



Upper Delaware Council

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UPPER DELAWARE COUNCIL MEETING MINUTES

July 11, 2024

The Upper Delaware Council held its monthly meeting on Thursday, July 11, 2024. Chairperson Dudko called the meeting to order at 7:01 p.m. Roll call followed reciting the Pledge of Allegiance.

Attendees:

Town of Deerpark- Ginny Dudko, Town of Hancock- Fred Peckham (Zoom), Town of Highland- Christine Martin, Damascus Township- Jeff Dexter, Shohola Township- Aaron Robinson, Berlin Township- Al Henry, Town of Delaware- Harold Roeder, Town of Tusten- Evan Padua, Delaware River Basin Commission- Kristen Bowman Kavanagh (Zoom), National Park Service- Lindsey Kurnath, New York State- Ryan Coulter

Absent:

Westfall Township- Michael Barth, Commonwealth of PA- Tim Dugan, Lackawaxen Township- Doug Case, Town of Lumberland- Nadia Rajs, Town of Cochecton- Larry Richardson

Staff:

Executive Director- Laurie Ramie, Resource & Land Use Specialist- Kerry Engelhardt, Administrative Support- Stephanie Driscoll

Media:

Tri-County Independent- Peter Becker, Sullivan County Democrat- Alex Kielar (Zoom)

Guests:

Bill Dudko-Town of Deerpark, Ingrid Peterec- National Park Service (Zoom), Joan S. (Zoom), Don Hamilton (Zoom), Rick Lander- Lander's River Trips, Rocco Baldassari- Kittatinny Canoes

Presentation: "National Park Service Goals and Staffing: 2024 Update" by Upper Delaware Scenic and Recreational River Superintendent Lindsey Kurnath: G. Dudko shared that Kurnath came to the Upper Delaware region in January 2023 to serve as Superintendent from Fire Island Seashore National Park where she had served as Deputy Superintendent since 2020. Before that she was Chief of Administration and Business Management at Mount Rainier National Park. Kurnath began her NPS career in 2010 as a Management Analyst with a Business Management group in Washington D.C. She holds a Master's Degree in Environmental Management, a Master's in Public Policy from Duke University, and a Bachelor of Science degree in Biology from Boston College. She is originally from New York State and loves the outdoors.

Kurnath started the PowerPoint presentation with who the NPS is, what they do, what they hope to accomplish, how they are structured, and NPS hiring tips.

Why is the NPS here? Congress designated the 73.4 miles from Hancock to below the Number 2 Bridge in Sparrowbush as the Upper Delaware Scenic and Recreational River in 1978, protected under the Wild and Scenic Rivers Act. UPDE NPS is managed as a Unit of the National Park System and is responsible for the 55,574.5 acres that make up the Upper Delaware River Corridor. UPDE NPS is unique in that it works in collaboration with the Delaware River Basin Commission, the Commonwealth of Pennsylvania, the State of New York and the 15 towns and townships along the Upper Delaware River. The Mission Statement that can be found in the Foundation Document reads: *"The Upper Delaware Scenic and Recreational River protects, conserves, and enhances the free-flowing character, exceptionally high-water quality, and the scenic, recreational, ecological, cultural and geological values of the Upper Delaware River valley through collaborative partnerships and cooperation with state and local government entities."*

What drives UPDE NPS staff and what is the current vision? Kurnath approaches her job as Superintendent to help move forward in the direction the region is already headed in. The Five-Year Strategic Action Plan was completed in 2019 right before the pandemic, making it difficult to complete a lot of the 300-400 individual line-item tasks within the action plan. With this plan coming to a close this year the Park Management Team looked back at the

action plan to see what they were able to do and what they would like to still do to create a One Year Vision Document. UPDE will need input from their partners to create the next action plan.

