

Upper Delaware Council
WATER USE/RESOURCE MANAGEMENT COMM. MEETING MINUTES
June 19, 2012

Committee Members Present: Andy Boyar, Pat Jeffer, Al Henry, John McKay (7:14 p.m.)
Committee Members Absent: Tony Ritter, Jay Shafer
NPS Partner: Don Hamilton
Staff: Laurie Ramie, Cindy Odell, Dave Soete
Guests: Anne Willard, Andrea Reynosa, Stanley Harper

The UDC's Water Use/Resource Management Committee held its monthly meeting on Tuesday, June 19, 2012 at the Council office in Narrowsburg, NY. The meeting was called to order at 7:12 p.m. Boyar announced that he was chairing the meeting in Ritter's absence. He asked if there were any questions about the May 15th meeting minutes. There was no public comment on the agenda.

Old Business:

Update on Pond Eddy and Skinners Falls bridges: Ramie noted that activity on the Pond Eddy Bridge is somewhat suspended currently while the controversy over its proposed replacement continues. Senator Bonacic has succeeded in obtaining an invitation-only meeting with NYS DOT Commissioner Joan McDonald, who has agreed to come to Sullivan County to meet with some key officials. The Upper Delaware Council has been invited to attend the meeting. Ramie said that on August 4th, the Friends of the Pond Eddy Bridge are organizing a rally on and under the bridge. They plan to stretch kayaks and canoes across the entire river to show the potential effect a causeway would have during construction of a new bridge.

Ramie said she contacted Penn DOT to inquire about the Skinners Falls bridge construction schedule. She noted the bridge has been closed since April 3rd. Repairs started on May 31st and are scheduled to be completed by July 27th. Ramie said she was told by Penn DOT that if there are any changes, we will be notified.

Hamilton commented that it seems as if people have concerns that there is going to be a causeway that goes all the way across the river if a new bridge is constructed at Pond Eddy. He noted that is not how they do those bridge constructions. Ramie said it has not been announced how that will be handled since it is part of the final design process. Hamilton added that they leave an open channel. They will not be allowed to close the river. He feels some people have a misconception about that. Henry noted a problem with the Pond Eddy site is that there is not access from the Pennsylvania side of the river.

Boyar asked committee members if they would agree to skip to item 5a under new business since there were guests there to speak about the issue and he would like to accommodate them. He said that item 5a is **"Town of Tusten Grant Support Letter Request: Narrowsburg Esplanade Project"**. Ramie noted that Andrea Reynosa, Tusten Town Councilwoman, and Stanley Harper were in attendance to speak about the project. Boyar thanked them for coming and asked them to tell members about the project. Reynosa said the Town of Tusten is requesting funding for Phase 3 (the Construction phase) in the next round of NY State's Consolidated Funding Application for the Narrowsburg Big Eddy Esplanade Project and are seeking letters of support. Committee members were provided with a snapshot of the design phase. Reynosa said this round is extremely competitive and that the priority projects proposal deadline is June 29th with the final application deadline being July 16th. Ramie said it would be possible for the committee to write a letter and then another letter could be presented to the full Council on July 5th to meet the general application deadline. She added the emphasis was to get on the priority projects list by June 29th which does prove helpful in elevating a project to the state agency that is reviewing it, which is the Department of State in this case. Ramie added that in 1995 the UDC funded a Technical Assistance Grant for what was then called the "Big Eddy Revitalization Project". The project was completed in 1996. It was a study Tom Shepstone did on behalf of the Town of Tusten as a precursor to this project today. There is a precedent of the UDC supporting this initiative, Ramie said. After a brief question and answer session, Boyar made a motion to send a letter of endorsement and support from the WU/RM Committee; Jeffer seconded the motion. Boyar asked Ramie to draft the letter and circulate it electronically to the committee members for their review. The motion was carried unanimously.

A motion to approve the May 15th meeting minutes was made by Jeffer, seconded by Henry and carried.

