

UPPER DELAWARE COUNCIL MEETING MINUTES August 7, 2014

The Upper Delaware Council held its monthly meeting on Thursday, August 7, 2014 at the Council office in Narrowsburg, NY. Chairperson Andy Boyar called the meeting to order at 7:01 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 Deepark-David Dean, Berlin Township-Alan Henry, Damascus Township-Jeffrey Dexter, Shohola Township-George Fluhr, Westfall Township-Chuck Pranski, Commonwealth of Pennsylvania-Tim Dugan, Delaware River Basin Commission-Tom Fikslin, National Park Service-Kris Heister. Staff in attendance: Executive Director-Laurie Ramie, Resource Specialist-Travis O'Dell, Secretary-Cindy Odell. Also in attendance: Rhonda Manning, PA Alternate, Carla Hahn, National Park Service. Absent: Lackawaxen Township, State of New York.

Boyar introduced Chuck Pranski, the new UDC Representative for Westfall Township. Pranski noted that an alternate has also been appointed, Michael Barth.

Presentation by NPS Chief Ranger Joe Hinkes: Water Safety and Emergency Response: Hinkes, who serves on the National Park Service's Drowning Prevention Advisory Board, shared his PowerPoint presentation on Water Safety. He stated that there were five drownings on the Upper Delaware in 2011 that motivated a community and evidenced based approach to water safety. The National Safe Boating Council's "Wear It" campaign has been adapted to increase life jacket wear rate here in the Upper Delaware, Hinkes said. He reported that drowning is the leading cause of visitor fatalities within the National Park system, however, since 1980 no one has died from drowning on the Upper Delaware wearing a properly fitted and fastened life vest. We can decrease the chance of fatal drowning occurring by increasing the wear rate of life jackets, Hinkes stated. He spoke of the effective drowning prevention strategies being used: engineering, enforcement, education, and emergency response. Hinkes stated that consistent messaging is important. A covert life jacket wear study is being conducted to see if the Wear It message is working. It is hoped that a five-year snapshot will show this. Hinkes played the NPS' first attempt at a Public Safety Announcement (PSA) video about life jacket wear created in 2012, noting it is on YouTube and the NPS website. The PSA enforces the message of life jacket wear while "Fishing, Boating, Swimming or Floating." A brief question and answer session took place after Hinkes' presentation.

Hinkes referenced the UDC Emergency Management Briefing handout in members' packets which addresses five questions the of UDC had posed regarding emergency management in the river valley. He assured members that the counties, NPS, State Police and local emergency responders are all interconnected through the 911 Emergency Communications Systems of each county as well as through a variety of formal and informal meetings that take place on a regular basis. He noted that Sullivan County recently hosted a meeting with the counties along the river regarding emergency management. Hinkes added that New York Susquehanna & Western Railway and New York City Department of Environmental Protection routinely meet with county emergency management officials and local emergency management planning committees. Hinkes said he thinks the Park Service needs to engage more with the railway and he has made those contacts. Hinkes said there is much going on with emergency management and coordination among the counties and states. Hinkes said Council members can submit any other questions

or concerns to him and he'll be happy to address them. Peckham suggested that Hinkes check to see if the keys for the rail gates that NPS has still work. Richardson said a concern of his is how to effectively notify people on the river in the event of an emergency. He questioned how, in a practical sense, we can get the word out. Members shared ideas. Henry stated that the most effective way to accomplish this is to have a helicopter with a loud speaker fly up and down the river.

Approval of July 3 Meeting Minutes: A motion by Rajsiz seconded by Roeder to approve the July 3 meeting minutes was carried.

Public Comment on the Agenda: None

Committee Reports: Committee reports were provided based on the meeting minutes. They were July 15 Water Use/Resource Management by Al Henry, and July 22 Project Review and Operations by Andy Boyar.