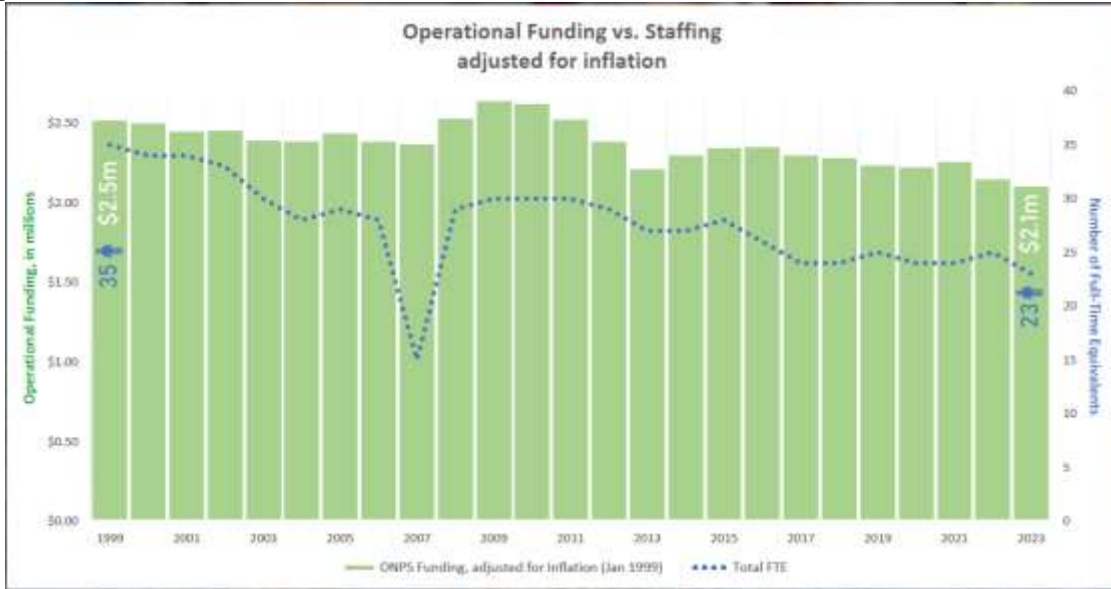
What is UPDE NPS staff hoping to accomplish? The vision statement reads *“The Upper Delaware Scenic and Recreational River is recognized as a unit of the National Park System with unparalleled resource quality sustained through collaboration with dedicated partner stewards.”* The outcomes UPDE staff would like to see come out of the vision statement are that: the Upper Delaware Scenic and Recreational River invests in strategic partnerships, the local community and partners understand and positively value protection of the river, and the Upper Delaware Scenic and Recreational River and partners leverage resources to promote and protect the river’s Outstandingly Remarkable Values (ORVs). How is the NPS adding value to the corridor? By following what Congress tasked UPDE with doing; making sure that none of the ORVs or water quality are ever degraded. They will know they are meeting their vision if you can see the outcomes happening.

There are three focus areas within the vision statement:

The image displays three focus area cards, each with a background of a river and trees. Each card features a circular icon, a title, and a list of bullet points. A small inset image of a meeting is visible in the top right corner of each card.

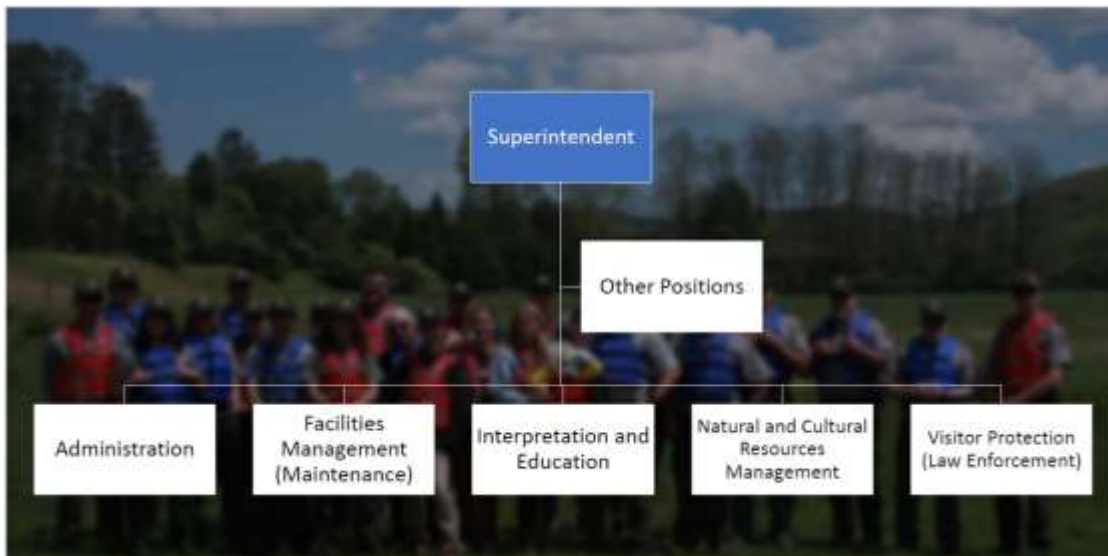
- Cooperative Management**
 - Engage in joint planning and project development.
 - Invest our limited resources in partnerships that help achieve the vision and current park goals.
 - Have clear understanding of expectations and responsibilities.
 - Use varied methods to welcome the community and promote our ORVs.
- Community Engagement**
 - Visitors know they are in a national park unit.
 - Communities actively communicate with NPS.
 - The public has accurate, helpful information when they need it.
- Staff Support and Development**
 - We find creative and sustainable alternatives to accomplish our work.
 - We develop all employees’ skills to better communicate, understand, and trust one another.
 - Individually we hold ourselves accountable and empower others.
 - Everyone understands why decisions are made and how actions tie to the park vision.
 - We attract and retain a talented workforce.
 - We feel connected and informed.