Upper DeLAWARE River Roundtable 6/7 meeting Update: Ramie reported the theme of this particular meeting was exploring the local economy. A presentation via Skype by a person in the Berkshires in Massachusetts about a program they have where they've adopted their own local currency took place. They've designed bills of different denominations and work through five different banks. The program is a way to promote community pride by trading with these "Berkshares" and it is supposed to strengthen the economy as there is an exchange rate involved with these dollars where a 5% discount is given at stores so it encourages people to shop local. It was discussed whether a program such as this would work here in the Upper Delaware. It was debated and a lot of questions were asked of the individual giving the presentation. In the end it was decided that this area would be quite complicated because of involving two states, and so many different banks, towns, townships, and counties. It was a concept used to discuss what could be done to improve the local economy here. The challenge discussed was how do we make this valley a place where people vacation and you can earn a living. Someone at the meeting commented that "what we want for the future, is what we had in the past", which means that we are all trying to sustain our lifestyle here. Boyar, at the Roundtable meeting, suggested that there should be some sort of legal zoning in place to protect the river corridor. He feels the Park Service should develop a model zoning code to present to the towns and townships for a river corridor zone. That way everyone would be on board with the same regulations. Also at the meeting, they did the usual "around the table" with the stakeholders offering updates on what is going on with their groups or their particular causes. When it came up that the Upper Delaware Council is working on its Five-Year Plan, the Roundtable group felt that would be a good venue to seek some public input about what direction they think they UDC should be pursuing over the next five years. As a result, it was decided at the June 7th UDC meeting that a draft will be done by July so that it can be circulated for review and feedback. Ramie reported that August 2nd is the date for the next Upper DeLAWARE River Roundtable meeting and the focus of the meeting will be on the River Management Plan. Boyar found the concept of creating one's own currency very innovative. He felt it to be like an enhanced bartering system. Ramie noted that in Berkshires, the program has been in place for six years, over \$3.5 million has gone out in "Berkshares", and right now, \$140,000 worth are currently in circulation. Discussion about the legality of such a system took place. Boyar said he would like to see a model for what the ideal management would be for the Delaware River and the tributaries to it. He has not given it all the thought it deserves, but feels it would be a good project for someone to come up with a good river zone; some sort of unified regulations throughout the corridor to protect the river. Soete noted that years ago, the Park Service did a nationwide brochure on waterfront development. He added that technically the River Management Plan Land and Water Use Guidelines are supposed to help protect the river corridor. He can see where a more unified code would be nice, but is not sure it would fly. Boyar feels there needs to be more advocating for improving the resource. He added we get lost in the shuffle of the other issues of the day and never really focus that much on "what can we/should we be doing to improve the water resource". Boyar then reported he had the opportunity to fish under the bridge in Deposit almost a week ago and said there was so much didymo in the water there. Every third cast, the fly was covered with it. He said it was awful. Didymo is much more widespread than it was five years ago, Boyar added. Hamilton said it was back in 2007 that didymo's presence was really noticed in the Delaware East Branch and a little bit in the main stem. It has been seen each year since. This year there has been quite a bloom of it, Hamilton added, and it is not known why. The bloom covers 150 miles of river. Hamilton said the Park Service has gotten a project funded with USGS to do some genomic sequencing (a laboratory process that determines the complete DNA sequence of an organism's genome at a single time) of didymo to better understand what is going on with it because people are seeing it in a lot of places it hasn't been seen before and blooms are lasting for a long time. Some formal monitoring of didymo is being done this summer, of different locations and different time frames, he added. Boyar asked Hamilton if didymo does well in cold, nutrient-poor water, does that mean if the water is nutrient-rich the didymo wouldn't do well or would it grow more aggressively. Hamilton believes it might be out competed by other aquatic plants. He added it is being seen in more places than it has been before. Boyar asked if didymo is being found in other areas. Hamilton said it is pretty wide spread across much of the United States and elsewhere. Horror photos of several inch mats of didymo have been coming out of New Zealand. Hamilton said there is a lot of concern about didymo. There is no known way to eradicate it, so the best thing to do is to try and prevent the spread of it.

2012 Delaware River Sojourn Update: Ramie referenced the latest DRBC press release about the 2012 Delaware River Sojourn provided in packets. The release announced that the “early bird pricing” has been extended until June 22nd. Ramie noted the Sojourn starts on Sunday, June 23rd, but they are still taking paddlers. She said that Clarke Rupert of the DRBC left schedules which lay out the itineraries for each of the days from June 24th through June 30th and they are available at the UDC office. Boyar asked if any local admirals have been named. Ramie said she has been asked not to disclose the individuals for day 1. On day 2, the admiral will be Floyd Campfield and the group will be stopping at his eel weir for the main educational program of the day. His program will cover the life-cycle of eels and the construction and operation of an eel weir at river mile 294 at 11:30 a.m. on Monday June 25th. Boyar questioned if there are mile markers on the river. Hamilton said it is noted on maps. Ramie said the Sojourn group will be camping at the NPS Milanville office on Sunday night.