Boyar emphasized that youth fishing and catch-and-release were both promoted during the Zane Grey fishing derby. He felt the event went well, but noted it wouldn't have without the administrative ability and dedication of Ramie.

Roeder reported that the Towns of Delaware and Callicoon and the Village of Jeffersonville met with Senator Bonacic, Assemblywoman Gunther and representatives from the NYS DEC concerning the damage done in those areas as a result of storms in the beginning of July. As a result of this meeting, they were able to secure some permits to clean certain areas of debris. He hopes that a long-range program will be established so that a proactive approach can be taken with stream restoration as opposed to a reactive one. Roeder spoke of recurring damage to the little hamlet of Kohlertown.

Status Reports

Delaware River Basin Commission: Fikslin reported that new Executive Director Steve Tambini took office on August 1st. A message from Tambini can be found on the DRBC website www.state.nj.us/drbc. Fikslin noted that Tambini looks forward to attending a future UDC meeting.

Fikslin referred members to the NYC Delaware River Basin Storage report in their packets noting that combined storage as of August 6th is at 93%. He said storage has been above median most of this year.

Fikslin stated that he is the manager of the Modeling, Monitoring & Assessment Branch of the DRBC. He provided members with an update on monitoring activities in the Upper Delaware River. A handout was provided in members' packets. He said that the Water Quality Management Policy is that "there be no measurable change in existing water quality except toward natural conditions in ... Outstanding Basin or Significant Resource Waters." An Assessment of Measurable Change to existing water quality is just being completed, he said. The Commission is committed to do an assessment periodically to see if any changes are occurring to the high quality conditions. Fikslin stated that the analysis indicates that for many of the parameters, water quality is better than it was in the tables from 1992. Fisklin spoke of the DRBC baseline monitoring activities for natural gas development. He said that continuous specific conductivity monitoring continues at six sites. This year, sampling for radiological chemicals is occurring with funding from the William Penn Foundation. He spoke of preliminary results.

Fikslin reported that the DRBC is trying to make their data more available. Interactive maps are available on the DRBC website, www.state.nj.us/drbc/basin/map/interactive-map.html. He reviewed some of these maps with members.

Henry questioned if the DRBC has ever monitored flood stage water. Fikslin said it is difficult to get samples during flood events. Henry feels doing this type testing would be an opportunity to find out what is coming down the river during these events. Henry said he is not aware of any agency doing sampling during flooding when the river is in its worse state and he finds that hard to believe.

Boyar asked Fikslin if DRBC has a map that delineates the river miles. Fikslin said this information is available on the DRBC Water Quality Map on their website. He will check to see if there is a map that lists the river miles.

NYS Dept. of Environmental Conservation: No verbal report in the absence of Representative Rudge. A press release dated July 28, 2014 and titled “DEC Adopts Bear Hunting Season Changes for Fall 2014” was provided in members’ packets at Rudge’s request.

Also at Rudge’s request, Boyar reported that “On Wednesday, August 6th NYSDEC reviewed a request from Eagle Creek LLC, operators of the Mongaup River Hydro Electric Generation Project to reduce the required minimum flow at their Swinging Bridge and Rio facilities from 100cfs to 82cfs while leaving the Mongaup Reservoir minimum flow at 70 cfs. To support this request they provided data showing that the 7-day average river inflow is (after adjustment) 82.4 cfs as recorded by the USGS station. The Water Quality Certificate issued by DEC for the project (in relation to the FERC license) anticipated this situation and allows for a reduction in the minimum flow when inflow drops below 100 cfs.

We have approved this request.

We (DEC) continue to work with our land conservation partners to acquire land in Long Eddy in hopes of developing a Delaware River Access. I hope to have more to report on this project in September.”

Boyar asked if it could be found out if the change to the flow from the Mongaup Reservoir is temporary.

PA Dept. of Conservation & Natural Resources: Dugan reported that although Pennsylvania’s fiscal year began in July, it is still not known how much funding will be available to DCNR to work with in the field.