How is the UPDE structured? A chart of operational funding vs. staffing adjusted for inflation starting in 1999 through 2023 is shown below.



(Keep in mind 2 seasonal employees equals 1 full-time employee.) The same thing is happening across all NPS; that there is no adjustment for inflation. Congress is not funding the increases and parks/units are having to absorb those increases which leads to less money and people. Kurnath said she isn't sure why there was such a decrease in 2007, but in 2008, 2009, and 2010 the Great Recession happened, where inflation was almost non-existent. During that time, because of the Administration Recovery Act, UPDE was getting slight operational increases until Congress put into effect automatic spending cuts.

A slide of the work chart is shown below.



(Keep in mind that the positions within the chart vary, like the number of seasonal employees and temporary positions that can change from year to year.) A few other positions and the five Division Chiefs report directly to herself as the Superintendent of the Upper Delaware Scenic and Recreational River. Kurnath read brief descriptions of each program from the Division Chiefs.

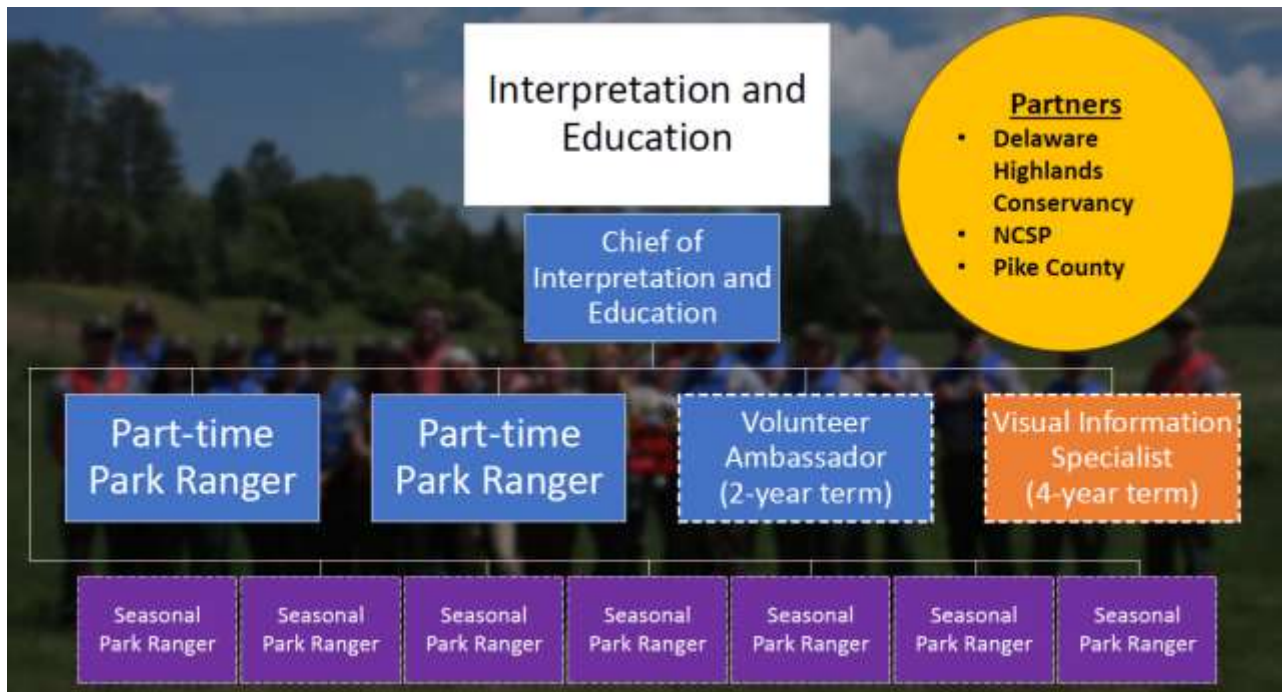


(The blue boxes are permanent full-time positions, the yellow “starts soon” star symbolizes that someone is starting soon in that position, and the green “vacant” circle means that position is coming soon. Positions in a dotted line box are non-permanent positions.)

