

UPPER DELAWARE COUNCIL MEETING MINUTES April 3, 2008

The Upper Delaware Council held its monthly meeting on Thursday, April 3, 2008 at the Council office on Bridge Street in Narrowsburg, NY. Chairperson Alan Bowers called the meeting to order at 7:34 p.m. A motion by Fluhr seconded by Wieland to approve the March 6 meeting minutes was carried. There was no public comment on the agenda.

In attendance: Town of Hancock-Jim Serio, Town of Fremont-Jack Niflot, Town of Delaware-Harold Roeder Jr., Town of Cochecton-Larry Richardson, Town of Tusten-Charles Wieland, Town of Highland-John Sundholm, Town of Lumberland-Jay Shafer, Town of Deerpark-Phil Chase, Lackawaxen Township-John McKay, Shohola Township-George J. Fluhr, Westfall Township-Alan Bowers, State of New York-Bill Rudge, Commonwealth of Pennsylvania-Dennis DeMara, Delaware River Basin Commission-Bob Tudor, and National Park Service-Vidal Martinez. Also, Town of Fremont Alternate-Jim Rodgers.

Committee Reports The committee chairs provided the monthly committee reports from the meeting minutes. They included: March 18 Water Use/Resource Management by Wieland; March 25 Operations by Bowers; and March 25 Project Review by Roeder.

Status Reports

Delaware River Basin Commission: Bob Tudor introduced himself and explained what DRBC does with the Council for the benefit of the new board members. He continued with the flow and storage data and mentioned we had a lot of rain in March equaling 250-300% higher than normal. The NYC Delaware River Basin combined reservoir storage is at 100.2%, with Cannonsville at 100.5%. The "Hydrologic Conditions Report" dated March 11 was handed out for review.

The DRBC staff is codifying the FFMP (Flexible Flow Management Plan) public comments in preparation of a response document for the Commissioners. There could be changes made to the FFMP. He was hoping the Commissioners would adopt an FFMP at the July Commissioners' meeting.

Tudor handed out a press release issued by PA Governor Rendell, "Governor Rendell Calls For Action On NYC Reservoir Releases To Better Protect Downstream Communities". Governor Rendell is chair of the Delaware River Basin Commission. Rendell is calling on officials from Delaware, New Jersey, New York and New York City to support a commonsense plan that would modify the guidelines to help accommodate the expected rainfall and protect against potential flooding on the main stem of the river. He's asking the Decree Party principals to sign an agreement that would temporarily modify the FFMP that was put into effect last year. If the Governor's request is approved, New York City could make more frequent and higher volume reservoir releases through April. There was discussion about the Rendell initiative. A motion by Fluhr seconded by Wieland to issue a letter of appreciation and support to Gov. Rendell for his actions was carried.

Tudor mentioned that the DRBC maintains the high quality of water quality through Special Protection Waters designation. The Upper Delaware has had this designation since 1992. The DRBC temporarily classified the 76-mile stretch of the non-tidal lower Delaware River between the Delaware Water Gap to the head of tide at Trenton, NJ as Special Protection Waters and has extended the temporary designation on three separate occasions and that extension is ending May 15, 2008. Including the temporary classification, which may become permanent in May, the entire 197-mile non-tidal Delaware River (75%) would be under anti-degradation protection and that would be a record for any river.

Tudor announced the second Federal Coordination Summit for the Delaware River Basin will be held on May 15 at Philadelphia. The Summit is for the DRBC Commissioners and regional leaders of federal agencies with a direct interest in and responsibility for water resource matters in the Delaware River Basin. The agenda for this meeting would cover such topics as monitoring coordination, flood mitigation, and water supply management.

Chase questioned Tudor if anything has been looked into about water supply, releases, etc. when NYC closes the Delaware Aqueduct for repairs. Tudor noted that the DRBC Executive Director has written to NYC to review this now and not wait until the tunnel is closed to come up with mitigation plans. Tudor said he understood the Aqueduct was to close in 2011. Chase offered a "hats off" to Paul Rush of NYC DEP who

lowered the water level in the Neversink Reservoir to 85% of capacity before the recent heavy rains. Chase felt a reservoir void helps the upper River without affecting the area around Trenton.

Douglass asked Tudor that when the tunnel is shut down, how releases would be handled so reservoirs don't spill. Tudor responded they're working on that. They'll use carrying capacity of system for this. Serio noted the temporary FFMP would expire the end of May. Tudor mentioned if it becomes effective in September we have until next September. We need to adopt something this year and hope we can do that by July.

NYS Dept. of Environmental Conservation: Bill Rudge introduced himself as well and reviewed DEC's action with the Council. He also announced that the DEC's *Open Space Conservation Plan* revision for the 2009 update is at the committee level. There is an advisory committee meeting for this purpose and the meetings are open to the public. He extended an invitation to UDC for input for this Plan. DEC hopes to have a draft Plan by fall 2008 and a Plan would go to the Governor in spring 2009. The goal of the Plan is to highlight areas where the State should focus its efforts. There are 150 areas in the State that are priority project areas and these include the Mongaup Valley Wildlife Management Area and portions of the Delaware Valley.

The Catskill Park State Land Master Plan has been revised and a 2008 draft, revised from the 2003 draft based on public comments, is now available for public comment. The deadline for comments is May 19, 2008. The document is online at www.dec.ny.gov/lands/43013.html?showprintstyles. Due to its size, downloading may be cumbersome. If members want a hard copy, please let Rudge know. Rudge noted that this draft allows bicycles on parkland; increased opportunities for recreation appropriate in the Colegate Wild Forest; and invasive species management.

