

Upper Delaware Council  
**WATER USE/RESOURCE MANAGEMENT COMM. MEETING MINUTES**  
**December 20, 2016**

Committee Members Present: Tony Ritter, Pat Jeffer, Fred Peckham, Deb Conway, Doug Case, Al Henry  
Committee Members Absent: Andy Boyar  
NPS Partner: Kris Heister  
Staff: Laurie Ramie, Cindy Odell, Pete Golod  
Guests: David Dean, Aaron Robinson, Harold Roeder (8:15 p.m.)

The UDC's Water Use/Resource Management Committee held its monthly meeting on Tuesday, December 20, 2016 at the Council office in Narrowsburg, NY. Chairperson Ritter called the meeting to order at 8:05 p.m.

A motion by Henry was seconded by Conway to approve the October 18 meeting minutes and carried. The November 15 meeting had been cancelled. There was no public comment on the agenda.

**Old Business:**

**Upper Delaware Scenic Byway November 28 Meeting Minutes:** Ramie reported that a majority of this meeting was spent discussing priority projects from the "Inventory of Fundable Projects from the UDSB Enhancement Concept Plan" to tackle in 2017. After a very lengthy discussion, it came down to two basic categories of priority projects. Those are Promotion & Marketing, and Facilities. The Byway Committee decided they would form subcommittees to work on fine-tuning the categories of ideas.

The Byway Committee would like to hold an educational workshop in 2017. The subject of it would be how to protect scenic viewsheds. Sullivan County Planning has offered to assist with this and will reach out to the municipal members asking them for topics to determine what issues they are facing and how UDSB, Inc. can help.

Ramie noted that there is a preliminary design ready of the new Byway website to be reviewed.

The Pollinator Plants Sunshine SeedRZ fundraising proposal is still being discussed, Ramie said. The clay discs stamped with designs, infused with pollinator plant seeds, and packaged in a small burlap sack with attached information were utilized by participants at the Barryville Butterfly Bike Ride. A cost proposal is being worked up and offering them on the UDSB website store as a fundraising item is being considered.

Discussion about a visitor center took place at this meeting, Ramie stated. Some members feel it is worth investigating options, expenses, and exposure of having a visitor center presence at the Narrowsburg Union.

Ramie said it was reported that Sullivan County had renewed its contract with the Town of Cocheton for one year in order to keep the Western Sullivan Transfer Station open in 2017.

The Byway opted not to meet in December because of the holiday and will meet next on Monday, January 23, 2017.

**Sullivan County Trail Committee December 13 Meeting Update:** Ramie said the meeting was held at the Government Center and the main purpose was to discuss the announcement about New York State Regional Economic Development Council awarding a \$149,500 grant for a feasibility study to expand the O & W Rail Trail to create 50 miles of contiguous multi-use trails spanning Wurtsboro to Livingston Manor.

The New York State Regional Economic Development Council also awarded two grants totaling \$420,000 to help the Town of Rockland build a Riverwalk along the Willowemoc Creek in Livingston Manor.

Ramie said these are projects that the Sullivan County Trail Committee has supported and a subcommittee will be formed to guide implementation of the projects.

The next meeting of the general committee is scheduled for January 10<sup>th</sup>, Ramie noted.

**U.S. EPS: Hydraulic Fracturing Drinking Water Final Assessment Dec. 14 Webinar Report:** Golod referred to his written report provided in members' packets. The final report "Hydraulic Fracturing for Oil

and Gas: Impacts from the Hydraulic Fracturing Water Cycle on Drinking Water Resources” concludes that there is evidence that activities in the hydraulic fracturing water cycle can impact drinking water resources under some circumstances. He advised members to read his report for more information. A brief discussion about the study and its results took place. Golod said he found particularly interesting the information regarding the five stages of the hydraulic fracturing water cycle.