UPDE NPS Administrative Officer Tara Harbert is duty stationed in Ohio. Harbert wrote, “The Administrative Division exists to support all park operations, divisions, and employees. Primary functions include overall budget tracking and execution, expense reconciliation, staff payroll and programming, onboarding and hiring support, property and fleet management, travel assistant, and IT management and support. The Administration Division also manages the Special Permits Use program and the CUA program.”



Jessica Weinman is Chief of Maintenance at UPDE. Weinman wrote, “The general duties of the maintenance staff are to perform operational tasks such as ground maintenance, custodial, snow removal, and water sampling. They are responsible for general maintenance activities as well such as painting, trail repairs, building maintenance, etc. The division helps accomplish goals by providing proper and safe infrastructure for employees and visitors.”



Ingrid Peterec is Chief of Interpretation. In Peterec’s words, “This division is responsible for providing information to park visitors. This can be done through personal contact with rangers in the field or on the river, social media outreach, website content, billboards and waysides, Junior Ranger programs, educational programming, and special event program. In addition, the division is responsible for the parks Volunteer in Parks program, though volunteers can be found in all divisions of our river staff.” This division has the greatest number of seasonal employees, supplemented by volunteers and the Internship Program.



The Chief of Resources and Management position is currently vacant. The last person in this position was Don Hamilton (the position was formally called the Chief of Natural Resources). This team is made up of scientists to give management the information they need to make educated decisions. Kurnath announced that a Chief of Resources and Management has recently been hired. Archeologist Tom Kearns is coming here from Great Basin National Park, where he’s been for about 10 years. Kurnath said she thinks Kearns will be a great fit for the position, bringing a new area of expertise to our area. Kearns will be starting in September of this year. Part of the Cultural Resources Program Manager Alex Garcia-Maldonado’s job is to be the primary liaison with all of our area’s Tribal groups.



Keith Winslow is the Chief Ranger/Chief of Visitor and Resource Protection. Winslow wrote, “The Upper Delaware Rangers provide law enforcement emergency services to protect people, the park resources, and share in heritage throughout the corridor in coordination with local, state, and federal agencies with similar interests. Park operations are supported by the Superintendent’s Compendium, the Code of Federal Regulations (CFR), and the Simulated State Law.”



Carly Marshall is the Community Planner at UPDE who reports to Kurnath and serves as the primary liaison to the UDC and the communities. The Community Planner keeps tabs on the way we use the River Management Plan (RMP) and local zoning to meet our mission in the corridor.



All of the orange boxes shown on the slides are funded through the Inflation Reduction Act (IRA). Kurnath quoted *“This historic funding surge was to support additional park employees and represents a substantial opportunity to invest in the future of parks. These funds provide a temporary surge to support additional employee capacity at eligible parks. These surge funds are expected to complement, not replace, the permanent programmatic base increase requests that are outlined each year in our budget request agreement. These funds are not a permanent base operating increase for parks, rather they are a one-time opportunity to support additional park employees in key areas that would have a defined period of performance and relate to a core park service.”* Kurnath said she had to hire new positions to use the \$1.3 million that had to be spent within 5-years. She commented that it can be a bit confounding when you don’t have enough to support positions the UPDE has and needs, but you need to come up with new positions. However, it’s a great opportunity for UPDE. For example, Jasmine Leung is currently the UPDE Visual Information Specialist who has been doing an excellent job. The last Superintendent at UPDE decided not to re-hire for the Administrative Support Assistant when they retired. Kurnath said she would appreciate the help of an Administrative Assistant and since that position was previously eliminated, they are able to pay for the position for up to 4-years with IRA funds and then figure out how to make it fit within the typical budget after that.

