

UPPER DELAWARE COUNCIL MEETING MINUTES

January 9, 2014

(Annual Meeting)

The Upper Delaware Council held its monthly (annual) meeting on Thursday, January 9, 2014 at the Council office in Narrowsburg, NY. Chairperson Jeffrey Dexter called the meeting to order at 7:01p.m. The Pledge of Allegiance and roll call followed.

In attendance: Town of Hancock-Fred Peckham, Town of Fremont-Jim Greier (7:03p.m.), Town of Delaware-Harold Roeder, Jr., Town of Cochecton-Larry Richardson, Town of Tusten-Susan Sullivan, Town of Highland-Andrew Boyar, Town of Lumberland-Nadia Rajs, Town of Deerpark-David Dean, Damascus Township-Jeffrey Dexter, Berlin Township-Al Henry, Lackawaxen Township-John McKay, Shohola Township-Patricia Jeffer, State of New York-William Rudge(7:03p.m.), Delaware River Basin Commission-Carol Collier, National Park Service-Sean McGuinness. Staff in attendance: Executive Director-Laurie Ramie, Resource Specialist-Travis O'Dell, Secretary-Cindy Odell. Also in attendance: Debra Conway, Town of Highland alternate, Ginny Dudko, Town of Deerpark alternate, and Tony Ritter, Town of Tusten alternate. Absent: Westfall Township, Commonwealth of Pennsylvania.

Election of 2014 UDC Officers: Ramie referenced the ballot in each member's packet. The Nominating Committee's slate of officers was presented. Candidates were: Chairperson – Andrew Boyar (Town of Highland); Vice-Chairperson – Pat Jeffer (Shohola Township); and Secretary/Treasurer – Alan Henry (Berlin Township). Ramie noted that nominations from the floor were also welcome. Votes were cast and ballots were collected by Ramie for tallying. Ramie reported that the result was unanimous with eleven votes casted for the slate of officers as recommended by the Nominating Committee. Boyar shared some thoughts, noting that he will rely on the experience of the seasoned Council members to counsel him as needed. He shared some of the history of the Upper Delaware National Wild and Scenic River including the fact that there were 18 drafts of the River Management Plan. Boyar shared an article excerpt from the October 6, 1988 edition of *The River Reporter* which read, "At the February 7, 1984 COUP meeting, Highland Supervisor Andrew Boyar – temporary chair of the newly formed Upper Delaware Citizens Alliance organized by Cushman – introduced a resolution that COUP eventually 'transform' itself into the proposed council. This finally happened on February 22, 1988 with the formation of the UDC." Boyar stated, "Mindful of our history, I hope we can all agree to commit ourselves to the fullest appreciation of the Upper Delaware River and the importance of our being the best caretaker of the river that we can be. I truly believe that the collective wisdom in this room will enable this Council to freely and openly debate and decide wisely all of the issues that will come before us in the next 12 months. As each and every one of you shares your thoughts and views, I am confident that our collective resolve will be true and wise." Boyar said that McGuinness' retirement will leave a big hole, but we will get through. He thanked Dexter for getting the Council through a nice year. Boyar conducted the remainder of the meeting.

Approval of December 5 Meeting Minutes: Boyar asked for approval of the December 5th meeting minutes. A motion by Roeder to accept those minutes was seconded by Jeffer and carried.

Public Comment on the Agenda: None.

Committee Reports: Committee reports were provided based on the meeting minutes. They were: December 18 Water Use/Resource Management by Henry; December 18 Operations by Dexter; and December 18 Project Review by Richardson.

Status Reports

Delaware River Basin Commission: Collier thanked McGuinness for his time at the Upper Delaware, noting that he has been a great partner to the DRBC and will be missed.

Collier referenced the DRBC's hydrologic report generated earlier in the day. She noted the reservoir levels have been going up and reported there are ice jams occurring downstream. She shared photos of some of those jams from the Trenton area and on the Lehigh. NYC DEP reached out to The Weather Service seeking their guidance on the ice jams. The Weather Service recommended that they not make any additional releases on top of what they should be releasing today and re-evaluate tomorrow. Collier added that New York City is diverting more than usual from the Delaware system trying to keep as much as possible out of the reservoirs.