**Stream Corridor Management Plan Project Advisory Committee Dec. 15 Meeting Update:** Golod said he attended this meeting in Hancock. He explained that Stream Corridor Management planning is a process that looks at all aspects of living along a stream or river. The Upper Delaware River Tailwaters Coalition (UDRTC) will evaluate impacts to the water courses from development, impacts to communities from flooding and possible solutions to address concerns about the physical environment as well as the social and financial environment. The UDRTC is creating a non-regulatory, multi-jurisdictional blueprint for the future management, protection and restoration of waterways in Delaware County, NY below the New York City Delaware River basin reservoirs. Included in members’ packets is a copy of the draft Delaware County Stream Corridor Management Plan Vision Statement and Project Goals/Objectives. He urged members to look this over at their convenience.

**Wayne/Pike Local History Roundtable December 16 Meeting Update:** Ramie said she attended this meeting held at the Dorflinger Factory Museum in White Mills, PA. The mission of the new Dorflinger Factory Museum is to protect, preserve, and educate the public on the industrial heritage of the Dorflinger glass companies in Brooklyn, NY and White Mills, PA. Ramie encouraged all to visit the interesting museum if they have the opportunity.

A project update was given on the "Local History Past-Port". This is the title of a new, handy printed guide to historical society museums and historic sites open to the public in the greater Wayne and Pike county area of Northeastern Pennsylvania. The public is invited to take the free booklet and start visiting each location. At each place, the person's "Local History Past-Port" will be stamped. After visiting each of the locations and receiving a stamp from each one, the person is entitled to a free gift. Ramie said that 3,000 of the Past-Ports had been printed and have proven to be very popular. They are working on a follow-up edition that is to be available by the next tourism season.

The main focus of this meeting was to announce that 2017 is the 100<sup>th</sup> anniversary of the founding of the Wayne County Historical Society. All sorts of special events are being planned to commemorate this milestone. Ramie shared some details of an exhibit to be on display for two years called “The History of Wayne County in 100 Objects.” The Historical Society is looking for artifacts, something tangible, that will tell the story of the entire county. Ramie said she was asked if she could think of who may have any object to do with rafting as they want to represent that industry along the Delaware River. She said if anybody has ideas, she will pass them along to Carol Henry Dunn of the Wayne County Historical Society. Members shared some ideas. The exhibit is scheduled to open on April 22<sup>nd</sup> so members are feverishly working on it now. Ramie said that voting is to start January 1<sup>st</sup> on eleven sites that have been preserved or restored in some way in Wayne County. People will decide which site is their favorite. This will be done on the Wayne County Historical Society website and the hope is to get the public involved. A symposium is being planned for June 24<sup>th</sup> from 8 a.m. to 3 p.m. at the Dorflinger Factory Museum. This will be on the topic of Wayne County history in general and comes with two meals for the \$40 fee. Ramie stated that these are some of the ambitious programs coming to Wayne County in 2017.

Ramie said that the Tom Kennedy Local History Festival will be held at the Dorflinger Factory Museum on April 22<sup>nd</sup>.

The Wayne/Pike Local History Roundtable will not meet again until March 10 at the former PPL Environmental Learning Center in Tafton, Ramie noted.

**Scenic Wild Delaware River Geotourism December 19 Call Update:** Ramie said she participated in this call yesterday. It has been decided to seek contributions from the nine counties to fund this program that has been grant-supported up until this point. The Scenic Wild Delaware River region encompasses the river’s watershed within nine counties in three states: Sussex and Warren Counties in New Jersey; Delaware, Orange and Sullivan Counties in New York; and Monroe, Northampton, Pike and Wayne Counties in Pennsylvania. The point was made that it may be late to ask to be included in some of these county budgets for the next fiscal year.

In terms of promotion, the Stewardship Council is still trying to figure out how to get the word out about the website and to keep those that do visit the website on it for longer periods of time. In an effort to counter the perhaps lack of awareness about the website, 5,000 more rack cards are going to be distributed that feature the web address.