Dugan noted that an Unassessed Waters Project in conjunction with the PA Fish and Boat Commission and Trout Unlimited is taking place. In Pike County in August there will be a group of interns testing and monitoring 120 different first order streams to assess them.

Dugan said that next week Project Learning Tree training will take place at Grey Towers in Milford, PA. Project Learning Tree is an award-winning environmental education program designed for teachers and other educators, parents, and community leaders working with youth from preschool through grade 12. Eighteen teachers from both Pennsylvania and New York will participate in this training. Two of the programs that will be covered are “Forests to Faucets” and “Healthy Forests”. It is hoped that this training will be incorporated by the teachers back into their classrooms.

Dugan reported that some small spikes of Gypsy Moths infestation were observed in the Commonwealth this year. There was not major defoliation, but it is thought this may be a growing year and that could impact next year’s forest conditions. Monitoring continues to try and determine if a spray program may be necessary. Funding will also be a factor in determining a spray program. Dugan said that invasive plants and Emerald Ash Borer (EAB) and the Ash Management Plan continue to be very active topics. He said the latest occurrence for EAB was just this week in York County, PA. Henry asked about the biological controls for the EAB. Dugan said research continues, but there has been some success with the introduction of a weevil to manage the Mile-a-Minute vine.

Hahn said she has noticed that many spruce trees are dying. She asked Dugan why that may be occurring. He said it could be a canker or needle cast, both fungal diseases. Penn State Extension has information available on-line including a fact sheet on treatment options, he noted. Dugan spoke of how the disease is spread and ways to reduce the risk. Audience member David Hulse said he recently heard a report from the Wayne County Soil and Water Conservation District that the disease is mainly affecting the Colorado Blue Spruce. Dugan said the Norway Spruce are not being affected as severely, noting that both trees are not native to this area.

National Park Service-Upper Delaware: Heister referred to her written report in members’ packets. Information on the Upper Delaware BioBlitz is provided and additional information and photos are available at www.upperdelawarebioblitz.com or www.facebook.com/UpperDelawareBioBlitz.

Heister reported that the 10th Annual Zane Grey Festival took place on July 12th with over 700 visitors attending the day-long event.

Heister said that she and T. O’Dell participated on July 14th in the 25th Annual “On and Under the Delaware River Clean Up” hosted by Kittatinny Canoes. On day two, she joined with DEWA staff and Senator Lisa Baker to provide recognition of the commitment and contributions of Ruth Jones to the protection of the river. In addition to Kittatinny’s efforts, 50 volunteers have joined with the Park Service to clean 14 miles of the Delaware River.

Heister referred members to the news release in their packets titled, "Tourism to Upper Delaware Scenic and Recreational River creates \$9,287,000 in Economic Benefit". The NPS report shows that 228,464 visitors to NPS managed sites within the Upper Delaware Scenic and Recreational River in 2013 spent \$9,287,000 million in communities near the park. That spending also supported 95 jobs in the local area.

NPS submitted comments on proposed changes to the Silver Eel fishery that supported the fishery remaining open, Heister stated.

Heister reported that in July, NPS law enforcement rangers responded to a variety of incidents. A very successful Joint Resource Protection Patrol with Pennsylvania Fish and Boat Commission and New York Department of Environmental Conservation police was held on Saturday, July 26th. The purpose of this patrol was to ensure that law enforcement agencies with responsibilities on the river know each other and have experience working together to ensure timely, coordinated response in the future if needed.

The NPS, in partnership with Catskill Regional Invasive Species Partnership (CRISP) will be updating a brochure and soliciting help from the public to promote early detection of mile-a-minute weed, an aggressive non-native plant. Heister said this invasive is a vine from Asia that can grow up to 6 inches a day; up to 25 feet in a season. It has very distinct triangular shaped leaves and really bright blue berries. It grows up and over existing vegetation and smothers it out. The mile-a-minute weed was first documented along the Delaware River near the Lackawaxen access in 2011, then along the Lackawaxen River near Honesdale in 2012, and then again along the Delaware River on the NY side near Cochecton. A press release with more information and photos is to be issued soon, Heister noted. Sullivan asked what an individual should do if they find this vine. Heister said they would like the Park Service to be notified, but if it is on your own property, it can be pulled out. She suggested that if it has ripe berries, bag it.