Collier referred to the response from Bob Tudor regarding the UDC Resolution expressing support for the "Lordville Thermal Stress Relief Protocol" from February 2013 provided in members' packets. She noted that while the Regulated Flow Advisory Committee (RFAC), as a standing committee of DRBC, is an important vehicle for communicating new concepts/programs for consideration by the Decree Parties as part of their deliberative process to amend and adapt the FFMP, it has no decision making role.

Collier spoke of the UDC's letter sent to Michele Siekerka, chairperson of the Delaware River Basin Commission regarding Support for Evaluation of the Equitable Apportionment Plan for the Delaware Water System. She noted that this issue is one that would be addressed by the Decree Party Principals. She explained that concerning flow issues with the New York City Reservoirs, the DRBC provides a technical support role so the principals can make decisions. She recommended that in the future, if an issue is a DRBC issue, send correspondence to the DRBC Commissioners via the Secretary of the Commission, with a copy to the Executive Director, but if the issue is a flow issue, it should go to the Decree Parties. She recommended reaching out to the Deputy Delaware Rivermaster Marie Stewart for her recommendation about how to get the correspondence to them. Boyar said he appreciated Collier's suggestion about working through Marie Stewart, but he wished there were a more direct line to try. Collier noted that the RFAC is a DRBC committee and is a window into the Decree Parties. Collier noted she wants the UDC to feel there is an avenue to get to the states, federal government, and New York City, and is willing to offer more assistance with this issue.

Collier shared a copy of an American Water Resources Association "Proactive Flood and Drought Management: A Selection of Applied Strategies & Lessons Learned from around the United States" report. She said the report contains some good case studies. That report is available at http://www.awra.org/webinars/AWRA_report_proactive_flood_drought_final.pdf. She noted the U.S. Army Corps of Engineers just this week came out with "Building Strong Collaborative Relationships for a Sustainable Water Resources Future Understanding Integrated Water Resources Management (IWRM)". The Delaware River Basin is mentioned in this report. A hard copy of this is available at the UDC office.

Collier reported that the next Commission meeting is scheduled for March 11th and 12th. She noted that March 12th will be her last day with the Commission. She hopes to attend the February UDC meeting. She expects an announcement in the next couple of weeks regarding her replacement. Collier stated that DRBC Deputy Director Bob Tudor is retiring in June.

NYS Dept. of Environmental Conservation: Rudge expressed his thanks to McGuinness for the great working relationship during his tenure. He thanked Collier as well.

Rudge referred to the news releases in members' packets. The first, dated December 13, 2013 and titled "Eurasian Boars No Longer 'Fair Game' in New York", announces the proposal of new regulations that would prohibit hunting or trapping of free-ranging Eurasian boars in New York. The proposal is designed to ensure maximum effectiveness of DEC's statewide eradication efforts. Public comments on the proposed regulations will be accepted until January 25, 2014. A brief discussion took place. The second, dated December 16, 2013 and titled "NYSDEC: Partnerships New Span the State to Prevent the Spread of Invasive Species", announces that every area of the state now has a partnership working to combat invasive

species at the local and regional level. This has been done by establishing Partnerships for Regional Invasive Species Management (PRISMs). Each PRISM is funded by the state Environmental Protection Fund (EPF) and has a full-time coordinator.

Rudge reported that in the Governor's address on January 8, he announced an access initiative on public land. There are 50 projects they will be going public with to improve public access to public lands throughout the state. One of the proposed projects is in the Delaware River corridor on the Shawangunk Ridge just outside of Port Jervis at the Huckleberry Ridge State Forest.

Henry asked when the changes to New York State's fishing and hunting licenses go into effect. Rudge told him that changes to sporting licenses take effect on February 1, 2014. Changes include reduced fees, reduced number of licenses, changes to valid license dates and more. More information is available at <http://www.dec.ny.gov/permits/95007.html>. Some of the changes were discussed.

PA Dept. of Conservation & Natural Resources: No report in the absence of the Commonwealth of Pennsylvania.