The Sustainability Committee has a couple of projects in the works. They are looking for businesses or initiatives that really display the connection between the environment and the local economy for feature stories. They are also working on a hiking brochure to highlight public trails in the nine-county region.

The passage of the Delaware River Basin Conservation Act was discussed during this call, Ramie reported. It was noted that this has been kicking around Congress for six years now.

The monthly conference call will take place next on January 17<sup>th</sup>.

**Other:** None

### **New Business:**

**Commercial Use Authorization Fee Structure Update – Superintendent Heister Presentation:** Heister summarized highlights of the presentation shared with the Commercial Use Authorization (CUA) holders during meetings held earlier in the month. Ritter referenced the “Frequently Asked Questions: Upper Delaware Scenic and Recreational River (UPDE) Change in Fee Structure for Commercial Use Authorizations in 2017” handout provided in members’ packets. Heister said she is required by law to review what it costs the park unit to manage the CUA program. They are entitled, and supposed to, recover 100% of the costs. An analysis was recently completed to determine these figures. Heister said there have been no changes in CUA fees since 2009, when CUA monitoring fees doubled. Prior to 2009, CUA monitoring fees had not changed since at least 1996. Heister reported that the existing fee structure allows the park to recover only 38% of actual NPS costs overall and only 15% of CUA monitoring costs. She noted that liveries represented 98% of the reported visitors, but NPS recovers only 9% of the actual monitoring costs from them whereas, fishing guides represent only 2% of the reported visitors, and NPS recovers 44% of actual monitoring costs from them. Heister shared some of the inconsistencies with the program currently. The overall conclusion was that the existing fee structure was fiscally unsustainable, was inconsistent with law and policy, and the costs were not distributed appropriately across user groups. Heister said that she is required to make available how they calculated the cost recovery. Those figures are listed in the handout. Heister reported that the three key changes being made to the CUA fee structure at UPDE will be: (1) The CUA application fee will be collected every permit cycle (every two years) instead of being a one-time fee collected the first time a commercial entity applies for an authorization; (2) the CUA application fee will be reduced from \$150 to \$100 every 2 years, representing recovery of 97% of NPS application processing costs; (3) CUA monitoring fees will be based on a 5-tiered structure instead of a 3-tiered structure to better represent the wide range in number of visitors served by different commercial activities and establish a cost structure that is representative of NPS effort to monitor different commercial activities. This change will increase recovery of NPS monitoring costs from 15% to 48% overall. Heister said CUA costs will be reevaluated biennially to account for such factors as increased costs to the park due to inflation or other circumstances. Heister reviewed the former and new fee structure figures with committee members. She noted that 72% of the CUA holders will experience an overall 33% increase in CUA fees as a result of application fees being paid every two years rather than as a one-time fee. The CUA holders representing those with the highest visitor counts will experience an increase in CUA fees ranging from 100% to 500%. Heister reported that the increase in monitoring fees will be phased in over six years (3 CUA cycles). The NPS considers this a reasonable timeframe for implementation that will promote fiscal sustainability and is sensitive to the challenges facing small business owners. Ritter asked how this new schedule was received by both the liveries and guides in attendance at the meetings held December 15<sup>th</sup> at the Narrowsburg Union. Heister said she had met prior to that meeting with a subset of CUA holders. A compromise was worked out as to how the changes would be implemented. She feels for that reason it was a pretty quiet meeting. Ritter noted that the number of guides on the river has increased dramatically since he began his business in 1994. Heister said the Upper Delaware has the second largest Commercial Use Authorization program in the entire Northeast Region. The UPDE is second only to Acadia National Park.

Robinson asked if there is a cap to the number of boats that could be in the system. Heister said a cap could be put in place, but it would have to be based on good science. She said that if someone is going to make an argument that there are too many boats, they are going to need science to back it up in order for the conversation to take place.

