

UPPER DELAWARE COUNCIL MEETING MINUTES July 11, 2013

The Upper Delaware Council held its monthly meeting on Thursday, July 11, 2013 at the Council office in Narrowsburg, NY. Chairperson Jeffrey Dexter called the meeting to order at 7:03 p.m. The Pledge of Allegiance and roll call followed.

Dexter called for a moment of silence in remembrance of long-time UDC member, Town of Fremont Representative John Niflot who passed away on June 22, 2013.

In attendance: Town of Hancock-Fred Peckham, Town of Fremont-James Greier, Town of Delaware-Harold Roeder, Jr., Town of Cochecton-Larry Richardson, Town of Tusten-Susan Sullivan, Town of Highland-Andy Boyar, Damascus Township-Jeffrey Dexter, Lackawaxen Township-John McKay, Shohola Township-Pat Jeffer, National Park Service-Sean McGuinness. Staff in attendance: Resource Specialist-Travis O'Dell, Secretary-Cindy Odell. Absent: Town of Lumberland, Town of Deerpark, Berlin Township Westfall Township, State of New York, Commonwealth of Pennsylvania, Delaware River Basin Commission. Also in attendance: Tony Ritter, Town of Tusten alternate, Debra Conway, Town of Highland alternate, and Carla Hahn, National Park Service.

Approval of June 6 Meeting Minutes: A motion by Boyar seconded by Jeffer to approve the June 6 meeting minutes was carried unanimously.

Public Comment on the Agenda: None

Committee Reports: Committee reports were provided based on the meeting minutes. They were: June 18 Water Use/Resource Management by Ritter; June 25 Operations by Roeder and June 25 Project Review by Richardson.

Ritter reported that river temperatures with a 570 cfs release as of July 11th were Callicoon was 75 degrees; Fishs Eddy on the East Branch was 74 degrees; Hancock on the West Branch was 63 degrees; the mix at Point Mountain at the confluence was 67 degrees; and Lordville was at 70 degrees.

Dexter introduced James Greier, the Town of Fremont UDC alternate present at the meeting tonight. He announced the passing of Executive Director Ramie's father Gerald Ramie earlier in the week and said that she is back home in Ogdensburg, New York for services.

Status Reports

Delaware River Basin Commission: The DRBC was absent, however, the hydrologic report was provided. The NYC Delaware River Basin Storage as of July 9 was at a combined capacity of 98.5% with Cannonsville at 98.3%.

NYS Dept. of Environmental Conservation: NYS DEC was absent, however, copies of two press releases were provided at Bill Rudge's request. The first dated July 8 was titled "DEC Announces Considerations for Freshwater Sportfish Regulation Changes" and the second dated July 10 was titled "Volunteers Sought for Stream and River Monitoring".

Boyar asked if it had been ascertained if any of the proposed Sportfish regulations changes are affecting any of the tributaries to or main stem of the Delaware River specifically. T. O'Dell said he believes there is a minor change and said he will look into it and get back to him.

PA Dept. of Conservation & Natural Resources: No report in the absence of Representative Dennis DeMara.

National Park Service-Upper Delaware: McGuinness said he attended Jack Niflot's service. He noted it was an amazing time learning how Niflot related to so many people in so many different ways. He reflected on the great conversation he had with Niflot at their last UDC meeting together.

McGuinness thanked the Council, Ramie, T. O'Dell, Fluhr, and Dean in particular, for their comments on the Draft NPS Foundation Document. He noted Ramie did an excellent job stating she is great with details. He said that Carla Hahn worked on putting all the comments together and said they will be submitted to Denver for consideration. Another draft document will be sent back for review.

McGuinness reported that the Zane Grey Festival is happening on Saturday, July 20th. He said it is a great event and encouraged anyone that is able to attend, to do so.

McGuinness said that Park Rangers noticed construction taking place at Barryville. A company was planning to put fiber optic cable across the river on the bridge. They did not have any permits in place nor did they know that the Upper Delaware River was a federally designated Wild and Scenic river. The Park Service is working with them, but the project is on hold until they get their permits in place. Carla Hahn stated that the contractor hired a company to do the permitting for them, but the contractor was unable to produce any of the state, NYS DEC, or Army Corps of Engineer permits that should have been in place. Hahn added that the NPS is waiting for the contractor to find or obtain the permits that should have been in place, and then they will issue their permits based on those. A brief discussion about fiber optic cable took place. McGuinness said the contractor was embarrassed that they paid to have all the proper permits in place and it was not done.

