

Upper Delaware Council
WATER USE/RESOURCE MANAGEMENT COMM. MEETING MINUTES
July 17, 2012

Committee Members Present: Tony Ritter, Andy Boyar, George Fluhr, Al Henry
Committee Members Absent: Jay Shafer, John McKay
NPS Partner: Don Hamilton
Staff: Laurie Ramie, Cindy Odell
Guests: Anne Willard

The UDC's Water Use/Resource Management Committee held its monthly meeting on Tuesday, July 17, 2012 at the Council office in Narrowsburg, NY. The meeting was called to order at 7:03 p.m. A motion to approve the June 19 meeting minutes was made by Boyar, seconded by Henry and carried with Ritter abstaining as he had not been at that June meeting. There was no public comment on the agenda.

Old Business:

Update on Joint Interstate Bridges: Ramie noted the handout provided is the minutes from the May 16th NY-PA Joint Interstate Bridge Commission meeting. She said the Skinners Falls Bridge had been closed for repair and has reopened as of July 11th. According to the Penn DOT press release, repairs were finished two weeks early. They replaced two verticals and made a steel repair to the floor beams at a cost of \$45,000. Ramie reported there is another project taking place on the railroad crossing at Skinners Falls. Work had begun Monday. New York Susquehanna & Western Railway is the owner of the railroad whereas Central New York operates it. They are completing an overhaul of the road crossing at Skinners Falls. The existing crossing was to have been closed as of July 16th. A temporary crossing has been constructed and work is expected to take approximately three days, Ramie added. Hamilton said he had driven over that crossing late this afternoon and it appeared that the work is complete. Ramie said it was reported on at the full Council meeting on July 5th about the most recent meeting for New York State side interests concerning the Pond Eddy Bridge which took place on June 27 at the Sullivan County Government Center with NYS DOT Commissioner Joan McDonald. The parties will meet again in six months to get an update on the project's status, Ramie added.

WU/RM Advisory Members update: Ritter noted that he recalls there were only five letters of interest submitted following two press releases seeking advisory members. Ramie said that she and Ritter had spoken about making a direct appeal to potential advisory members. She sent an e-mail to the members of this committee on June 27th asking for names of potential people by July 9th and did not receive any. As a result, no further action has been taken. Boyar feels that having people outside our own realms of experience is an important thing, but suggested seeking such people on a case by case basis. Fluhr posed a number of questions concerning the advisory members, stating he feels there is some confusion as to what part these people would be playing on a regular basis. He said that some serious consideration needs to be given to what their position on the committee would be. Ritter said that he was under the impression that an advisory committee existed in the past and the answers could be based on how it was handled at that time. Ramie said that 1995 was the last record that she could find of when there were advisors. Boyar said he would really like to have someone with expertise about thermal banks come in and give a presentation. Ritter noted that having special guest speakers is different than having advisory members. Ritter reviewed the list of non-voting advisory members to the WU/RM committee from 1995. Ramie said that advisory members would not be obliged to attend every meeting, but that they would receive the minutes of the WU/RM Committee. Henry told Fluhr we're just looking for a pool of knowledgeable people that we can tap into if there is a concern that comes up that they may have some expertise on. He feels they would be a resource base and that it is just proper etiquette to have them sit at the table. Discussion about past livery participation took place. Ritter said it is his opinion that there should still be an advisory committee that was structured like it was in 1995. The more input that you have whether it is commercial, scientific, or technical, the better off we are, he added. He is saddened by the minimal response to the request for advisors for what he considers to be the greatest resource in the United States. Henry said he would recommend inviting someone who is very knowledgeable about thermal banks and releases to a WU/RM or full Council meeting in order to possibly create some interest. Ramie noted that we do have a presentation

scheduled for next month's WU/RM meeting by a District Forester from the Pennsylvania Department of Conservation and Natural Resources. He will provide information on services that the Bureau of Forestry offers in this area. Henry recommends advertising that he is coming in, in hopes of generating some public interest. Boyar commented that the lack of public interest may in fact be a sign that people are satisfied with the way things are going. Hamilton said that if there are topics that the committee would like to learn more about, we could reach out to individuals to give presentations. He noted that an individual by the name of Brenan Tarrier from the NYS DEC would be a good person to reach out to about thermal banks. Ritter asked the committee if they want to pursue advisory members. Henry said it might not be a bad idea to invite some individuals in and see if there is interest there for becoming advisory members. Ritter says he understands the guest speaker aspect and he is all for it, but he does not understand if the committee members want the advisory members or not. Fluhr expressed his concerns about having advisory members whom the individual towns or townships may not want on the committee and the problems that could arise if certain individuals had an "ax to grind". He is also concerned about people speaking about issues outside of their expertise. Ritter noted that guest speakers would be different from the advisory members and asked again if members want to pursue this concept. Henry suggested letting people come in on a presentation basis, and then listen to them before putting them on the list. Ritter said okay. Henry made a motion to invite resource people in to give presentations on specific topics. Fluhr said he feels it is important for the people that we call on to understand what we are looking for because he thinks people who expressed interest in becoming an advisory member may be under the impression they are becoming part of the committee. Ramie said it was thoroughly described in the press releases and that is what they were responding to by submitting their letters of intent, so that would be their expectations for what role they would fill. She added she feels the issue has been deferred at this point anyway in favor of doing the subject expert presentations. Fluhr said that is a good idea as it would bring people in that would perhaps stimulate more public participation. Ramie said we have a presenter for August planned and suggested that we pursue the speaker that Hamilton suggested for the flows and releases. Henry's motion was seconded by Boyar and carried unanimously.