National Park Service-Upper Delaware: McGuinness said he had reflected on his time spent with the UDC and had come up with a list of issues that have come up during his tenure. He shared that very lengthy list with members.

McGuinness said he met with Joe Hinkes earlier in the day to discuss the ice situation on the river. He said they are watching it and working with The Weather Service to monitor it.

McGuinness thanked the Council and the UDC staff, all the communities, New York State, the Commonwealth of Pennsylvania, and the DRBC for all the cooperation that was given to him personally and to the National Park Service over the last four years. He said his time here has been rewarding. Henry asked if there is to be an acting Superintendent once McGuinness leaves. McGuinness said that is his understanding. Boyar referred to McGuinness' copy of the River Management Plan and commented that it is "probably the most read copy in North America."

UDC Executive Director's Report: Ramie noted that the final version of the letter sent to Michael Caldwell, Deputy Regional Director of the National Park Service Northeast Region, concerning the Superintendent vacancy was provided in members' packets. She said it was sent out electronically and by hard copy. She stated that the retirement of NER Director Dennis Reidenbach effective January 1 and the pending retirement of McGuinness will leave two vacancies for the Park Service and their representation on the Council. The letter was copied to a long list of recipients and also submitted as a Letter to the Editor to six newspapers to raise awareness to the public about the issue of our concern for the leadership in this area. Ramie hopes that other fellow river organizations and municipalities will write their own letters regarding this issue. Ramie said she came across a column that McGuinness wrote for the Visioning column of *The River Reporter* published on July 8, 2010. She said it sums up his passion for and ideology about the Upper Delaware quite eloquently and further justifies why we will miss him. A copy of that article was provided in members' packets. She told McGuinness we regret his departure, but hope he has great adventures.

Ramie reported that the NPS is working on a modification to the terms of our Cooperative Agreement concerning our funding which would have expired at midnight on January 15 if the federal government had not passed a budget to authorize funding beyond that Continuing Resolution. We had access to only 29.32% of our federal allocation.

Ramie asked Council members if they could request their town clerks or township secretaries to return the membership update form sent out based on 2014 reorganizational appointments. She said we update our lists, send letters of appreciation to outgoing representatives and alternates, and orientation folders to incoming board members based on that information. A news release with the 2014 membership roster also will be prepared.

Ramie told members she wanted to confirm dates for our 26th Annual Awards Banquet and our Family Raft Trip. Proposed dates are Sunday, April 27th for the Awards Banquet and Sunday, August 3rd for the Raft Trip. No objections were given for either date. She noted the banquet is to be held on the New York side this year and asked members for recommendations on venues that can accommodate a minimum

of 100 people and potential speakers. Lander's River Trips will be the host livery for the raft trip and a river section to paddle will have to be chosen.

Ramie referred to the January calendar of UDC Meeting, Activities and Deadlines. She noted we will be electing chairs and vice-chairs at this month's committee meetings. She said we always welcome additional participation on any of the three standing committees by any representatives or alternates. A handout for the January 15th SEQRA Educational Conference was provided. Ramie noted that T. O'Dell will be the lead presenter. Reservations are due by January 10. Two handouts containing information on the January 31st Zane Grey Birthday events at Lackawaxen and the Pike County Historical Society's The Columns museum in Milford were also provided. Ramie noted that the Upper Delaware River Roundtable meeting scheduled for February 6 may be pushed back a week. At the February 6 UDC meeting, the swearing-in ceremony and reception will take place at which time the group photo will be taken.

Ramie told members that we have had a request by the partners involved in the Upper Delaware River Coldwater Fishing and Boating Economic Impact Study to give a presentation of their findings to the UDC at the February 6 meeting. This study is being partially funded by a UDC Technical Assistance Grant via the Town of Hancock. Boyar said that since the UDC is financing this study, he feels a report of their findings is a good idea. He asked if there were any objections. After a brief discussion, it was decided to allow for the presentation.