Other: None

New Business:

Recruitment of WU/RM Advisory Members: Ramie reported that staff received five letters in response to our recruitment of individuals to serve as advisory members to the WU/RM Committee. One was from a Shohola resident whose specialty is wildlife conservation, one from a part-time Tusten resident who is an environmental consultant and scientist, one from a forestry person who is with the Lackawanna Forest District which includes Wayne County, PA, one from a Callicoon resident who is a professional organist who offered to help us in the cultural sphere, and one from a biology instructor who specializes in water quality monitoring. Ramie noted we had heard from several other interested parties who had insisted they were going to get us letters by the June 12th deadline, but did not. Ramie asked committee members how they wanted to handle this issue from here. Boyar spoke about how in the past Jim Serio and Peter Kolesar did a presentation about the battle for enhanced flows and why. Ramie noted that presentation was done as a six-part series during WU/RM meetings to cover flows and release regimes. She added that other individuals were involved as well. Boyar spoke of the Tomannex project on the East Branch of the Delaware River where they are trying to do river enhancement for the benefit of the river and habitat. Ramie noted that Chairperson Ritter had expressed interest in reaching out to liveries and fishing guides to serve as advisory members. She added one way the committee could go about obtaining more advisory members, is to make a list and staff will reach out to the individuals or groups on that list to see if they would be interested in serving in that capacity. Boyar feels the “door should be left open” and that Ritter should be consulted on how to proceed. Ramie said that Nick Lylo, a Lackawanna Forest District Forester, is eager to come in and make a presentation regardless of whether the advisory memberships proceed. He has some programs that he would like to discuss. Soete noted there are a lot of state forests in the river corridor. Boyar likes the idea of taking 10 or 15 minutes of meeting time and having some “fresh ideas” come to the table. He suggested checking with Chairperson Ritter before extending any invitations for the July meeting. Henry wonders if the person who is the professional organist that responded to the request for advisory members understands what the Upper Delaware Council is about. He added that perhaps there were not as many letters of interest because people do not know what the UDC is about.

NYS River Herring Regulations: Comments due by July 16th: Ramie noted that the two handouts provided on this issue cover both the New York and Pennsylvania perspective. She said the UDC had been asked to sign on to a letter addressed to the Mid-Atlantic Fishery Management Council. There was a deadline of June 8th to do so and Ramie wrote back to the individual to advise them that we could not meet that deadline, but would bring up the topic at this meeting for discussion. She added that Bill Rudge had asked us to include the DEC news release in the June 7th UDC packet, because the comment period in New York State is open until July 16th. The proposed NYS DEC amendments to its regulations would prohibit river herring fishing in the Delaware River. Hamilton added the proposed rules will impact commercial fishers. Ramie said the letter from the Pennsylvania interests states that PA imposed a moratorium earlier this year on recreational and commercial fishing for river herring and similar restrictions on American Shad are imminent. Ramie asked members if they would like to submit any comments by the deadline. Hamilton said that to his knowledge, blueback herring and anadromous alewife have not been documented in this part of the river. There are landlocked alewives that spill out of some of the reservoirs, but sea run migratory alewife and blueback herring do not come this far up the river. They have been documented down by the

Delaware Water Gap. McKay asked for clarification of the letter provided in the packets. Ramie said it is a letter that was written by an advocacy group on behalf of restoring river herring. The e-mail came from the Pew Environment Group, a founding member of the Herring Alliance. Boyar commented that when you remove all the forage fish, something bad is going to happen. Hamilton said they are an important part of the forage base in the ecosystem of the lower part of the Delaware and being that we are connected with that, he does not feel it would hurt to write a letter in support of the regulations. He added they are not a fish that makes it this far up the river, but that does not mean they are not important to other fish that do come up here. Ramie asked if we would be directing a letter specifically to NYS DEC because they are the ones that have the comment period open until July 16th. Soete noted that New York is only addressing commercial fishing. It was discussed that Pennsylvania has already imposed a moratorium on recreational also and Soete commented it would be nice if the two states were consistent. Henry said that has always been a concern. Boyar said he would like more information on the issue before making a decision. Boyar suggested asking the UDC's NYS DEC representative to make a recommendation. Hamilton agreed with that. Boyar said maybe we could ask him to give us a report at the July UDC monthly meeting of what the initiative is, what they are trying to accomplish and what, if anything, should the UDC do to be heard. Committee members agreed this was the way to approach this. Henry suggested finding out what exactly is going on in Pennsylvania at the same time. He said that both states sometimes do things that are not in sync. Boyar asked if it is the responsibility of the committee chair to reach out to these representatives or is it something that staff will take care of. Ramie noted, most likely it will be staff and that we are happy to do that. Henry added that for Pennsylvania, it might not be a bad idea to reach out to one of the local waterway conservation officers, if they are available. McKay suggested asking Dennis DeMara to contact someone on the UDC's behalf. Henry added that most likely it will be someone with the Pennsylvania Fish and Boat Commission. Boyar reiterated asking our NYS DEC representative for some guidance. All members were in agreement.