Kurnath gave some NPS hiring tips and insight into the mechanics of how the hiring process works within the NPS. Following the NPS on social media, either local or national, is a great way to get information on current job postings. Seasonal job postings are released well in advance. For example, seasonal Park Ranger position openings get posted in the fall for the following summer. Several of the positions are subject to applicant limits; if they say you’re able to apply to the position for ‘X’ number of days and they reach capacity, they might close the submission period early. She said when you apply for a federal job, you need to put the days you worked at previous jobs as well as the hours per week. If you don’t list the hours, it will disqualify you. So you don’t miss when jobs become available, there is an alert system you can sign up for on USAjobs.com.

Rodgers asked what is the difference between a seasonal employee and a part-time employee? Kurnath said a part-time employee is a permanent employee that works all year-round 30 hours or less a week.

Ramie asked if the 2-year Agreement Assistant position would cover the UDC/NPS Cooperative Agreement? Kurnath said the Cooperative Agreement needs to be worked on now. She was hoping the Agreement Assistant position would be filled by now to help with that, but it isn’t. The Cooperative Agreement with the UDC is a very important agreement to UPDE NPS. Ramie asked if water sampling is the Maintenance Department’s responsibility; wouldn’t that fall under Natural Resources? Kurnath said each of those departments do water sampling for different reasons. Water needs to be sampled from the wells at the UPDE buildings to make sure they are up to code. The Biologists and Ecologists also do water sampling, for different reasons.

Henry asked if all the seasonal positions are filled this year? Kurnath said yes. Ramie asked if that equals the full 23 employees listed on the chart? Kurnath said that number is from 2023, using the most recent numbers within the budget request.

G. Dudko would like to hear more mentioned about private property. A lot of people who visit this area don't realize it's not a regular National Park, like she had brought up when discussing the Cooperative Agreement. There wasn't anything about private property referred to in her presentation. Kurnath said yes, that is a big part of the agreement. Visitors need to know that they must respect private property. Martin said the DRBC is not listed as one of the partners on any of the departments. Kurnath said she was right; the DRBC could have been added into the National Resources Department or her department.

Everyone thanked Kurnath for her thorough and informational presentation.

Approval of June 6, 2024 Minutes: A motion by Henry seconded by Rodgers to approve the June 6, 2024 meeting minutes with Roeder abstaining, carried.

Public Comment on the Agenda: None.

Committee Reports: There were no questions regarding previously distributed minutes for Water Use and Resource Management 6/18 (Evan Padua), Project Review 6/25 (Larry Richardson) and Operations 6/25 (Ginny Dudko).

Status Reports:

Delaware River Basin Commission: Bowman-Kavanagh thanked Kurnath for the long-time partnership the DRBC has had with UPDE NPS. She reported that there are three Advisory Committee meetings coming up; the Regulated Flow Advisory Committee will meet on 9/9, and the Advisory Committee on Climate Change will meet on 9/11. The DRBC will be conducting a monitoring study on 6-PPDq. All tires have a chemical called 6-PPD that keeps them from cracking and extends the life of tires. Through driving, tiny bits of rubber tire particles containing 6-PPD are shed onto driving surfaces. Roughly 10% of these particles enter waterways via stormwater runoff (rain, wind), where 6-PPD reacts with water to form 6-PPD quinone or 6-PPD and can be toxic to trout. A lot of study focus has been in the Upper Delaware. The monitoring is continuing to be done over this summer. Once the results are in, she will be sure to forward them to the WU/RM Committee. This is the first time this chemical has been sampled for in the Upper Delaware River Basin.

NYS Dept. of Environmental Conservation: Coulter said the ribbon cutting at the Long Eddy Access went well, with a small group of people attending. On the way out to Long Eddy he had a chance to stop by the Basket Creek Access where DEC maintenance staff happened to be cutting knotweed down. Rodgers said that Chief of Maintenance at UPDE Jessica Weinman had sent an email to the Town of Fremont Supervisor about the clay birds he's spotted in the river. He plans to bring it up at the next Town Board meeting. That area will be checked weekly. Coulter said that DEC Operations staff has been out maintaining sites, but if you see a site that needs attention to please let him know. A work request for Skinners Falls Access has been submitted, with the path falling apart. Hopefully they can focus on getting that permanently repaired. Next week Fisheries staff with Trout Unlimited will be doing a Trout survey on the Willowemoc Creek. He will share the results of that once they are in. He asked if anyone on the council knew if the signs were up at the Highland Access? B. Dudko said yes. He didn't go all the way down the launch, but saw that they are up. Coulter said they are still trying to figure out how to address the Kellams Bridge Access.

