

UPPER DELAWARE COUNCIL MEETING MINUTES February 5, 2015

The Upper Delaware Council held its monthly meeting on Thursday, February 5, 2015 at the Council office in Narrowsburg, NY. Chairperson Alan Henry called the meeting to order at 7:06 p.m. The Pledge of Allegiance and roll call followed.

In attendance: Town of Hancock-Fred Peckham, Town of Fremont-Jim Greier, 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-Alan Henry, Lackawaxen Township-Brian Stuart, Shohola Township-Patricia Jeffer, State of New York-Bill Rudge, Commonwealth of Pennsylvania-Tim Dugan, Delaware River Basin Commission-Steve Tambini, National Park Service-Kris Heister. Staff in attendance: Executive Director-Laurie Ramie, Resource Specialist-Travis O'Dell, Secretary-Cindy Odell. Also in attendance: Tony Ritter, Town of Tusten alternate; Ginny Dudko, Town of Deerpark alternate. Absent: Town of Delaware, Westfall Township. Media: Dave Hulse, Peter Becker.

Approval of January 8 Meeting Minutes: A motion by Boyar seconded by Greier to approve the January 8 meeting minutes was carried unanimously.

Public Comment on the Agenda: None

Committee Reports: Committee reports were deferred until the March meeting as the three standing committees met on a rescheduled date prior to the full Council meeting.

Swearing In of 2015 Officers: Henry welcomed Ronald J. Edwards, District 22-3-04 Magistrate. The new officers: Chairperson Alan F. Henry, Vice-Chairperson Susan Sullivan, and Secretary/Treasurer Jeffrey Dexter, took their oaths during a swearing-in ceremony officiated by Edwards. Henry presented Edwards with a UDC lapel pin and thanked him for performing the swearing-in ceremony.

Status Reports

Delaware River Basin Commission: Tambini referred members to the hydrologic report provided in their packets, noting that the storage within the New York City Delaware River Basin is at 69% as of January 30th. He stated that storage is below normal, but since early December has been refilling. Tambini reported that the lower basin reservoirs are currently at or above normal. He noted there is significant ice coverage on the river impacting some of the gages at Montague and Trenton since January. Peckham noted that this is the longest stretch of ice he has seen in a long time.

Tambini stated that the DRBC is funded by several sources, including potentially the federal government. The federal budget was recently released and it does not appear that the DRBC was included in it. They continue to work with the member states on their budgets so he did not have that funding information available. Henry asked when the last time was that the federal government funded the DRBC. Tambini said he believes that federal funding has been absent every year except one since 1997.

NYS Dept. of Environmental Conservation: Rudge reported that the DEC has extended the public comment period on revisions to the “List of Species of Greatest Conservation Need” until March 9th. The list is available most easily on the DEC’s website, he stated. Several fish species of the Delaware are on the list, Rudge noted, including American Eel, Shad, and Sturgeon.

Rudge referred members to the press release “Registration Now Open for DEC 2015 Summer Camp Program”. The DEC is now accepting online applications for its 68th Annual Summer Camp Program which begins on June 28th. Youth 11 through 17 years old can enjoy week-long adventures in conservation education at one of four DEC residential camps located throughout the state. More information is available on the DEC’s website www.dec.ny.gov.

Rudge said the DEC is making progress on implementing the changes to the Interstate Fishery Management Plan (FMP) for American Eel put in place by the Atlantic States Marine Fisheries Commission (ASMFC). The FMP now limits the Delaware River eel weir fishery to nine licenses in each year, starting in 2015. He hopes that letters to past permit holders get mailed out this week, he added. Henry questioned if there will be a limit on the eels similar to that imposed by Pennsylvania. Rudge said no limit.

PA Dept. of Conservation & Natural Resources: Dugan reported that Governor Wolf has appointed John Quigley as Acting Secretary of the Department of Environmental Protection (DEP), and Cindy Dunn as Acting Secretary of the Department of Conservation and Natural Resources. Dugan referred to Dunn as very conservation-minded and good to work with. He expects to be able to have candid conversations with her regarding the Upper Delaware Council and other issues.