Old Business: None

New Business:

UDC Resolution 2014-01: Authorizing Annual Signatures for the Council's Banking Accounts for 2014: A resolution to allow the UDC 2014 officers and Executive Director to sign the corporate resolutions and signature cards for the accounts in various banking institutions was presented. A motion by Rajsz seconded by Henry to approve the resolution was carried unanimously.

UDC Resolution 2014-02: Authorizing Agreement with Eckersley & Ostrowski for Audit/Accounting Services FY 2014: A resolution to contract with the firm of Eckersley and Ostrowski, LLP of Scranton, PA to provide auditing and accounting services for Fiscal Year 2014 was presented. A motion by Rajsz seconded by Henry to approve the resolution was carried unanimously.

UDC Resolution 2013-03: Resolution of Appreciation to Sean McGuinness: Boyar read the resolution aloud:

Whereas, Sean J. McGuinness has announced his retirement from the National Park Service after 37 years, culminating with his position as superintendent of the Upper Delaware Scenic and Recreational River from February 4, 2010 to January 24, 2014; and

Whereas, The Upper Delaware Council, Inc. (UDC) benefited from Sean's embracing of the Upper Delaware River corridor's collaborative management model/his engaging community-based leadership style; and his advocacy for the UDC as a Cooperative Agreement partner; and

Whereas, Sean was born in Buffalo, NY, grew up in Lake View, NY, and earned a Bachelor of Arts degree in Psychology from New York State College at Fredonia in 1977; and

Whereas, Sean began his National Park Service career in 1977 as a seasonal river patrol park ranger at Grand Teton National Park, spent one season as a forester in Tongass National Forest, several seasons as a law enforcement ranger at Wrangell-St. Elias National Park and Preserve in Alaska, and began his permanent career at Natchez Trace Parkway in Mississippi in 1987; and

Whereas, He was selected for increasingly more responsible positions at Crater Lake National Park, Wrangell-St. Elias National Park and Preserve, and as Chief Ranger at Mojave National Preserve; completed a two-year assignment in the Department of the Interior's Washington office with the Office of Law Enforcement and Security, and served as deputy superintendent at Fire

Island National Seashore on Long Island from July 2005 until his Upper Delaware Scenic and Recreational River assignment;

Now, therefore, be it resolved that:

- (1) The Upper Delaware Council offers its respect and appreciation to Sean J. McGuinness for his dedicated service to the National Park Service and valuable contributions to the Upper Delaware Scenic and Recreational River Valley; and
- (2) The UDC wishes Sean many healthy, happy adventures ahead in his retirement.

A motion to accept the resolution was made by Rajszyk, seconded by Greier and carried unanimously. Boyar said that “not only is he a definitive example of what a superintendent is, but he is an example of what a superintendent should be.” He went on to say that McGuinness brings out the best in people and that his leadership qualities, temperament, and his talent have been really extraordinary. Dudko shared her memories of McGuinness recalling him saying this area is “all about the kid with the fishing pole.” She presented him a token of her appreciation. She thanked him for always being able to help maintain a balance on the Council. Roeder expressed his appreciation of McGuinness. Henry said, “The best superintendents are always the ones who come up through the ranks, and you did an excellent job coming up through the ranks and an excellent job here.” Sullivan told McGuinness he “always kept his eye on the ball, which is the outstandingly, remarkable values of this place.” Boyar presented McGuinness with a Dave Soete photo of the Upper Delaware River. McGuinness expressed his thanks.

UDC Resolution 2014-04: Resolution Adopting Policies for Conflict of Interest and Employment Practices & Staff Code of Conduct: A motion by Dean seconded by Henry to approve the resolution was carried unanimously.

Other: None

Public Comment: Bart Larmouth, general manager of the Delaware River Club, thanked the UDC for supporting the thermal release protocol. He thanked McGuinness on behalf of the fishing community for his service here.

Boyar said the idea of promoting river safety and life jackets, in his opinion, absolutely saved lives. McGuinness said that was his push as five deaths in one season really affected him personally.

Adjournment: A motion by Rajszyk, seconded by Peckham, to adjourn the meeting at 8:22 p.m. was carried unanimously.

Minutes prepared by Cindy Odell 1/17/13