

UPPER DELAWARE COUNCIL MEETING MINUTES

August 6, 2015

The Upper Delaware Council held its monthly meeting on Thursday, August 6, 2015 at the Council office in Narrowsburg, NY. Chairperson Alan Henry 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 Cochetcon-Larry Richardson, Town of Tusten-Susan Sullivan, Town of Highland-Andy Boyar, Town of Lumberland-Nadia Rajs, Town of Deerpark-David Dean, Damascus Township-Jeff Dexter, Berlin Township-Alan Henry, Westfall Township-Michael Barth, Commonwealth of Pennsylvania-Tim Dugan, Delaware River Basin Commission-Richard Gore, National Park Service-Carla Hahn. Staff in attendance: Executive Director-Laurie Ramie, Resource Specialist-Travis O'Dell, Secretary-Cindy Odell. Also in attendance: Ginny Dudko, Deerpark Alternate, Tony Ritter, Tusten Alternate, Debra Conway, Highland Alternate. Absent: Lackawaxen Township, Shohola Township, State of New York. Media: Dave Hulse, Peter Becker. Guests: Iris Helfeld, Scott Rando.

Approval of July 2 Meeting Minutes: A motion by Dexter seconded by Boyar to approve the July 2 meeting minutes was carried with Rajs abstaining.

Public Comment on the Agenda: None

Committee Meeting Minutes Comments: Henry noted the reports were not going to be presented tonight and asked if anyone had any questions or comments on the minutes distributed to members. Roeder noted he wanted to be sure that discussion concerning O'Dell's performance appraisal form be followed up on. Ramie said that issue was tabled until the next Operations Committee meeting.

Status Reports

Delaware River Basin Commission: Gore noted that he is the administrative officer of the DRBC. He referred members to the hydrologic report provided in their packets. He reported that total storage as of July 31 is at 88.5%, noting that storage is in "relatively good shape." Gore stated that the storage data was affected by the releases from the Cannonsville which were maximized in an effort to repair the issue of turbid water which was entering the lower West Branch of the Delaware River, coming from an artesian aquifer that was pierced by contractors who had initiated soil boring just below the dam in connection with the construction of a new hydroelectric generating facility.

Gore reported that New York City Department of Environmental Protection issued a news release on August 2nd which stated that drinking water diversions and downstream releases from Cannonsville Reservoir will be reduced to normal levels beginning August 2nd due to repair work that has successfully halted the turbid discharge below Cannonsville Dam.

Gore reported that an application in connection with the Pond Eddy Bridge construction project has been presented by the Pennsylvania Department of Transportation to the Commission for consideration. The application was filed February 26, 2015. A hearing on this docket is scheduled for September 15, 2015

with Commissioner's consideration on September 16, 2015. Gore shared what the DRBC's project review includes.

NYS Dept. of Environmental Conservation: No report in the absence of Representative Bill Rudge. A press release titled "DEC Announces Adoption of New Fall Hunting Season for Wild Turkey" was included in members' packets at Rudge's request.

PA Dept. of Conservation & Natural Resources: Dugan stated that Pennsylvania still does not have a budget in place. Most agencies are maintaining status quo with emergency spending only to keep operations functional, he added. Dugan noted that travel restrictions are starting to be seen. Travel reimbursements are not permissible right now.

Henry questioned what the latest is on the Emerald Ash Borer. Dugan said there are no new movement areas of it. In Pike and Monroe counties, trees have been treated with chemical insecticides. He added that this past week they have started to release a biological agent. It is a parasitoid being released in small quantities in certain locations. This attempt is to allow a natural predator to prey on the larvae while they are in the trees.

Dean asked Dugan if he had any information regarding gypsy moths. Dugan said that July 15 was the deadline for counties in Pennsylvania to submit their letters of intent to DCNR if they wanted to join the gypsy moth program. He noted that most of the northeast Pennsylvania counties submitted their letters of intent and it is likely that they will participate in the program. He explained that private landowners will have a facet to enroll into DCNR's program. He noted that much of the gypsy moth program is funded by federal money. A lot of this federal funding has been cut year after year after year, mostly being redirected to forest fires. The amount of funding received will have an impact on the spraying program. Dean questioned if Pike County has a severe infestation. Dugan said they have a significant problem with gypsy moths.

National Park Service-Upper Delaware: Hahn noted that much time was devoted in July to obtaining and distributing information regarding the Cannonsville Dam issue. She feels this particular issue has raised the attention again how to respond to a situation should one arise.

Hahn reported that NYS DOT is still working on an answer to the inquiry regarding ownership of property for the Barryville, NY access. There are still some land ownership issues on the downstream side of the bridge and other issues in the area, she added.