Dugan stated that Governor Wolf has signed an executive order reinstating a moratorium on new leases for oil and gas development in state parks and forests in the Commonwealth as promised during his campaign.

Dugan said that the Community Conservation Partnerships Program (C2P2), which offers grants to communities and non-profit organizations for a wide variety of recreation and conservation projects across the Commonwealth, announced that the current grant round is open with a deadline of April 16th. More information is available on the DCNR website at www.dcnr.state.pa.us. He thanked the UDC for having sent out information on this program to the PA member townships.

Dugan noted that a new project to come into place is the Regional Conservation Partnership Program (RCPP). It is a United States Department of Agriculture (USDA) program with the funding coming through the Natural Resources Conservation Service (NRCS). There will be \$13 million for the Delaware River Watershed Working Lands Conservation and Protection Partnership. This announcement was just made recently and Dugan said he is still in the process of obtaining information, but did say the funding will be used for conservation and protection projects of natural lands within the Upper Delaware Region located in the states of Pennsylvania, New York, and New Jersey. He will provide more information when it is available. Sullivan asked who is the agency dispersing the funding. Dugan said it is the American Farmland Trust.

Dugan reported that a five-year project targeting conservation of the Cerulean Warbler and focusing on the states of Kentucky, Pennsylvania, Maryland, Ohio, and West Virginia got a big boost following the granting of \$8 million in funding from the Dept. of Agriculture’s Regional Conservation Partnership Program (RCPP). These Warblers require early successional forest habitat which is lacking currently. The project will allow partners to work with private landowners to enhance forest habitat on private lands for Cerulean Warblers and other wildlife.

Dugan noted that the Pennsylvania Game Commission has decided to transition Wildlife Unit 3D which encompasses Pike County and some area just outside of Pike County, from a concurrent buck and doe rifle season to a split season where the first week is antler deer only and the second week is antler and antlerless deer.

National Park Service-Upper Delaware: Heister referred members to the “Upper Delaware Scenic and Recreational River: Purpose and Management Goals” handout in their packets. She noted that UDC members have been involved in the development of various NPS planning documents. As a follow up to the Foundation Document prepared in 2014 and the Outstandingly Remarkable Values established in 2013, the management goals were developed. The broad, qualitative goals directly reflect UPDE’s basic

management responsibilities and will serve to promote sound decision-making, promote clear and consistent communication with others regarding what they are working to achieve and how the activities contribute to achieving park goals, and will provide focus for future management and planning on what is most important about UPDE's resources and values. Heister covered highlights of each of the goals. The goals include protection of the Delaware River watershed and its associated Outstandingly Remarkable Values; working partnerships are fundamental to the management structure and success of UPDE; park resources and Outstandingly Remarkable Values are protected and maintained in good condition through strong partnerships and by promoting consistency with the Upper Delaware River Management Plan and Wild and Scenic Rivers Act; the rich cultural heritage associated with the long history of riverine occupation in the Upper Delaware is preserved and shared with present and future generations through collaboration and cooperation with local historical societies, town/township, county, and state governments, academic institutions, and other partners; a diverse array of high quality recreational experiences contribute to a transformative visitor experience at UPDE; park visitors are both educated and inspired through interpretive programming that provides a transformative visitor experience based on interaction with both natural and cultural resources; the public serves as "co-stewards" of park resources; and all park actions, including workforce management, construction, operations, resource management, maintenance, and administration demonstrate the best practices for environmental, fiscal, and operational sustainability and support of UPDE goals. Heister thanked Ramie and O'Dell for reviewing the goals and offering input which resulted in the "frequently asked questions" attached to the goals. Heister said that Ramie has an advance copy of UPDE's work plan which will be reviewed at the next meeting of the Operations Committee. Heister said any questions regarding the goals can be directed to her.

Heister said that the NPS Request for Proposals for support for law enforcement operations will be arriving at certain municipalities next week. Those funds support law enforcement operations in municipalities with accesses and campgrounds for the time period of May through September. She noted \$1,000 will be provided to Lackawaxen Township in support of "Operation Safe River". River mile markers will be placed along the river in certain locations so that users can identify where they are in the event of an emergency. Heister referred to this as a pilot program.