Robinson said NYS and PA should consider a spray program on all land for Spongy moth. The damage they have caused this year is devastating and changes the ecology of the watershed. The cost to have land sprayed privately is too high for most private property owners. If PA and NYS could put their resources together, it would benefit to spray. Losing trees is just too devastating to this area. Coulter said some State Parks got sprayed near where he lives, but understands where Robinson is coming from. Robinson said spraying in pockets kind of defies the whole idea. If you remove such a large resource to this area (trees), the damage would be irreversible; everything is connected to everything else. Coulter agreed.

Pennsylvania Dept. of Conservation and National Resources: Absent.

National Park Service: The UPDE NPS monthly activity report is included in the packet. Kurnath reported that as of June 30th UPDE NPS shipped out 40+ boxes of paper records to be entered into the archives. UPDE NPS staff did

a great job getting that done. Zane Grey Festival is this Saturday 7/13 from 10am-4pm. The Oral History project is still ongoing. Overweight and large vehicles have been going over the Roebling Bridge and down Scenic Drive; NPS is addressing this issue along with the vandalism issue at Skinners Falls. Unfortunately, there were two fatalities, one at Delaware Water Gap (DEWA) on June 30th and another on July 7 at UPDE. Both victims were not wearing properly fitted life jackets. Susie Kaspar did a radio interview on WJFF this week on Water Safety. Research Permits were added to the monthly activity report going forward. UPDE NPS Administrative Officer Tara Harbert will give a brief presentation at the 7/16 WU/RM meeting on the CUA fee structure updates. Quoted from the monthly activity report: "In conjunction with a shift to the NPS-wide online CUA system in 2025, UPDE is implementing an annual management fee structure based on park-dependent gross receipts. The fee for 2025-2026 will start at 1.5% increasing to 2.0% for the 2027-2028 cycle. The current structure is a tiered, flat based on visitors served. NPS policy requires park units to collect a fee ensuring 100% cost recovery when authorizing commercial activity within park boundaries. Based on a 2024 analysis, UPDE collects less than 30% of our costs to manage the CUA program." The Toll House at the Roebling Bridge was hit on 6/23 but has already been repaired. The Roebling Bridge will be inspected by the Federal Highway Administration the week of July 22nd.

Henry asked if NPS has seen the dock that sticks out quite far in Narrowsburg, visible from the Narrowsburg Bridge? Kurnath said no, but they will look into it. G. Dudko asked what clubtail is? Kurnath said Ecologist Andy Weber will likely be at the 7/16 WU/RM Committee meeting and they could ask him then. Roeder wanted to thank Kurnath, Marshall, and Engelhardt for the great job they did at the Town of Delaware "Road Show". Ramie asked if there is a phone number or email on the signs in and around the port-a-johns at the river accesses to report conditions? Kurnath said both.

UDC Executive Director: A copy of the thank-you letter the UDC received for giving opening remarks at the DRBC business meeting at the Tusten Theatre is included in the packet. The UDC currently has a surplus of approximately \$9,000 approaching the end of the Fiscal Year. She asked if anyone has ideas on how that should be spent to provide them by or at the Operations Committee meeting on Tuesday 7/23. She is currently working on the summer edition of *The Upper Delaware* newsletter; due to the printer by 7/22.

The UDC will be exhibiting at the Zane Grey Festival this Saturday 7/20 and on Sunday 7/28 at Riverfest in Narrowsburg, both from 10am-4pm. Friday 7/26 is the Pike/Wayne Conservation Partnership Legislative Breakfast that Dexter and she will attend. As mentioned, there will be an in-depth presentation on the CUA updates by UPDE Administrative Officer Tara Harbert at the 7/16 WU/RM Committee meeting. Guy Foster from USGS will give a presentation at the 8/1 UDC meeting on USGS Stream Gages in the Upper Delaware River. The UDC's 36th Annual Family Raft Trip will be on Sunday 8/4. The deadline for FY24 Technical Assistance Grant project completions is 8/16 and applications for FY25 Technical Assistance Grants are due by 8/23.

