

UPPER DELAWARE COUNCIL MEETING MINUTES April 3, 2014

The Upper Delaware Council held its monthly meeting on Thursday, April 3, 2014 at the Council office in Narrowsburg, NY. Chairperson Andy Boyar called the meeting to order at 7:00 p.m. The Pledge of Allegiance and roll call followed.

In attendance: Town of Hancock-Fred Peckham, Town of Fremont-Jim Greier, Town of Delaware-Harold Roeder, Town of Cohecton-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-Pat Jeffer, Westfall Township-Joe Demalderis, Commonwealth of Pennsylvania-Timothy Dugan and Rhonda Manning, Delaware River Basin Commission-Richard Gore, National Park Service-Malcolm Wilbur. Staff in attendance: Executive Director-Laurie Ramie, Resource Specialist-Travis O'Dell, Secretary-Cindy Odell. Also in attendance: Sean Nearing, Town of Cohecton alternate; Ginny Dudko, Town of Deerpark alternate. Absent: State of New York.

Presentation by Bud Cook, Northeastern PA Director of The Nature Conservancy: William Penn Foundation's Watershed Protection Program: Boyar introduced Cook, the Northeastern PA Director of The Nature Conservancy. Cook noted that The Nature Conservancy is the leading conservation organization working around the world to protect ecologically important lands and waters for nature and people. The Nature Conservancy has been awarded funding by the William Penn Foundation to lead projects in Pennsylvania, Delaware and New Jersey that focus on the health of the Delaware River and its tributaries. These grants are part of a \$35 million multi-year initiative by the William Penn Foundation to protect and restore critical sources of drinking water for 17 million people. The William Penn Foundation is one of the major grant making foundations in Philadelphia. It was established in the 1940's by the Haas Family. Supported by investments by William Penn, The Academy of Natural Sciences of Drexel University is collaborating with the Open Space Institute, National Fish and Wildlife Foundation and over 50 organizations working across the eight "clusters" of sub-watersheds to develop collaborative plans for implementing local conservation and restoration strategies as well as detailed monitoring plans. Collaborative action will be the key to continued progress in achieving water quality goals. One of the eight clusters is the Pocono Kittatinny Cluster. The Pocono Kittatinny Cluster (PKC) is located in the rugged headwaters of the Pocono and High-Allegheny Plateaus of the Delaware River Basin. Members of the planning team in this cluster are The Nature Conservancy, Brodhead Watershed Association, Delaware Highlands Conservancy, Natural Lands Trust, Pinchot Institute for Conservation, Pocono Heritage Land Trust, and The Trust for Public Land. The PKC has been identified by the Academy of Natural Sciences (ANS) as a critical place to protect - a place with some of the highest existing water quality in the Basin and one that contributes significantly to the maintenance of clean water within and beyond its borders. Cook shared some examples of restoration and conservation areas. Cook said that members of the planning team are interested in meeting with major owners of forest, wetland, and streams and explore conservation options with them. Options would be incentive based and on a completely voluntary basis. Cook shared some of the options. He explained the carbon offset revenue option. Technical assistance is also offered to interested municipalities to adapt their ordinances and plans to be friendlier to water and forest conservation. Cook noted that the Foundation is focusing on water quality through forest conservation as there is a consensus among scientists that the less forest cover you have, the more vulnerable your water

resources will be to degradation. Boyar asked Cook how one would follow up if they were interested in getting more information about the program. Cook said he can be reached by phone at (570) 643-7922, Ext. 16 or by e-mail at rcook@mc.org. Carla Hahn of the National Park Service asked for clarification of whether the PKC encompasses all of the Upper Delaware Scenic and Recreational River. Cook said that it does not and explained the reason for that. He said that if a land owner outside of the PKC boundary had a great project, they would take it to the William Penn Foundation and try and justify it. Hahn said she wanted the members to realize that the PKC encompassed some of the Upper Delaware corridor, but not all of it. Cook shared copies of the sub-watershed clusters map with members. Boyar thanked Cook for his presentation and presented him with an Upper Delaware Council pin.

Approval of March 6 Meeting Minutes: A motion by Rajsz seconded by Jeffer to approve the March 6 meeting minutes was carried.

Public Comment on the Agenda: None

Committee Reports: Committee reports were provided based on the meeting minutes. They were March 18 Water Use/Resource Management by Al Henry, March 25 Project Review by Larry Richardson, and March 25 Operations by Harold Roeder.