Heister reported UPDE has successfully secured over \$1 million for projects. These projects include the update of fire and intrusion alarm systems in 13 of their buildings; repairing the retaining wall at their maintenance building; restoring the masonry and addressing drainage issues at the Corwin Farm; attempting to flood proof the Milanville office; and trim and remove trees along the D&H Canal Towpath in order to preserve this resource. Heister said she reported at a previous meeting that \$500,000 will go towards work at the Roebing Bridge. Issues to be addressed include drainage on the New York side, repaving the access roads on both sides of the bridge, repairing or replacing the expansion joints, repointing the masonry on piers, and if funding allows, replacing the rotted timbers on the ice breakers.

Heister referred members to the "Executive Order 13658 Frequently Asked Questions" handout in their packets. She noted this Executive Order raises the federal minimum wage to \$10.10 per hour. She said the order became effective on January 1, 2015 and she received guidance on January 28th from their Washington, D.C. office that this Executive Order does apply to UPDE's Commercial Use Authorization (CUA) permit holders which includes the liveries and guides and anyone else who gets a permit. The National Park Service is not responsible for enforcing the Executive Order nor are they responsible for interpreting it, Heister noted. Questions related to interpretation and/or enforcement of the regulations may be directed to the nearest Wage and Hour Division (WHD) district office. To locate the nearest office, log onto the WHD's website for a nationwide listing of WHD district and area offices at www.dol.gov/whd/america2.htm. Hulse questioned how many CUA permit holders there are in the UPDE. Heister told him approximately 70.

Stuart asked Heister if there will be an increase this summer in the law enforcement presence as well as additional rangers on the river. Heister told him there are four permanent law enforcement rangers and one seasonal, so her short answer is no. She told Stuart that Chief Ranger Hinkes will be attending the next Operations Committee meeting to discuss this issue. Stuart noted he feels that having individuals in uniform, including volunteers, on the river, cuts down on problems on the river. He thanked Heister for that.

UDC Executive Director's Report: Ramie noted that we have established our memberships on the three standing committees for the year, although there is no cut-off date for representatives or alternates to join. Currently there are 5 members on the Water Use/Resource Management committee, 9 members on Project Review, and 8 members on Operations. Ramie said that the UDC Bylaws state: Article 7, "One more than half the voting membership of the Council will constitute a quorum for transacting business, providing there are present at least one more than half the town/township members." She told members she was looking for clarification when determining a quorum for the committees. She noted that Robert's Rules of Order sets a quorum at a simple majority although any organization has the prerogative to make that more strict.

Ramie referred members to the February calendar of UDC Meetings, Activities and Deadlines. She noted the calendar includes a preview of what is coming up in March.

Henry recommended reaching out to committee members via phone on meeting nights in order to establish a quorum if it is questionable. Peckham conversely suggested that the member contact the office if they are not going to be able to attend a particular meeting. Henry noted that on more than one occasion he has gotten to the UDC office for a WU/RM meeting only to find out that a quorum was not going to be met. Ramie remarked that alternates can be asked to attend meetings on behalf of the member. Henry asked that members communicate better to be sure that quorums will be met.

Old Business: Boyar suggested that the committee quorums be determined and noted. After brief discussion, a motion setting the quorums for the three standing committees as of February 5, 2015 at three for Water Use/Resource Management, five for Project Review, and five for Operations was made by Boyar, seconded by Stuart. Peckham questioned what happens if committee membership changes at some point. Henry said there would be a modification. The motion was put to vote and carried with Peckham and Rajsz opposing.

New Business:

Confirm Dates for Annual Awards Ceremony and Raft Trip: A motion to accept the dates recommended by the Operations Committee was made by Peckham, seconded by Greier and carried. The 27th Annual Awards Ceremony will take place Sunday, April 26, 2015 and the Raft Trip will take place Sunday, August 2nd.

Other: None

Public Comment: None

A group photo and reception will follow the business meeting, Henry announced.

Adjournment: A motion by Peckham, seconded by Dexter, to adjourn the meeting at 7:50 p.m. was carried unanimously.

Minutes prepared by Cindy Odell 2/13/15