Mary Curtis, the former historian for the Park Service, was recently in the area for a four-day stay, Hahn noted. Hahn said she had invited Curtis to come in order to meet the new Cultural Resources Technician Lauren Hauptman and talk with her directly about Upper Delaware history. Hahn stated that Curtis is still very much engaged in the Upper Delaware and has stated that she is available and interested to answer questions that people may have.

Hahn stated that an agreement between the NPS and Sullivan County to move the Delaware Aqueduct model to a Sullivan County D&H Canal Museum is in the works.

NPS has been working with East Stroudsburg University on a bat assessment program. She noted that it has been determined that our area is one of the biggest nursery colony areas. She added that is a good thing and the bats are doing well in our area. Jessica Newbern is the UDSRR bat specialist.

Hahn reported that the Resource Management office is working on the young of year shad study. They will be conducting field work the week of August 3rd. Don Hamilton is the lead on this study and volunteers are welcome, she added.

The Scenic Rivers Monitoring Program is on-going through September. Don Hamilton is the lead.

Hahn reported that there was a leak this past spring at the Zane Grey house. As a result of exposure to steam, metal pieces have rusted and an oil painting did sustain some damage. Restoration is underway, she noted.

National Park Service Upper Delaware is on Facebook and Instagram, Hahn reported. She encouraged members who use these types of social media to check out the sites and provide feedback to her next month.

The Interpretive Division has been particularly active this year, Hahn stated. Their many accomplishments are covered on the NPS social media sites. Programs include Backyard Biology, river

readings, programs on the Lenape, Leave No Trace, and trail hikes. Another project led by the Interpretive Division is the 2015 Photo Contest. Hahn passed out posters to those in attendance. She asked members to share the information. The contest runs between June 1 and October 31, 2015. More information can be obtained by calling (570) 685-4871 or going on-line to www.nps.gov/upde.

Hahn reported that all the Travelers Information Stations (TIS) and signage are down. They were taken down as they had not been working, she added.

Hahn noted there are many bridge projects going on in the valley. She stated that New York State will be cleaning some of their interstate bridges this fall.

Hahn provided a list of work that will be done on the Roebling's Delaware Aqueduct which is locally referred to as Roebling Bridge in the next fiscal year. Work will include resealing the bridge deck, sidewalk work, drainage repair, and potential ice breaker repair. Dugan asked if the upcoming work will result in any closings or delays. Hahn said there will be closings and delays. More information will be available as the work plans progress. Hulse spoke of a pot hole in Route 97 in that area which should be repaired. Hahn noted that would be a NYS DOT issue.

Regarding the Law Enforcement Division, Hahn reported there was a rescue at Callicoon near Big Island; a rescue at Butler's Rift which involved an individual in serious trouble who was not wearing a life jacket; and personnel was very involved with the Cannonsville Dam issue. Peckham noted it was six days before he learned there was an issue at the Cannonsville Dam. He said according to the inundation maps, he would have just two hours to evacuate his property. He suggested that agencies including the National Park Service, New York City Department of Environmental Protection, and New York and Pennsylvania state agencies collaborate to come up with some sort of early warning system. Henry said it was his understanding that the issue started on July 8th. He asked when the National Park Service became aware of the situation. Hahn said to the best of her knowledge, it was the morning of Tuesday, July 14th. Peckham said he will be making a motion for the UDC to send a letter addressing this later in the meeting.

Boyar said it had recently been brought to his attention about an intrusion into an eagle nesting area in the river corridor. Hahn said if you're talking about the Eagle's Nest Estates Development issue in the Town of Tusten she can provide some information. She said in 2004 we participated with the Town of Tusten in a "phenomenal effort" on everyone's part for the subdivision at Eagle's Nest Estates. She provided some background. She said there is a house currently going up near an eagle's nest. Boyar asked if it is within 500 feet of the nest. She said according to NYS DEC, it is not. Hahn said there had been some concern that the nest had been disturbed and that the fledgling eagles were in trouble. NYS DEC was contacted and did send representatives out including eagle specialist Scott Rando, the former Shohola Township UDC Representative, to assess the situation. Rando determined that the eaglets were fine.

UDC Executive Director's Report: Ramie reported that the 27th Annual UDC Raft Trip took place on Sunday, August 2nd. We had 88 paid guests including 76 adults and teens and 12 children between the ages of 5 and 12. The day was warm and sunny and the river levels were great, she added. Other recent public outreaches included information booths at the July 18 Zane Grey Festival and July 26 Narrowsburg RiverFest.