Status Reports

Delaware River Basin Commission: Gore reported that Steven J. Tambini has accepted the position of Executive Director, effective August 1, 2014 replacing Carol Collier who retired on March 12th. He will bring over 30 years of experience in water supply engineering and water resource planning, management and operations to the DRBC. Gore noted that he is serving as acting executive director in the interim. Gore said that Deputy Executive Director Bob Tudor will retire from the DRBC effective June 1st.

Gore referred members to the hydrologic report provided in their packets noting that the Cannonsville reservoir was at 83.3% on March 28 and the Pepacton reservoir was at 82.7%. Boyar noted that he understood the big increase in the storage in December was due to precipitation, but questioned the reasons for the controlled releases that may have been considered to be excessive by some. Gore told Boyar he would look into this and get back to him. A brief discussion about releases and river levels took place. Jeff Skelding, Executive Director of Friends of the Upper Delaware River, said his organization has always called for more understanding of the Operations Support Tool (OST) and Flexible Flow Management Program (FFMP).

NYS Dept. of Environmental Conservation: No report in the absence of Representative William Rudge. A press release dated March 28, 2014 and titled "No Detection of Chronic Wasting Disease in New York Deer" was provided in members' packets at Rudge's request.

PA Dept. of Conservation & Natural Resources: Dugan introduced Rhonda Manning, Pennsylvania's alternate to the UDC. Manning noted that she is the River Basin Program Coordinator for the PA Department of Environmental Protection's (DEP) Interstate Waters Office based in Harrisburg. She said she has worked in the area of water for the past 34 years in various capacities. Boyar welcomed Manning and asked if both Dugan and Manning will be attending meetings. They said they are working that detail out, but would most likely alternate attending the meetings.

National Park Service-Upper Delaware: Wilbur reported that they hosted a site visit by an NPS Environmental Audit team this past month. The audits are performed on a regular basis to ensure that NPS operations are in compliance with environmental laws, regulations and best practices. He noted there were no major findings.

Wilbur spoke of the Special Use and Special Event permits that have been issued or processed recently by the Park Service.

Wilbur said that UDSRR law enforcement rangers and the Northeast Region's Special Events & Tactics Team, which is led by Chief Ranger Joe Hinkes, participated in a large scale active shooter exercise

for the Eldred School District at the invitation of the Sullivan County Sheriff's Department. The NPS received very positive feedback from all agencies involved in the exercise. Chief Ranger Hinkes met with the SWAT Team Leader for the Sullivan County Sheriff's Department to discuss the "Mysteryland" event to be held over the Memorial Day weekend at Bethel Woods. The NPS, Sullivan County Sheriff's Department (SCSD), New York State Police and local police departments have started meeting to discuss law enforcement and emergency operations during this event. The Park Service is entering into discussions with the SCSD about preparing a written agreement to define responsibilities and expectations of NPS law enforcement officers when responding to calls for assistance from local communities.

Wilbur reported that Tim Oset, cultural resources intern and future seasonal employee, represented the Park Service at "History Day" on March 8th at the Hawley Silk Mill. Oset promoted the Delaware & Hudson Canal, the Zane Grey Museum, and the Lenape.

Wilbur noted that a "Zane Grey Catch and Release Fishing Derby" webpage has been developed and can be accessed from the Upper Delaware Park Service's homepage.

Wilbur said that UPDE staff participated with other NPS staff in drafting a letter to the Army Corps of Engineers regarding National Park Service support for Delaware River Basin Commission review through their docket system of state effluent discharge permits and drafted a letter through the Northeast Regional Office in support of the Pennsylvania Fish and Boat Commission's proposed new regulations restricting the transport and sale of non-native crayfish in the Commonwealth.

NPS participated in the quarterly Delaware River Basin Fisheries Cooperative meeting held at DRBC which included an interesting presentation given by Dr. Dewayne Fox of Delaware State University on the potential for an American Eel hydro acoustic study to take place in the Upper Delaware River.

Wilbur said that letters have been sent out to some of the local schools seeking teacher participation in the 2014 Water Snapshot program. Upon request, the Anna S. Kuhl School in Port Jervis is being added.

Wilbur reported that funding has been received to continue the Teacher-Ranger-Teacher program for a third year. This program supports a local teacher to work alongside NPS interpretive staff and to develop curriculum materials they then take back to their school district.

Rajsz questioned why Eldred Central School has not been asked to participate in the Water Snapshot program. Wilbur said he would look into that.