Heister reported that NPS natural resource staff rescued an injured Great-horned owl at the request of a private landowner and took it to the Delaware Valley Raptor Center.

Hahn stated that back in February she participated in a Gateway Communities Leadership course. Ideas that were generated then are now coming to fruition. One project crafted entitled "Confluence" aims to enhance tourism to the watershed by collecting and sharing stories from local cultural entrepreneurs. A debut of this project is expected in Fall of 2014. Gathering information regarding economic impacts for evaluation, discussion, and dissemination is also happening. Hahn noted that she is working with the team to develop an application to NPS Rivers Trails and Conservation Assistance to assist with focusing initiatives already begun into one vision for the future including completion of the designation of the Upper Delaware as a National Water Trail. This effort was started years ago at the state level in 2001 under Bill Douglass' leadership. In 2012, the Secretary of the Interior established a National Water Trail Program. The program is intended to help communities develop more economically. Benefits of such a designation include money, more visibility for an area, and access to network and training opportunities to name a few, Hahn said. Hahn said a letter of support from the UDC to send to the NPS Rivers Trails and Conservation Assistance along with the application asking them to consider the application would be great. She added that the designation is an opportunity to obtain funding. Dugan commented that there are different levels of water trails and noted that across the recreating community, water trails are well known. After a lengthy discussion, Richardson made a motion to refer this issue to the Water Use/Resource Management Committee to look at it in depth, and if they feel it is in the best interest of the Council to support it, send a letter from that committee. Henry seconded the motion. Henry questioned about the funding. Hahn explained that the program funds individuals from the River Trails Conservation Association to come to Upper Delaware to help us with the designation process. Sullivan feels there is a targeted advertising benefit to the National Water Trail designation, noting her experience at the Chattahoochee River National Recreation Area. A vote was taken and the motion passed with Peckham abstaining. Boyar suggested if people are interested in this issue, they attend the August 19th WU/RM Committee meeting. Ramie said she would send the application that Hahn spoke of out to members in advance of that meeting.

UDC Executive Director's Report: Ramie reported that Lackawaxen's absence at tonight's meeting makes three and it does trigger the Member Participation Policy. It requires a motion by the board to send a letter regarding the suspension of stipend until active participation resumes. A motion by Henry, seconded by Richardson, to send the letter to Lackawaxen was carried.

A meeting with Congressman Gibson has been scheduled for Wednesday, August 13th. An agenda with talking points was provided in members' packets. Ramie asked that members interested in attending let her know by Monday morning so that she can let the Congressman's scheduler know who to expect.

Ramie noted that the UDC allocated \$3,000 for a pilot project of funding River and Shoreline Clean-ups by member municipalities. Four participated and met the August 4th deadline to submit for reimbursement. She reported two municipalities came in under the award amount and two municipalities spent over the award amount. A balance of \$264 remains. Ramie recommended fully expending the amount intended for the clean-up. A motion to split the remaining money between the two municipalities that spent over the awarded amount was made by Peckham, seconded by Greier, and carried.

Ramie reported that 80 people, including 16 children under 12, participated in the UDC's 26th Annual Raft Trip on Sunday, August 3rd from Landers's Skinners Falls campground to their Ten Mile River landing. She shared a photo of Wayne County Planning Director Craig Rickard and members of his family launching from Skinners Falls.

Ramie reminded members that August 22nd is the deadline to submit for payment for FY 2014 TAG projects and August 29th is the deadline to submit applications for our FY 2015 program, for which \$30,000 is budgeted. The special meeting of the Project Review Committee to review applications will be September 9th at 6:30 p.m. and awards will be voted on by the full Council on October 2nd.