Ramie provided updates on the three Outside Consulting Projects that have been initiated or will be in the next fiscal year. She reported that staff has had two meetings with contractor W Design from Barryville, NY regarding the UDC website upgrade. Discussion included formatting changes and additional content to the site. A visual design has been decided on and Dorene Warner is starting to build the site for us to review on-line, and we will provide text and photos. This FY 2015 project is on target for the September 30th completion. The Records Management project has been broken down into three phases. Contractor Tom Coacci of Damascus has an August 14 deadline to complete phase 1, the agreed upon repairs, clean-up and projects in the attic. Independent contractor Karen Carlson of Beach Lake, PA has been hired for phase 2, the attic organization phase. This work is to be completed by September 18th. The completion of phases 1 and 2 will prepare us to seek professional services to embark on the 3rd phase of the project, actual records management, after October 1. Ramie noted that accessibility to the attic currently is difficult due to the narrow, pull-down stairs. It had been suggested to obtain estimates to build a set of permanent stairs up to the attic. An ad is being placed in the *Sullivan County Democrat* and Ramie asked members if they know of any carpenters that may be interested in that project, to have them stop by and take a look at the project. The third Outside Consulting Project is the Project Review Workbook. We are

looking to streamline and update it so that it might be put to better use by our towns and townships, Ramie stated. The Operations Committee approved the RFP and Scope of Work provided in members' packets. Ads are running in three newspapers this week and next. Bids will be accepted until September 1 for a full Council vote on October 1 to accomplish this as a FY 2016 project.

Ramie referred to UDC Resolution 2015-13 and Lackawaxen Township Resolution 2015-02 regarding the clarification of the Corridor Boundary in Lackawaxen Township provided in members' packets. She asked that members insert these resolutions into their hard copies of the River Management Plan. She suggested stapling it to the Errata sheet. From this point forward, this clarification will be included with all digital copies produced. Eventually, down the road, if the Plan is updated, all this information will be included.

A press release titled "Apply for UDC Grants by August 28" was included in members' packets. This is to serve as a reminder of the due date for 2016 Technical Assistance Grant applications. \$35,000 has been budgeted for the program this year and the Special Meeting of the Project Review Committee is scheduled for September 8th. Ramie noted that all outstanding FY 2015 TAG projects must be completed by August 21st. There are currently six outstanding projects, she added.

Ramie referred to the two *River Reporter* articles that Town of Tusten UDC Alternate Tony Ritter requested for handout regarding river accesses at Long Eddy and Skinners Falls.

A National Park Service news release titled, "Upper Delaware Scenic and Recreational River Hosts River Clean-Up from Skinners Falls Access to the Narrowsburg Access." This event will take place on Saturday, August 15 and space is limited to 20 volunteers. Please call 570-685-4871 to register.

Two handouts from Friends of the Upper Delaware River (FUDR) were also included in members' packets. Ramie stated that Jeff Skelding, the Executive Director of FUDR, intended to be here tonight but was unable. He wanted to address the Cannonsville Dam issue. He compiled a list of follow-up questions and points for UDC members' consideration. Skelding advised Ramie that a Business Coalition has formed in the Delaware County area that is writing a letter to ask New York City Department of Environmental Protection Commissioner Emily Lloyd to attend a local meeting to discuss issues in the aftermath of the Cannonsville discharge. Skelding will be copying the UDC on this letter and Ramie believes he would like some support for the invitation. The second FUDR handout is a "Save the Date! Water 101 Workshop" flyer. The workshop will be held on Thursday, September 24 from 12:30 p.m. to 4:30 p.m. at the Callicoon Youth Center in Callicoon, N.Y. and will address fundamental water resource challenges and needs. Ramie noted that Sullivan County and the Upper Delaware River Tailwaters Coalition are co-sponsors of this event.

Ramie said a support letter for a Sullivan County Local Waterfront Revitalization Program follow-up grant application to NYS for implementation of a Schematic Design for the Skinners Falls River Access in Cohecton was approved at the July 2 UDC meeting. She received word from Heather Jacksy of Sullivan County Planning on July 24 that, after consultation with the NYS DEC, this project has been deferred to next year. The reasoning is that the project aligns better with the NYS DOT schedule for the Skinners Falls bridge and the staff resources at DEC. Sullivan County hopes for continued support then.

The UDC would like to thank Josh Sheard of Sage Investments for coming to the July 28th Operations Committee meeting. Sheard discussed with members some options for potential investment for part of the UDC's unrestricted funds to gain more interest than is being made now. Ramie said the consensus at the committee meeting was that a decision could be put off until after the start of the next fiscal year.