The NPS replaced the lights on the Roebling Bridge with LED lights. The Park Service is taking steps to reduce energy consumption wherever they can, McGuinness said.

McGuinness said the Delaware River Sojourn was very successful. A permit was issued for participants to camp at the Zane Grey property for two nights. He reported that Ranger Kevin Reish was named Lord High Admiral by the Sojourn for his work on the Water Safety Campaign.

On June 14th NPS rangers were called in by the Pennsylvania State Police and the Pennsylvania Fish and Boat Commission to assist in the search on the Lackawaxen River for a kayaker that was missing. McGuinness reported there was a drowning in the Middle Delaware also.

McGuinness said the Bioblitz held June 28th and 29th at the Norcross Wildlife Foundation property was successful. Hahn added that over 1,000 species were identified.

McGuinness said that Jamie Myers, National Park Service Biologist, met with private property owners in Callicoon to discuss controlling Japanese Knotweed on their properties. As a result, a public meeting is scheduled to take place on July 20th at the Hortonville Firemen's Pavilion at 10:00 a.m. The National Park Service, Sullivan County Soil and Water Conservation, and others will give a talk on options for controlling Japanese Knotweed. Wayne Conservation District will talk about a Japanese Knotweed restoration project. Lots of literature and handouts will be available to take home.

McGuinness said work with the Town of Delaware continues on zoning issues.

Boyar suggested that one of the UDC committees focus on the Japanese Knotweed issue. He noted that he has learned much recently about the invasive plant. He spoke about a Knotweed eradication project that is taking place in his town where the area is continuously mowed down, noting that people need to be diligent when working to eliminate the plant. Boyar said that on a shoreline when the Japanese Knotweed grows up, it is so thick that it kills all the ground vegetation and sod, everything that holds the soil reducing everything to dirt. Frost then kills the Knotweed and when high water events happen it creates silt problems which can change many aspects of the river itself. Boyar said it has been brought to his attention that

Knotweed is being spread through highway department ditching programs. It is his opinion that more education needs to happen on the topic of Japanese Knotweed. He noted it is possible, with persistence, to eradicate it. Boyar noted that any part of the Knotweed plant has the ability to generate, it does not need to start from seed. Hahn reiterated about the informational program that is scheduled to take place at the Hortonville Firemen's Pavilion on July 20th at 10:00 a.m.

UDC Executive Director's Report: On Ramie's behalf, T. O'Dell presented her Executive Director's report. He noted that Ramie is upstate for her father's funeral services and will be back at work on Monday.

O'Dell referenced the July calendar of meetings, deadlines, and activities in members' packets. He said the UDC will have booths at the Zane Grey Festival on July 20th, the Callicoon Street Fair on July 27th, and Narrowsburg RiverFest on July 28th. Reservations for the UDC's 25th Annual Raft Trip on August 4th from Ten Mile River to Barryville are due by July 26th. A registration flyer was provided in members' packets for details. Members are asked to help spread the word about this event.

O'Dell said we are still accepting sponsorship donations and raffle prizes for our 5K event on September 28th, as well as encouraging sign-ups for runners and walkers. The UDC website has a direct link to register. Peckham asked how the event is being received. O'Dell said we do have some runners registered and have received sponsorship commitments. O'Dell said it would be nice to have the support of Council members on race day.

O'Dell reported that the UDC's new phone system was installed on Tuesday. He noted it is a huge improvement over our old phone system. Deliveries of our Power Point equipment and computer extras including two printers have been arriving daily, O'Dell added.

Members' packets included a handout on Governor Corbett's signing on House Bill 1325 that instructs the PA Department of Environmental Protection to utilize existing standards for on-lot sewage systems near high quality and exceptional value waterways rather than introduce new policies that local governments and organizations such as ours opposed as unnecessary and damaging to local development.

O'Dell reported that at next month's UDC meeting on August 1st, a Power Point presentation on the health of the Delaware River fisheries will be given by Jerre Mohler, the Delaware River coordinator for the U.S. Fish & Wildlife Service, based in Lamar, PA.