New Business:

- a. **Substantial Conformance Review 2024-03: Nectar Juice Bar, Town of Tusten:** Engelhardt said there is a letter included in the packet recommending to NPS that the UDC finds the project substantially conforms. A motion by Henry to send the letter to NPS, seconded by Roeder carried.
- b. **Substantial Conformance Review 2024-04: Robinson Convenience Store, Lackawaxen Township:** Engelhardt said there is a letter included in the packet recommending to NPS that the UDC finds the project substantially conforms. A motion by Henry to send the letter to NPS, seconded by Roeder carried.
- c. **Personnel Subcommittee Report:** Administrative Support Stephanie Driscoll's one year Performance Appraisal was tonight with the Personnel Subcommittee ahead of the UDC meeting. Everyone thanked her for the work she's done for the UDC. The council will enter into Executive Session before adjournment tonight to discuss financial matters.
- d. **Investment of Litter Sweep Account Funds:** This topic came out of a discussion at June's Operations Committee meeting. The dedicated Litter Sweep Jeff Bank account will be ending 2024 with a balance of \$3,923.44. The Operations Committee asked Ramie to look into investing a portion of the funds into the UDC Vanguard account. Ramie reported we need to keep a \$500 balance in the Litter Sweep account to avoid any service charges. For some reason, Vanguard has a hard time having funds deposited and releasing them from our account. She hasn't been able to set up an electronic fund transfer because of the way our Vanguard account is established through our organization, making the whole process complicated. She is also worried we won't be able to easily retrieve the funds for the 2025 Litter Sweep when we need them. Richardson has suggested via email that the UDC look into short-term CD's that a couple of local banks are

offering. Rodgers commented that Dime Bank in Honesdale has a good rate for CD's. Henry said it would be better to look into a local Money Market; compared to Vanguard a CD might not even be worth the time to open. Robinson said he is frustrated with Vanguard. It should not be this hard to deposit and withdraw money from our own account just because we are an organization. He is willing to call Vanguard to try to figure out the issue. The council agreed to leave the funds in the dedicated Jeff Bank Litter Sweep account to ensure we are able to access it when we need. The interest it would accrue in a Vanguard account isn't worth the staff time to get it deposited and withdrawn.

- e. **Other:** None.

Old Business:

- a. **UDC 36th Annual Family Raft Trip:** The flyer with a QR code was shown that Driscoll had made as a reminder that the 36th Annual Family Raft Trip is coming up on Sunday, 8/4. Registration is currently open and is due by 7/26.
- b. **Other:** None.

Public Comment: Rick Lander from Lander's River Trips said he's concerned that UPDE is trying to bring our unit in line with other National Parks, when we are not a National Park. He commented that UPDE NPS uses more of his accesses than he uses theirs. He thinks the local liveries have been good partners with local NPS. He has an issue with NPS creating a tax for livery guests and not private boaters. They want to charge a percentage of the gross amount they make on receipts at the end of the year. His guests at Lander's are taxpayers just like he is, why should they have an extra tax charged to them? They just negotiated the contract in 2017. Next year they want to charge 1.5%, then 2.0%. He doesn't think it's fair that he's paying taxes on his property, paying his employees, etc. He thinks the local liveries have paid their debt to the community and are now being punished by being charged more money. Private boaters use the liveries' accesses and leave their garbage and use their restrooms; are they being charged a tax? This unit should not be held to the same standards as other National Parks. Rodgers asked Lander if he's reached out to his federal legislators? Lander said not yet; tonight's meeting happened to be the day after they were told about the CUA updates so he decided to come. Henry encouraged everyone to read the River Management Plan. There is a section on increased rates and things like that. Baldassari from Kittatinny Canoes said the CUA fee structure used to be a set fee based off of the number of guests and now it's on gross revenue; 1.5% of the gross amount. The changes will mostly affect the larger liveries in the area. He understands that it costs the NPS to operate and appreciates the law enforcement and other things they do here but the liveries' guests will have to pay the fees on top of the other taxes they already pay. G. Dudko asked if they currently have an NPS charge? Baldassari said not currently. Lander said if it goes to a percentage, they will have to charge that to their guests, like a credit card machine. Kurnath took notes.

A motion by Robinson, seconded by Dexter for the board to enter into Executive Session at 8:38pm carried. The council came out of Executive Session at 8:44pm. Robinson announced that a decision had been made to revise the pay scale for one employee, effective with the next pay period. Staff will be informed accordingly.

Adjournment: A motion by Robinson seconded by Rodgers to adjourn the meeting at 8:45 p.m. carried.

Minutes prepared by Stephanie Driscoll, 7/16/2024