Ramie said a presentation offer for our September 3rd meeting has been made. National Geographic has started a program on Geotourism. Geotourism is "tourism that sustains or enhances the distinctive geographical character of a place – its environment, heritage, aesthetics, culture, and the well-being of its residents". Why Geotourism? When done poorly, tourism can significantly damage a destination and its appeal. When done correctly, tourism can bring economic benefits and create an incentive to conserve natural assets and cultural heritage. Geotourism encourages visitors and residents alike to work for the long-term sustainability of a place. The National Parks Conservation Association (NPCA) would like to initiate this program in the Upper Delaware and Delaware Water Gap areas. Ramie said that she and O'Dell met on July 30th with two representatives from NPCA. She added that NPCA's new Delaware River Field Representative John Beljean, would be giving the presentation on the program. Peckham said the July 1952 National Geographic issue contains an article of the Delaware River with a

pull-out section showing Point Mountain. Henry asked Peckham if he could provide the UDC with a copy of the article. Peckham said that he would. Ramie asked Hahn if Mike Caldwell, National Park Service Northeast Regional Director, was still scheduled to be attending the September meeting. Hahn said he is. A motion to invite the National Parks Conservation Association to give a presentation on the National Geographic Geotourism program at the September 3 meeting was made by Peckham, seconded by Boyar and carried.

Ramie referred members to the August calendar of UDC Meetings, Activities, and Deadlines.

Ritter referred to Skelding's handout of comments. He read the fourth bullet point which stated, "An erroneous message that, in our opinion, has been widely distributed to the media and through electronic communications to multiple networks that the incident resulted in improved fishing opportunities further downstream on the Delaware River main stem. While it's true that cold water fishing did improve as far south as Narrowsburg, the temporary and short lived nature of those conditions is far outweighed by the longer term negative impacts on the river as a result of the accident." Ritter then referred to the DRBC hydrologic report noting that combined storage is still above normal. Ritter said he does not understand Skelding's comment and shared his opinion. He stated that from a cold water fishing standpoint, the fishing was that like he has not seen since the valves were installed in the early 1990's. He referred to it as phenomenal and a gift at NYC's error. Boyar said Ritter's opinion is not one that is shared universally. He added that the final chapter on the cold water storage "has not been written" as to how it will refill. He stated there is a lot more to the subject. Dugan said that he appreciated O'Dell passing on the information from the NYC DEP he was receiving during this incident. He asked if they are still moving forward with installing the hydroelectric plant. O'Dell said they are re-evaluating that. Dugan asked that O'Dell keep members informed on the status of the project. Henry noted that 1,500 cfs was being released into the West Branch and 750 cfs was being released to Neversink for a total of 2,250 cfs being released from the Cannonsville.

Iris Helfeld of Narrowsburg said that she had been in communication with Adam Bosch, the Director of Public Affairs for NYC Environmental Protection Bureau of Water Supply, on a regular basis. She referred to him as very forthcoming, receptive and helpful. She said she had his phone number that she would share with Peckham. Ramie agreed that Bosch was very forthcoming and noted he was handing out his business card with his number on it at the July 20th informational meeting held in the UDC office.

Old Business:

Reply Letter from NYS DEC: Barryville NY River Access: Ramie said that Bill Rudge had called last week to inform her that a survey crew had been to the access and shared the results. Ramie asked him to provide that information in writing. A copy of his letter was included in members' packets.

Reply Letter from PA DCNR: Commonwealth Funding for UDC: Ramie said this letter is from Pennsylvania State Forester, Dan Devlin, who served as the keynote speaker at this year's UDC banquet. The letter was in response to the January letter sent to Governor Wolf welcoming him to office and describing the relationship between the Council and the Commonwealth. The letter states that the Commonwealth is unable to commit financial resources at this time and that DCNR is our conduit for Pennsylvania. Ramie said we appreciate the response.

Other: None

New Business:

Approval of UDC Health Insurance Rate Change: Ramie said an explanatory memo was emailed out to all members in advance. A motion to approve the UDC health insurance rate change was made by Boyar, seconded by Greier and carried.