Heister said that the change in the fee structure will allow the NPS to recover 59% of the total actual costs required to administer and manage the CUA program. She said she is willing to accept this percentage. She said that if she were to have gone to 100% recovery of costs, the highest customer count CUA holder's fees would have been almost \$11,000 every other year opposed to the \$5,700 that will be in place.

Robinson questioned what the customer count is based on. Heister said it is provided by the CUA holders. She added that in almost every other unit they report gross receipts and the fee structure is based on gross receipts. She said that almost everyone reports their gross receipts at UPDE except the large liveries. Heister said she has been advised by them that they have some sort of Congressional dispensation not to report gross receipts to her, but nothing to that effect can be found in writing. Ritter explained the past and current reporting process for fishing guides.

**Draft letter to Sullivan County Legislature: Support for an Upper Delaware River Valley Visitor Center:** Ritter suggested members read the enclosed draft letter if they have not. He noted it had been sent out in advance. A motion to send the letter was made by Henry. Conway said she would like the letter shared with the press and be distributed to all the county legislators. Greier suggested that the New York State town supervisors also receive a copy of the letter. The motion was seconded by Conway. Ritter said he would like to be as inclusive as possible with the letter. He added that it is a great letter and he is certainly going to keep it for a long time. Ritter said a large sum of money has been expended and he wants the Sullivan County Legislators to understand that the statistics that are referred to in the letter are factual. He wants them to understand what a jewel and resource the Delaware River is. He commended Ramie on the letter and thanked her. Greier said he doesn't feel the legislators understand what an economic engine the river is for the county. A vote was taken and the motion passed with Peckham abstaining.

**Draft letter of support for Equinunk Watershed Alliance Growing Greener grant application:** Ramie said we are looking for the committee's endorsement to pass this letter along to the full Council for their consideration at the January meeting. A motion to forward the letter onto the full Council was made by Peckham, seconded by Henry and carried unanimously.

**Delaware River Basin Conservation Act Approval:** Ritter announced that after six years, the U.S. congress passed the Delaware River Basin Conservation Act (DRBCA) on December 10<sup>th</sup> as part of a larger legislative package known as the Water Infrastructure Improvements Act for the Nation (WIIN) Act, previously called the Water Resources Development Act. Ritter stated that U.S. Congressman Chris Gibson (NY-19) and Congressman-Elect John Faso will be featured at a press conference on Thursday, December 22, at 11 a.m. in Hancock to address President Obama's signing of the Delaware River Basin Conservation Act and what it will mean for the Upper Delaware River region of NY and PA. Ramie said this is open to the public and will be held at the Friends of the Upper Delaware River office. Ramie said that the passage should provide grant funding to the Delaware River Basin for restoration and preservation-type projects. It will be a non-regulatory program through the U.S. Fish and Wildlife Service.

**Delaware River Flow and Storage Report:** A copy of the Current Reservoir Levels for New York City's Water Supply System for December 19 was provided in members' packets. Ritter reported that the levels are still currently about 20% below normal despite some recent precipitation. Combined total storage as of December 19 was at 61.4% with Cannonsville at 28.8%. Normal for this date is 84.2% combined.

**Other:** Henry reported that the large woody debris pile located just south of the Narrowsburg Bridge has finally dislodged and is gone. Ritter spoke of the contest that used to be held in Narrowsburg where a large wooden eagle was placed on the ice in the Big Eddy and people took chances for when it would fall through.

Heister announced that she passed her state practical for becoming an emergency medical responder and has joined the Damascus Volunteer Ambulance Corps. She added she has missed some meetings recently due to those classes. Members congratulated her on that accomplishment.

Ritter said it has been a pleasure to chair the committee and he wished everyone a very happy holiday.

**Public Comment:** None

**Adjournment:** A motion by Henry seconded by Conway to adjourn the meeting at 9:06 p.m. was carried.

*Minutes prepared by Cindy Odell, 1/5/17*