Ramie referred members to the August calendar of UDC Meetings, Deadlines and Activities provided in their packets. She noted that today is the Atlantic States Marine Fisheries Commission meeting in Virginia, at which action on American eel regulations is expected. The UDC will have an information booth on Saturday, August 9th at The Weather Project Community Expo in Yulan. Ramie said that office interior painting and carpet installation is scheduled to begin in August. The calendar also includes a preview of September and Ramie said that month is going to be quite busy.

Upcoming UDC presentations include an Upper Delaware River Tailwaters Coalition presentation on September 4th; a presentation jointly sponsored by the UDC and UDSB on "Estimate of Tourism Visitation to the Upper Delaware Scenic Byway", a TAG-funded project, on Monday, September 22nd at the Tusten Town Hall at 7 p.m.; and a report on the Preliminary River Management Plan Review by EP&D could take place at the October 2nd full Council meeting.

Henry recommended that life jacket wear be mandatory for the annual UDC Family Raft Trip. He said it should be noted on the registration flyer. Members agreed.

Old Business: None

New Business

Draft Letter to UDC New York Towns: Partial Exemption for Reconstruction or Rehabilitation of Historic Barns: T. O'Dell said Section 483-b of the NYS Real Property Tax Law authorizes a partial exemption, at the local municipality option, for the reconstruction or rehabilitation of historic barns. He noted that counties, cities, towns and villages may adopt local laws to permit the exemption; school districts may authorize the exemption by resolution. O'Dell said that the Cultural Resources Management section of the River Management Plan encourages Towns and Townships to use tax incentives as a means of preserving properties of historic importance. Research has found no equivalent program available in Pennsylvania, O'Dell noted. A draft sample letter bringing this program to the N.Y. towns' attention was provided in members' packets. A motion to approve the draft letter to send out to the New York UDC towns was made by Henry and seconded by Sullivan. Dean shared his concern of recommending a program to the towns that reaches outside of the river corridor. After a brief discussion, a vote was taken and the motion failed as the vote tied. Greier asked that the letter be re-worded to say that the UDC is advising towns that this program is available, without an endorsement.

Draft Resolution 2014-11 and Bids for FY 2014 Expenditures: Ramie referred to the Resolution approving the hiring of Environmental Planning & Design, LLC for the preliminary review of the River Management Plan. She noted this was the recommendation of the Operations Committee. A motion to approve Resolution 2014-11 was made by Richardson, seconded by Rajsz and carried with Peckham abstaining.

Ramie reported on the amount remaining in the Outside Consulting budget line after the approval of the preliminary review of the River Management Plan. She had proposed to the Operations Committee that the UDC Design Handbook be updated with that balance. Proposals were sought. One graphic designer responded by the deadline. A copy of the proposal was provided in members' packets. After a brief discussion, a motion to accept the proposal of W Design to update the UDC Design Handbook was made by Rajs, seconded by Sullivan and carried.

Ramie referred members to the quote provided in their packets for the replacement of the window in the front office conference room of the UDC building. A motion to accept the proposal was made by Dean, seconded by Henry and carried.

Other: Greier stated it is his opinion that the committee reports should be shortened. He feels that the New Business was rushed through without enough discussion because of the hour. Boyar said that suggestion has been made before and we try.

Public Comment: Jim Rodgers said that national water trails are quite well known in the outdoor recreation community. He spoke of the northeast water trail Northern Forest Canoe Trail (NFCT) which stretches from Old Forge, N.Y., to Fort Kent, Maine, making it the longest organized water trail in the world. Water trails can bring great exposure to towns located along them, he added.

Adjournment: A motion by Roeder, seconded by Greier, to adjourn the meeting at 9:42 p.m. was carried unanimously.

Minutes prepared by Cindy Odell 8/18/14