Common Waters Partnership July 12th update: Ramie noted this is a meeting that takes place quarterly and this time it was held in Sussex County, New Jersey. She opted to phone in rather than travel there. She said that Common Waters Partnership is all throughout the watershed area and they are doing an outreach campaign called "Proud Partners" for which they've developed a brochure, a logo, and a banner. It is comprised of people who have a stake in the common waters of the Delaware River. They also have a Facebook page if anyone would like to "like" them, Ramie added. They are doing fundraising and basically the focus is on downstream users to try to convince them that protecting the upstream waters is vital to everyone's good fortunes. All users of the water should start investing in protecting the upstream forest to protect the integrity of the water, is the message there, she said. There is an aspect for corporate giving and Dupont, for example, donated \$10,000 to this. There are grant applications pending, such as through the William Penn Foundation, which has expressed interest in supporting research for projects with measurable impacts, in particularly spurred on by Marcellus shale exploration. They are interested in extending their work further into the Delaware Basin. The partnership also submitted an application to the National Fish and Wildlife Foundation focusing on landowner outreach and habitat. Common Waters is the organization which is behind the forest stewardship programs which some of our own members have benefitted from and they do that through the Commons Water Fund. They they have distributed over \$800,000 through that fund thus far, but at this point the grants they have for it are starting to dwindle significantly. They received 40 applications in the latest round and were only able to fund four of those. One of the reasons for the fundraising is to replenish this account so that they continue that work. At the end of June they took a field tour of three of the sites that have benefitted from these grants to see how the money is being spent on the ground. They visited sites in Sussex County, NJ, Pike County, PA, and Wayne County, PA. The diverse projects that were undertaken included flood plain restoration, a hunting and fishing club forest stewardship plan, and a forest stewardship plan to eradicate the issues of invasive species and gypsy moth damage. These stories will be collected and put on the Common Waters website to publicize what has happened as a result of these funds. There was also discussion of the priority maps that have been created to show what areas are critical for protection or which areas are being protected in some ways. Partner updates, something that they do at every meeting, were given. An announcement was made that they will be doing another round of Land Use Leadership Alliance (LULA) training. It is put on by Pace Land Use Law Center. Twice before, Common Waters sponsored 40 students each time to take this 4-day training. It is a

train-the-trainer program where you go to it and learn the information and take it back to maybe your town board or planning board. The intention is to offer a fifth day of training to the roughly 80 graduates of this program on October 26th at the Tusten Town Hall where they will bring back Pace Land Use Law Center to take the program one step further. It will be a full-day program, but Pace will only be there for half the day as that is what funding will allow. The Pike County Conservation District and the Pinchot Institute had contributed \$2,500 in order to fund their participation. The second half of the day will be a locally sponsored program to take advantage of the fact that all those people will be assembled. The next Common Waters meeting on October 11th, will be a forum to target site stewards and managers in order to celebrate five years of successes by Common Waters, and also somewhat of a re-commitment to what the group is all about and what is coming up for them. The meeting is scheduled from 10:00 am until 4:00 pm at the Nurture Nature Center in Easton, Pennsylvania. It was also mentioned that the UDC gave its Partnership Award to the Common Waters Fund at our most recent banquet and they displayed the photo that they had and a story about it in some of their membership letters to thank the UDC again for our recognition of them.

Letter to Gary Paulachok: Request of Procedures for Directing Emergency Reservoir Releases: Ritter noted his opinion that Gary Paulachok would be a very good person to have as a guest speaker. Ramie pointed out that in the letter it states that the committee “would also welcome a presentation on this topic.” Ritter believes that many people would come out to hear him speak. Ramie said the letter, which was in response to one of our emergency excessive heat situations, went out on July 9th and at this point, we have not heard anything back. She said the letter is basically Boyar’s questions of procedure committed to paper and specifically requesting a response.

Other: Ritter reported that the Cannonsville reservoir is at 80% and total storage is currently 89%, but that at this time, it is normally at 93%. He added we are way below normal as far as the amount of precipitation. In June we received 2.7 inches and we normally receive 4 inches, in July 1.3 inches to date and we normally receive 4 inches. We are at approximately one half of what we historically receive those two months. He said that Cannonsville is releasing 529 cfs which is what they’ve been doing for the last month or so with the exception of some temporary increases. He said the temperature of the river has gotten quite warm. Henry asked if he had any information on Pepacton. Ritter told him that it is at 92.9% and that Neversink is at 76% and Schoharie is 73%. Discussion of the forecast took place. Hamilton noted that the East Branch was running kind of turbulent today as a result of thunderstorms.