Old Business: Susan Sullivan said that the U.S. Senate on May 15 passed the Water Resources Development Act of 2013 (WRDA) vote that included a provision directing the federal government to pay its share of the DRBC's annual budget. The bill, S. 601, must still be approved by the House of Representatives. It is her opinion that the DRBC is crucial in protecting the main stem of the Delaware River. She added it is the job of the UDC to protect the river. She feels it is very important that the DRBC continue their work. Congressman Gibson, 19th District of New York, has the entire Upstate (West of Hudson River) portion of the Watershed in his District, Sullivan added and said that a Watershed Advisory Group is being established to facilitate communication between interested/affected individuals and organizations in order to help identify and remedy issues facing residents in the Watershed region. Sullivan feels the Watershed Advisory Group is something the UDC should be involved with, adding that they should know about us and we should know about them. She also thinks the UDC should seek support of the Senate Bill 601 when it goes to the House. Sullivan reiterated that the DRBC is conducting research that is critical to maintaining the health of the river. Sullivan referenced the May 20th press release from the DRBC that was included in the June 6th meeting packets and said much information is provided in it. Sullivan again stated it is her opinion that the UDC should support the one agency (DRBC) that can provide research and management of the entire special protection waters of the main stem of the Delaware River. Sullivan said it is also a good idea to have the DRBC in good health should we experience a drought at any given time. Richardson said we have supported the DRBC in the past in encouraging the government to provide their funding and he sees nothing wrong with putting together a letter asking they continue that policy. Dexter suggested that the contact information that Sullivan has for Congressman Gibson should be given to Ramie so that she can establish a contact. After a brief discussion, it was decided to have a letter prepared to come out of one of the UDC's committees.

Richardson said, in reference to Thomas Murphy's presentation at the June 6th full Council meeting, that he appreciated it very much and he learned a lot from it. Dexter agreed that it was nice to hear from "the horse's mouth". Boyar said we know where we stand and Murphy unequivocally stated his

position which was helpful. Boyar stated he feels Murphy is wrong in his interpretation of the 1954 Supreme Court Decree because when you have excess waters, they are supposed to be properly allocated for a host of different reasons, like temperature abatement. Those discussions with NYC continue, Boyar added.

New Business:

Nominating Committee Report: Secretary-Treasurer Office: The nominating committee consisted of Richardson, Roeder, and Jeffer. Richardson said he did send out an e-mail to see whether anyone was willing to volunteer to hold the position for the remainder of the year and did receive a response. A motion to submit Al Henry's name for consideration of the Secretary-Treasurer position was made by Richardson, seconded by Peckham and carried. An election for this vacant office will take place at next month's meeting.

Draft Resolution 2013:08: Amending the UDC Bylaws: A motion to move the Resolution amending the UDC Bylaws was made by Boyar, seconded by Richardson and carried with Peckham voting no.

Draft Resolution 2013-13: Adopting a Revised FY 2014 Budget: A motion to adopt the Revised FY 2014 budget was made by Boyar, seconded by Richardson and carried with Peckham abstaining.

Contractor Quotes for Interior Office Projects: Dexter referenced Ramie's memo concerning the status of the FY 2013 budget surplus provided in their packets. Included also was an estimate for a number of office improvements that had been discussed at the June Operations Committee meeting. Richardson asked if the enclosed estimate was the only one received. C. Odell told him that three estimates were solicited and this was the only one received by our deadline. Richardson said they are all very important projects that have been put off for years and we may not have a surplus like we have again. A motion to accept the bid from Just-In-Time Contractors of Callicoon, NY to complete the projects listed at the quoted price was made by Boyar, seconded by McKay and carried unanimously.

Other: Sullivan stated that one of the last things that Niflot was working on was the Oral History Project. She feels it is important to move forward with it. Boyar noted there were some testimonials recorded that are really valuable. Suggestions for digitizing and transcribing these tapes were offered. McGuinness said the Park Service is working on getting the tapes digitized and will move forward from there. Dexter asked McGuinness if he could provide updates during his monthly reports. McGuinness said that he could.

Dexter said that flowers were sent to Ramie's family from the UDC and the Park Service. He clarified that no UDC money was used, any monies collected above the cost of the flowers would be sent to a scholarship fund and passed an envelope for contributions.

Richardson gave to Chairman Dexter a second key to the personnel file cabinet.

Public Comment: None

Adjournment: A motion by Boyar, seconded by Roeder, to adjourn the meeting at 8:18 p.m. was carried unanimously.

Minutes prepared by Cindy Odell 7/17/13