The members were provided with a DEC press release, "DEC Accepting Applications for Volunteer Fire Assistance Grants, Funds Help Rural Fire Departments Fight Wildfires". The grant program is funded by the U.S. Forest Service and administered by DEC. The deadline for applications is May 15, 2008 and only expenses directly related to fire suppression are eligible for funding. Fire departments must provide half the cost of the project being funded and all funded projects should be completed by Oct. 30, 2008. For further information contact DEC at 518-402-8839.

PA Dept. of Conservation and Natural Resources: Dennis DeMara introduced himself as well and reviewed DCNR's actions with the Council. He also mentioned that the department will have one grant round for recreation and conservation projects with an application deadline of April 25 as he's mentioned at previous meetings. They work with grassroots organizations on these grants.

The department will be assisting with the April 17 workshop "Buy the Best, Zone the Rest" from 6 to 9 p.m. at the PPL Lake Wallenpaupack Environmental Learning Center in Hawley, PA. This workshop covers methods for critical land protection. The department is also assisting with the May 27, 28 & 29 workshop "The Financial Benefits of Land Conservation", there will be sessions for landowners and for professionals. This workshop offers details on the value of land conservation in estate and tax planning. For information contact Delaware Highlands Conservancy at 570-226-3164.

DeMara noted that the department is focusing on river accesses this year and they will be working with land trusts and willing sellers to preserve open space.

National Park Service-Upper Delaware: Supt. Vidal Martinez referenced the UDC press release handed out "UDC Announces Honorees for Awards Ceremony on April 27" and thanked the UDC for recognizing Asst. Superintendent Sandy Schultz's efforts over her 30 years service by bestowing on her the Distinguished Service Award. He said he was amazed by her talents since he's come on as the new Superintendent and offered his congratulations.

The NPS-Upper Delaware has been busy hiring seasonal personnel for law enforcement and other divisions. This Upper Delaware unit hosted law enforcement training that included personnel from Parks in New York and New Jersey as well as NYS DEC. The repairs to the Roebling Bridge are continuing and work should begin on the Bridge mid-April. The NPS will partner with UDC to provide natural gas leasing public service workshops that cover the issues and landowners rights.

The UDC is participating with the NPS anniversaries project as mentioned at prior meetings. To update: there will be a commemorative lapel pin; an Expo is planned for Oct. 25; and a Symposium in November. Planning meetings are ongoing.

A transitional management team met with NPS staff and also visited the UDC staff. This team reviews needs and focus when there is a transition in Park Superintendents. Martinez said he's visited the Eagle Institute and has met with the National Canoe Safety Patrol during his rounds of getting to know the partners.

He said he announces with sadness that two fishermen have perished in the Delaware River today around Bushkill, PA and a recovery effort has already started. NPS-Upper Delaware personnel are aiding in that effort.

Executive Director's Report: Bill Douglass reiterated Martinez's remarks regarding Sandy Schultz's award and a round of applause followed. The UDC Awards Ceremony will be held at LaSalette Restaurant in Hancock, NY on April 27 beginning at 3 p.m. The reservation deadline is April 18. The award categories include: Distinguished Service, Robin M. Daniels Memorial Lifesaving Award, Partnership Award, Community Service Award, Recreation Achievement Award, Cultural Achievement Award, Volunteer Award, Special Recognition Awards, and Oaken Gavel Award (for past UDC chairperson).

The Council's revised 2008 issue of the "Visitor Information Map and Guide For Touring The Upper Delaware Scenic and Recreational River, New York and Pennsylvania" was provided to the attendees. Anyone wishing a supply of these guides should contact the Council.

Douglass reported that NYS Senator Bonacic and Assemblywoman Gunther will introduce new bills relative to establishing the Upper Delaware Greenway. A call was put in to the Council asking if UDC and the Upper Delaware Scenic Byway wanted a seat on the Greenway board. The matter will be discussed at the Operations Committee meeting.

Douglass announced that New York Regional Interconnect has filed its Art. 7 supplement with the NYS Public Service Commission to fulfill PSC requests for further information. The PSC has found deficiencies with the supplement and NYRI needs to supply necessary details before PSC can accept as a completed Art. 7 application.

As to the natural gas leasing, landmen have been going to residents in the River Valley and surrounding areas to obtain natural gas leases from landowners. UDC has established a research file on this issue and is attending seminars. The NPS has invited the UDC to participate in providing a comprehensive gas leasing informational seminar in the River corridor sometime in May. Other organizations have also been invited to assist with the seminar. A motion by Richardson seconded by Wieland that UDC move forward with assisting with this seminar was carried. Rudge offered NYS DEC assistance.

The UDC is participating in the public hearing relative to the Holbert Bros. bluestone major mining application in Lackawaxen Township as a "party" to the hearing. The *River Management Plan* guidelines say the size of this mining expansion is not a compatible use in the River corridor. It was decided for procedural reasons; the UDC should have legal representation at the April hearing.

Old Business

UDC workshop March 26: Douglass reported that the UDC workshop on the RMP's Land and Water Use Guidelines held March 26 was informative for attendees. The speakers were knowledgeable on their subjects and imparted good logical advice. There was an excellent question and answer session. The Council also solicited topics that should be included in the River Management Plan's 20-year review.

New Business

National Flood Insurance Program Workshop April 16: It was announced that the Sullivan County Division of Planning and Environmental Management would be holding a Flood Insurance workshop on April 16 from 1 to 3 p.m. in the Legislative Hearing Room at the Sullivan County Government Center in Monticello. The NYS DEC will give a presentation about the National Flood Insurance Program. In order for communities to participate in the Program, they must adopt and enforce a floodplain management ordinance to reduce future flood risks to new construction in Special Flood Hazard Areas.

Public Comment None

Adjourn A motion by Wieland seconded by Fluhr to adjourn the meeting at 9:04 p.m. was carried.

Carol Coney, Office Manager