Plans have started to be made for this season's Boat and Watershed Steward's program. Dr. Paul Lord of SUNY Oneonta will provide the training which will take place on May 30th at the PPL Wallenpaupack Environmental Learning Center. The Lake Wallenpaupack Watershed Management District is to be invited to participate in this training again this year, Wilbur noted.

Staff has been working on the Delaware River Angler Logbook Program, trying to keep the data up to date. Wilbur said he understands the PA Fish and Boat Commission is finalizing the 2007 – 2011 Angler Log Summary Report. Boyar noted that the licensed fishing guides are required to log in their fish and keep records. He questioned if that information might ever be compiled to show any trends. Demalderis said there is a process underway to provide this information. He noted it is being spearheaded by Don Hamilton and Jamie Myers of the NPS. Wilbur said Park Service is trying to find ways to make their collection of data more efficient and PA Fish and Boat is trying to make the display of the information more efficient as well. He said "We are working in that direction; we are not quite there yet." Demalderis noted that anyone can participate in the logbooks.

UPDE has received some limited early guidance from DRBC about the Scenic Rivers monitoring program for the 2014 season. The DRBC's laboratory contract for this year will remain with the New Jersey Department of Public Health to handle all of our nutrient sampling. Also included in this year's contract will be some metal sampling in order to start establishing even better pre-Marcellus shale drilling datasets.

Wilbur said that the National Park Service Northeast Region has a group of what they call Partnership Wild and Scenic Rivers. As a subset of the National Wild and Scenic Rivers System, Partnership Wild and Scenic Rivers are preserved and managed through a partnership of adjacent communities, state governments and the National Park Service. They do not have the benefit of an organization like the UDC. This group will hold a gathering to improve their networking that will take place April 10 and 11 at Central House Resort in Beach Lake, PA. The Park Service and UDC have been invited to participate.

Planning continues for the upcoming Viewshed Analysis Workshop being held at Delaware Water Gap National Recreation Area next month, Wilbur commented. He hopes this training will be helpful in identifying and classifying the scenic resources that we are here to try to preserve.

Wilbur reported that the digitization of the Oral History tapes is almost complete and a little bit of progress has been made regarding the Intellectual Property issues. An expert is to be consulted and they are hoping to come up with something a little more definitive on the format and content of the releases are needed in order to make the recordings more widely available.

The Park Service is currently advertising for the Superintendent vacancy for the Upper Delaware Scenic and Recreational River (UPDE). It closes on April 11th. It typically takes a couple of weeks for a "cleaned up" list to be produced which will then go to the selecting official.

Wilbur reported that the Foundation Document has been completed. He shared printed copies of the overview with the members. He said the Park Service has 401 units and every unit is to have a foundation document that will provide basic guidance for planning and management decisions. The core components of a foundation document include a brief description of the NPS unit as well as the unit's purpose, significance, fundamental resources and values, and interpretive themes. Wilbur spoke about the purpose statement and the significance statement and the contents of the foundation document. He said the NPS looks forward to working with each of the municipalities, the Upper Delaware Council, the states, DRBC, and anyone else that can be brought into the umbrella to protect the resources that we are here to protect.

Boyar explained to Wilbur that in the past money was given to participating local municipalities from the Park Service for law enforcement and river clean-up. Boyar spoke of how the monies were spent in the Town of Highland. He said those monies are no longer available and asked if there is any possibility of it being restored. Rajsz commented that the program had great value in keeping the river clean. Sullivan noted that the budgets of the towns are small and any money from the Park Service would be helpful. Wilbur said he would look into this issue more and report back.

Richardson asked Wilbur if the Park Service was copied on the NYS DEC re-permitting of the Little Joseph mining operation on Route 97. Carla Hahn commented that they were. A brief discussion of this issue took place. T. O'Dell said he plans to discuss this issue with the Project Review Committee.

UDC Executive Director's Report: Ramie noted we were very pleased with the turnout of 40 people to the Communications Tower Workshop held on Saturday morning, March 29th. She said that fifteen people requested Continuing Education Credits certification. Ramie said that the success of the program was completely based on the quality of the three speakers that we had. A news release that was issued on March 31 regarding the workshop was provided in members' packets. Follow up to the workshop will be discussed by the Project Review committee, Ramie stated.

Members of the NPS Archives Survey team spent most of Wednesday, April 2 in the UDC office, Ramie reported. They opened file drawers, looked through files, and ventured into the attic. Ramie said we very much look forward to their recommendations as to how we can get a handle on our records management.