Thermal Advisory for Water Releases: Boyar noted he had seen in the paper that we are going to have a thermal event and he would like to advocate for a thermal release (also known as a cold water release) to try and minimize the impact on the cold water fishery. He recalled someone sending a letter last year and they received a lot of good press for having minimized the impact. The year before there was not one and the temperature at Callicoon spiked at 76 degrees. Boyar added the cold water fisheries have a huge economic impact in the river corridor. He asked if a letter could be sent. Boyar said that Dan Plummer of the Friends of the Upper Delaware River, a Hancock-based group of fishing advocates, may have already written a letter on this subject. Ramie noted we have seen their letters before and said they are able to act more quickly as they do not have the committee structure in place like we do. Henry asked if any of these letters have ever been successful. He commented that in the next couple of days, temperatures are supposed to reach 90 degrees and wondered how a couple of 90 degree days will impact the water temperature at Callicoon. Boyar said there is no question that if there are minimum releases from the reservoirs, the water temperature will be way over 75 degrees. Boyar believes that if they were to release an additional 500 cfs, that would make a difference. Discussion took place about the reservoir voids, releases and the complexity of the situation. Boyar feels that if we were to get e-mail addresses from Dan Plummer of who our concerns should be addressed to, that the WU/RM committee should weigh in on this issue. Ramie said it does make our presence known and shows our concern. Boyar said he has always been an advocate to have some sort of a thermal bank reserve there that could be used in emergency situations when there are high temperatures forecasted. Boyar said he had been contacted by Peter Kolesar who had asked him if he could bring this issue up and ask the WU/RM committee for a letter of support. Henry asked if the letter would be asking for a release for the present thermal event or if the letter will be asking for releases anytime a thermal event occurs. Boyar said he is just talking about the present thermal event. Jeffer suggested inquiring about what the procedure is typically to deal with thermal events. Boyar noted the decision-maker keeps changing. It was decided that if we could find out to whom a letter should be directed, that one would be sent from the WU/RM committee.

Giant Hogweed Invasive Species: A handout was provided in packets at Boyar's request. McKay said "stay away". Boyar said it was described in an article that Giant Hogweed looks like a giant Queen Anne's Lace. He added he feels it is a good idea to keep informing people about these invasive species.

Other: McKay said that normally he would not comment on anyone's project, but he shared a photo of a new home construction project along Crawford Road in the Town of Tusten that raises questions. He noted that if he were to take on a project like this in Pike County, he would have issues with the planning department. He did not see any Erosion and Sediment Controls. He questioned Tusten's policy. McKay said that any soil disturbance greater than one acre requires a National Pollution Discharge Elimination System (NPDES) permit. He wonders if this project would fall within the requirements. Henry agreed with McKay and felt the project should be looked into. Hamilton asked who is the Town of Tusten Building Inspector. He was told it is Gary Amerbach. After more discussion, Hamilton said he would contact him. Hamilton asked McKay to e-mail him a copy of the photo. Soete asked for a copy as well and noted that this is an instance where the Guidelines don't work so well, because a house is a principal permitted use and there is no UDC review process. A brief discussion about Lackawaxen zoning and their new township building took place.

Public Comment: Anne Willard of *The River Reporter* said that if anybody is interested in the idea of local currency, her editorial in Thursday's *River Reporter* will be about that whole idea. A brief discussion about the concept took place. Willard feels it would be a wonderful marketing opportunity for the Upper Delaware region.

Adjournment: A motion by Jeffer, seconded by McKay to adjourn the meeting at 8:56 p.m. was carried.

Minutes prepared by Cindy Odell, 6/26/12