Approval of Dispensing with Verbal Reading of UDC Committee Meeting Minutes: Ramie noted that this is a recommendation out of the Operations Committee on July 28th. Boyar questioned if a compromise of putting a strict time limit on the reports had been considered. Henry said the Operations Committee had

discussed that the minutes are emailed to everybody and posted on-line and thought it would be better to devote the time to answering any questions that members may have concerning the minutes. Boyar noted there are members of the public and the press that attend the full Council meetings. A motion to dispense with the reading of the committee meeting minutes was made by Conway and seconded by Peckham. Dexter noted that the committee chairs should ask to see if there are any questions on the minutes. Richardson feels the reading of the minutes helps the public understand what the Council is accomplishing and discussing. He does not feel that the 5, 10 or 15 minutes devoted are too much to ask. Peckham said this issue arises occasionally, a time limit is applied, and after a couple of months, it is no longer adhered to. Henry noted that hard copies of the minutes are available at each meeting for the public. Ramie added that they are posted to the UDC website as well. Odell noted that hard copies are also available upon request. Boyar asked if a compromise could be reached. The Chairperson of each committee could choose highlights to speak about for a maximum time of two minutes. He feels there are certain topics that should be reported on. Richardson noted that he keeps his report to one page and they still mean something to the public and suggested that the other chairpersons could do the same. Boyar suggested an amendment to the motion that the chairpersons have the option to provide a two minute summary on any topic he or she feels is important. Henry suggested a two-month trial for this. Conway amended her motion to have the committee chairs provide two-minute summaries of the committee meeting minutes as reports at the next two UDC monthly meetings. The amended motion was seconded by Greier. Henry said he will be strictly enforcing the two-minute time limit. A vote was taken and the motion carried. Hulse suggested that noting the two-minute limit on the agenda may be helpful.

Town of Highland River Clean-up Grant, Request for payment, \$661: A motion to approve payment was made by Roeder, seconded by Richardson and carried.

Town of Tusten River Clean-up Grant, Request for payment, \$640: A motion to approve payment was made by Boyar, seconded by Sullivan and carried.

Other: Hahn asked members to mark their calendars that Saturday, September 26th is Public Lands Day. The NPS is going to have some projects going on and they are inviting volunteers to come and give them a hand. A river clean-up, work at Roebing Bridge, and work at the Milanville Office are among the projects to be tackled. More information will be forthcoming and shared once available.

Peckham stated that he feels there should be some sort of system in place to provide information and displace rumors in times of flooding and for issues such as what just happened with the Cannonsville. He shared his concern regarding the fact that it took six days for him to hear that there was an issue at the dam. He said that "since New York City Reservoirs and the Park Service basically control the water, or have authority over the water, they should be the ones to address this." Peckham made a motion to draft a letter to the NPS and NYC DEP with copies to NYS DEC, PA DEP, County Emergency Management Coordinators, and river valley elected officials requesting an explanation of the timing to report the Cannonsville discharge, advocating for the development of an Early Warning System and/or documentation for the existing Emergency Action Plan for imminent threats involving the reservoirs, and asking for a test of the Reverse 911 system. The motion was seconded by Dexter. Richardson stated he felt the NYC DEP was very forthcoming with the Cannonsville issue, but he would like an explanation of why it took six days to learn of it. Henry reminded members that Joe Hinkes, NPS UDSRR Chief Ranger at the time, came to the August 7, 2014 UDC meeting to speak of Emergency Response protocol that is currently in place. O'Dell noted that the recent issue at Cannonsville was not elevated because it was never an imminent threat. A vote was taken on sending the letter and the motion passed. Greier shared his experience during the 2006 flooding on the Delaware River. Sullivan questioned if FERC mandated that NYC DEP get out in front of the situation. O'Dell said yes. Dean said he was very surprised by the candidness of the NYC DEP. He said that he received an explanation of the situation and made a visit to the site. He added that his personal opinion is he was glad that they handled the situation the way that they did, but it did not appear to be an impending doom situation. He feels they were taking the precaution necessary to lower the threat by lowering the reservoir. Dean shared details of his visit to the reservoir. Hahn noted that the Cannonsville Dam issue was not an emergency situation. She said DEP did the right thing by letting people and agencies know. Barth spoke of the issues in Westfall Township regarding residents receiving information during emergency situations. He

acknowledged there are management plans set up for handling emergency situations, but he is unsure if there is a plan for getting the information to the residents. Rando spoke of plans in place in Pennsylvania to deal with emergency situation. He suggested members look into the National Incident Management System (NIMS). NIMS is a systematic, proactive approach to guide departments and agencies at all levels of government, nongovernmental organizations, and the private sector to work together seamlessly and manage incidents involving all threats and hazards—regardless of cause, size, location, or complexity—in order to reduce loss of life, property and harm to the environment. Henry reported there is an emergency management plan for the dams. Hulse said it is important to get information out during situations.

Public Comment

Adjournment: A motion by Roeder, seconded by Sullivan, to adjourn the meeting at 8:37 p.m. was carried unanimously.

Minutes prepared by Cindy Odell 8/12/15