proposed projects and any potential issues are typically discovered during these review. He is troubled by what he considers as "top down planning" and from Pennsylvania's point of view, it should be "bottom up planning." Ramie said that the closest parallel to this solar issue would be the hydraulic fracturing and this Council did take a position of not allowing it in the river corridor. She said she does not see this as all that different. Heister stated that both states and the Delaware River Basin Commission are signatories to the River Management Plan and that is where the process that the sub-committee followed while drafting this paper is laid out. Therefore the process that was followed is fundamentally a "bottom up" approach as it was the communities within the Delaware River corridor that established and agreed to follow that process. Robinson said he disagreed as the township elected officials hold the burden of framing the zoning. He added that their zoning reflects compliance with state and federal laws. Heister explained that solar is a new use not addressed in the RMP, but power generating systems are already designated as an incompatible use within the river corridor and large scale solar energy is a power generating system. She added there is "really no change from what existed already." Richardson clarified that the UDC can not restrict anything; we are an advisory organization. Robinson said that we need to respect the town's positions in our position. Richardson said the towns and townships, as signatories to the RMP, have agreed to address issues through their local zoning. Heister said that the process used was laid out in the RMP. The process says that when you have a land use, like solar, the Park Service and the UDC together will sit down and compare that use with similar uses that are already in the RMP and make a determination. The process is an objective and logical one, she added. She

noted that the sub-committee was very careful to exclude person opinions. The process is important, Heister said, because it provides transparency in the decision making and consistency in the decision making. She said she hopes when members go back to their towns and townships they will leave their personal opinions at home, and look at the process that was used which was very simple. After a little more discussion it was decided to defer this topic to the September 27<sup>th</sup> Project Review Committee meeting.

**Other:** Henry, referring to the August 23<sup>rd</sup> NPS letter sent with the CD containing the shapefile of the UDSRR boundary, asked what the acreage of the corridor is currently given the Lackawaxen approved map correction. Heister said she will found out and get back to him.

**Public Comment:** None

**Adjournment:** A motion by Roeder seconded by Henry, to adjourn the meeting at 9:08 p.m. was carried unanimously.

*Minutes prepared by Cindy Odell 9/12/16*