New Business:

Upper Delaware River Visioning Charette – July 31 and August 1: Ramie referenced the agenda provided in the packets and noted that the public parts are the two evening sessions. They are from 7:00 – 9:00 pm on both July 31st and August 1st at the Hortonville Firehouse in the town of Delaware. She noted that when the focus groups are mentioned, those are by invitation to get experts in those areas. She said she had all the UDC members put on the invitation list that Sullivan County Planning is coordinating. The charette is in regards to the Local Waterfront Revitalization Plan, Ramie added. Fluhr questioned when they talk about key design areas on the agenda, where Old Tusten is. Ramie told him it is the Tusten Settlement area down by the Baptist Church and the Ten Mile River Stone Arch Bridge, south of Narrowsburg.

Other: Ramie reported that the UDC will have a booth at the Narrowsburg Riverfest this Sunday. She said that she and Odell will be staffing it at various times on Main Street. She said that the UDC Annual Raft Trip is coming up on August 5th and we are taking reservations up until July 27th. She encourages people to attend and said it is a very deep discount over what you would pay if you booked it yourself. The trip will cover the ten miles from Callicoon to Skinner’s Falls.

Hamilton reported a continuous water quality monitor that was installed at the Lordville Bridge is now transmitting data. There is a National Weather Service website you can go on to see data on dissolved oxygen, ph, conductivity, temperature, turbidity, and depth of reading below surface. The website is http://amazon.nws.noaa.gov/nexhads2/jsp/interactiveDisplays/createChart.jsp?nesdis_id=FA4001D8&nwsl=LDQN6&pe_code=TW. He said the instrument is located

about three feet off the bottom of the river and the depth of reading information tells how deep the water is above it based on the pressure. Henry asked if this new meter is linked with any others to show relativity. Hamilton replied there probably is a way that information could be correlated. He noted that depth is relative to where the gage is set and where it is measuring the depth. Henry recommended that if there is any way, that it be tied into another monitor. Discussion of information available on the USGS website took place. Hamilton said the Lordville monitor is the first location on the Delaware River where you have near real-time water quality data. Currently the information is just showing up on the National Weather Service website, but the intention is to have a link on the National Park Service website with more explanation of some of the values. Fluhr and Boyar agreed that explanation of the values may be a good topic for a presentation. Hamilton said that could be arranged. He did explain that conductivity is water's ability to carry an electrical charge which is influenced by ions and salts. If there was a spill of frack fluid or brine, that would show a spike in that value. Boyar asked if it would show salt from the roads. Hamilton said runoff events in late winter could push the number up some. Hamilton said there are more monitors that will be coming on-line in the next several months. Boyar asked if there were ever any water samples taken at the very beginning of the Park Service presence. Hamilton said the cooperative monitoring program between the Park Service and the Delaware River Basin Commission (DRBC) goes back into the 80's so there is data on some streams and some locations. Boyar questioned if there is any way to find out if water quality is better or worse over the last 20 years. Hamilton said there is limited data that goes back 20 years, but he does not know if there is a good enough data set to make a determination such as that.

Ritter noted that the Tusten Town Board met last night. U.S. Fish and Wildlife representatives from Albany and Long Island were present to discuss the Narrowsburg fireworks being cancelled as a result of the nesting eagles nearby. Ritter said what he got out of the session is that the fireworks can continue, but the Fish and Wildlife Service wants to be part of the process including determining where the fireworks can be launched. Ramie, who was also in attendance, said at the end of the meeting that a committee was formed to represent all the interests and work on it. She added the Fish and Wildlife representatives said that once the committee had some sites in mind, they would come back and survey them to make sure they are out of the one mile radius. Ramie noted that individuals at the meeting were discussing a new eagle's nest close to Lander's campground. Ritter said it is supposedly on the Pennsylvania side across from "Big Bend". Hamilton said he is not aware of that one. Fluhr asked if there are any statistics on eagles compared to fifty years ago. Hamilton said yes and that there are more eagles now. Henry added there are nesting pairs all over the place. Henry asked if the Fish and Wildlife agents mentioned whether there had been an investigation. Ramie said they did say there is no written report. They had received a referral from the NYS DEC about a complaint, she added. Ritter told Henry the meeting was recorded and he was welcome to listen to it for their responses to these questions. Ramie mentioned there are six Fish and Wildlife agents for New York State and four of them were in attendance at this meeting. Henry commented that they sent four special agents to the meeting but not one of them could come down to investigate the incident. Ritter told him that question was posed at the meeting by many people. Ritter noted there was press at the meeting and it was attended by about 90 people.

Ritter reported that the bass fishing has been phenomenal. Hamilton asked Ritter if he has heard of any being caught with any injuries to their dorsal fins. Ritter said no, but he has word that on the Susquehanna they have black spots. It has been in the press for the last month, he said, and no one knows why they are there. He said the fish being caught on the Delaware are healthy fish and noted that the average size for small mouth is about 12 ½ to 13 inches. He recalled ten years ago, the average was about 8 or 9 inches. He said the quality of the fish on this river is phenomenal.

Public Comment: None

Adjournment: A motion by Boyar, seconded by Fluhr to adjourn the meeting at 8:16 p.m. was carried.