Ramie reported that we received delivery of the Spring/Summer edition of "*The Upper Delaware*" newsletter on April 2nd. She said extra copies are available and she welcomes members taking them and distributing them where they can. The newsletter is mailed to over 9,000 recipients and is posted in full color on the UDC website.

Ramie referred members to the official Zane Grey Catch-and-Release Fishing Derby rulers set before them. She said it is the official "roll-out" of this fishing derby which she has been assisting with the planning and promotion, and the UDC office will serve as a distribution spot for the official rulers. The Derby will run from April 12 and continue through July 6, with prizes presented at the July 12 Zane Grey Festival in Lackawaxen. Participants will measure their fish on the official ruler, photograph it, and send the photo to the e-mail address provided on the ruler.

Provided in members' packets are the list of award recipients and invitation/reservation form for the UDC Awards Banquet, Ramie noted. Reservations are due by April 18th for the April 27th banquet that will take place at Hennings Local in Eldred, N.Y. Ramie said she continues to work on researching the winners to put together the presentations in a souvenir program format this year.

Ramie reported that we have applied for an energy audit of the UDC building through the New York State Energy Research and Development Authority (NYSERDA) program to get recommendations on how to increase our energy-efficiency. It is anticipated that some of the restored federal funding will be used to accomplish the recommended projects to the extent possible.

Ramie referred members to the April calendar of UDC meetings, activities and deadlines, noting it is a very busy month.

Ramie asked members if they would be interested in a Japanese Knotweed Mitigation presentation by Jamie Myers of the National Park Service at the May 1 full Council meeting if Myers is available at that time. Members agreed it would be good timing for that presentation.

Ramie pointed out to members that a copy of the Local Officials Directory for 2014 was provided in their packets.

Old Business: None

Draft Letter to PA DCNR: Proposed Communication Towers in the Federally Designated Upper Delaware Scenic & Recreational River Corridor: Peckham asked Dexter what Verizon's time frame is on these towers. Dexter said Verizon is not allowed to begin construction until they verify that the voice component will be available. That technology could be available in the next couple of months, Dexter thinks. Richardson stated that the original intent was that this letter be sent from the Project Review Committee, but because there was time available and it was felt that it may have a bigger impact coming from the full Council, it was deferred to the full Council. A motion to send the letter was made by Richardson and seconded by Peckham. Dugan noted that he did advise the Secretary of the PA DCNR that a letter may be forthcoming. Dugan added that the Pennsylvania Bureau of Forestry, the specific bureau that he works in, deals with towers and rights of ways across the Commonwealth. He spoke of recent negotiations going on with a cellular company to reduce the number of proposed towers from six to two on state forest lands. He said the compromise has to be reached where there are public amenities availabilities on the tower. This is still under discussion. Henry pointed out that a capital "t" is not needed in "Secretary of the Interior." Wilbur agreed that "the" does not need to be capitalized. Henry added that the third paragraph states "Executive Order No. 2003-05, signed by Commonwealth of Pennsylvania Edward G. Rendell on June 22, 2003, directed that all Pennsylvania agencies act consistently with the River Management Plan for as long as the Plan remains in effect." He noted the Plan calls for the Commonwealth to fund the Council and they have not done that to date. Boyar called for a vote to send the letter with the correction. The motion carried with Dexter abstaining.

Other: Demalderis said that a permit application has been filed with the NYS DEC, PA Fish and Boat Commission, and he believes the National Park Service, by an individual in Hancock, NY who wants to start a fish tagging study on the wild trout in the Delaware. He said he will provide more information as it becomes available.

Henry suggested that some of the restored federal funding could be used to deal with the paper in the attic and to start some sort of preliminary review of the River Management Plan.

Dean said that just south of Bridge No. 2 in the Town of Deerpark, Orange County is purchasing property, with NYS funding, on the Delaware River that will give firefighters better access to the river in an emergency. The County plans to purchase the property and will share access to the river with rescue crews who often assist on calls. This project is a cooperative effort between New York State, the Town of Deerpark, and Orange County to conserve the property for emergency access to the Delaware River.

Public Comment: Jeff Skelding, Executive Director of Friends of the Upper Delaware River, reported that the results of an Upper Delaware River Coldwater Fishing and Boating Economic Impact Study could be available to the public in a couple of weeks.

Adjournment: A motion by Henry, seconded by Roeder, to adjourn the meeting at 8:45 p.m. was carried unanimously.

Minutes prepared by Cindy Odell 4/14/14