

Upper Delaware Council  
**WATER USE/RESOURCE MANAGEMENT COMM. MEETING MINUTES**  
**Jan. 19, 2010**

Committee Members Present: Serio, Chase, McKay, Keesler, Rando  
Committee Members Absent: Sundholm, Shafer  
NPS Partner: Schultz  
Advisory Members: None  
Staff: Douglass, Soete, Coney, Ramie  
Guests: D. Hamilton

The UDC's Water Use/Resource Management Committee held its monthly meeting on Tuesday, Jan. 19, 2010 at the Council office in Narrowsburg, NY. The meeting came to order at 7:16 p.m. A motion by McKay seconded by Chase to approve the Dec. 15, 2009 meeting minutes was carried. There was no public comment on the agenda.

**Election 2010 Committee Chairperson & Vice-Chairperson:** Chase nominated Jim Serio for committee chairperson. No further nominations. Serio was elected by vote as chairperson. McKay nominated Phil Chase as vice-chairperson. No further nominations. Chase was elected by vote as the vice-chairperson. Serio conducted the remainder of the meeting.

#### **Old Business**

**Delaware River Sojourn Update:** Ramie handed out flyers with general information about the upcoming 16<sup>th</sup> Annual Delaware River Sojourn to be held June 20 – 26, 2010. The Sojourn's theme this year is "Bridging the Delaware Valley – Connecting Communities". Ramie noted that the Sojourn Steering Committee met through teleconference Jan. 12. There is sufficient balance in the account to hold the event. They had talked of expanding the Sojourn membership and to that a representative from the Delaware River Joint Toll Bridge Commission was in attendance. The Safety Committee members were chosen for this year's Sojourn. The first three days of the Sojourn will be in the Upper Delaware River section and planning has started for that section. Ramie noted that the PA 2010 River of the Year has been chosen and it's the Lackawaxen River. There will be a sojourn on the Lac in June to celebrate this designation. The Sojourn Steering Committee will meet again Feb. 9 (the 2<sup>nd</sup> Tuesday monthly).

#### **New Business**

**NYC DEP news release - "DEP To Perform Work on Rondout-West Branch Tunnel":** The committee was provided with copy of a NYC DEP news release announcing the planned shutdown of the Rondout-West Branch tunnel portion of the Delaware Aqueduct for approximately two weeks to perform work on the tunnel. This activity is related to the long-term plans for repairing tunnel leaks. Serio mentioned NYC will release water until May 31 to make up for water they would have diverted. There has been 200-300 cfs extra releases already for non-diverted water and that program ends May 31. NYC would not release water in the summer.

Chase opinioned that the problem now is spillage and flooding and he felt the reservoirs could be taken down by 50% and would still refill by June 1, as NYC requires. Serio indicated that NYC is taking 50% of snowpack and adding that to releases. They could bring the reservoirs down 50% under the program but it goes by snowpack amounts. Serio said he was comfortable with the way things are going right now. He mentioned that NYS DEC and others were looking at releases based on quantity of cold water in the reservoirs. Hamilton commented that snow/water equivalent at 50% is a conservative measure.

**Preliminary Report – NYS DEC Mid-Winter Aerial Bald Eagle Survey, Southeast NY:** The committee was provided with copy of preliminary results from the helicopter survey Jan. 11 for bald eagles in Southeast NY. The report was gathered by Peter Nye, Leader, NYS DEC Endangered Species Unit. Rando who has volunteered with the DEC interpreted the report that indicated there were 277 total eagles counted. There would be ground surveys coming in as well to be added to that total. In the main stem Delaware area there were more eagles than the Mongaup system this year. This was a normal year in that

the eagles came down to winter the usual time. A large part of the Delaware River did not have ice cover this winter so the eagles were well dispersed. Hamilton noted that reproduction rates for eagles are the highest here than in the rest of New York State.

Rando mentioned that Nye did a presentation about the future of eagles in the valley at the Narrowsburg EagleFest. We may see eagles start putting their nests closer together as land habitat gets smaller due to development. Nests before were 4 to 5 miles apart; this year they were 2 to 3 miles apart. There were 18 nests on the main stem Delaware that are known. Rando also announced that nests in all three territories saw production of three eggs which is rare and that shows it's a favorable area for nesting sites. Hamilton noted that the nests fledged 40 young this year. Serio added that the spill mitigation reservoir program in winter, if at 1500 cfs, will keep the River open more and longer from ice. Hamilton noted that the PA Northeast Audubon is probably counting eagles at the Lackawaxen River watershed, a trib of the Delaware.

**Common Waters Partnership – Healthy Forests, Healthy Waters Program grant:** The committee was provided with copy of the proposal that the Common Waters Partnership submitted for a grant known as the Healthy Forests, Healthy Waters Program for which they received a \$1.8 million grant. The grant was announced by DRBC at the Jan. 7 UDC meeting. The program will have four components: Program development and landscape prioritization; A Drinking Water Greenway Fund; Education and Outreach; and Program Evaluation and Expansion. The Common Waters Partnership is a collaboration of local and regional organizations and agencies. The goal of the Program is to collaborate with water utilities to link water consumers in downstream communities with the resources in the upper Delaware River watershed that provide clean water. The Program will provide forest landowners with financial incentives to sustainably manage and conserve forests in order to protect sources of high-quality drinking water. The acceleration of sustainable forest management in the region will conserve critical sources of drinking water for millions of people while also benefiting wildlife habitat, the production of forest products, and the health of forest-reliant communities. The work will be supported by a grant from the US Endowment for Forestry and Communities.

**Sullivan County Democrat article “Pennsylvania’s fishermen should register for shad”:** The committee was provided with copy of a *Sullivan County Democrat* article of Jan. 15 regarding shad fishers who fish the Delaware River for shad and striped bass to register directly with the Federal agency that is involved with the mandated planned saltwater registry. PA has delayed the start up of its registry until 2011. There are discussions ongoing with New York State and the PA Fish and Boat Commission in regards to reciprocity of the registration since NYS is calling it a recreational marine fishing license instead of a registration. The National Saltwater Angler Registry comes under a new federal law that requires anglers who target or catch shad, striped bass, and river herring from the Delaware River below Trenton Falls or in the Delaware Estuary to register. There are exceptions. For information go to [www.countmyfish.NOAA.GOV](http://www.countmyfish.NOAA.GOV).

**NYS DEC news release – “Public Comments on DEC Regulations”:** The committee was provided with copy of a NYS DEC news release regarding its regulations and public comment. The news release stated in part: “Pursuant to Executive Order No. 25, the New York State Department of Environmental Conservation invites comments from regulated entities and interested parties to identify existing regulations that impose unnecessary, burdensome or excessive costs, paperwork, reporting or other requirements. Comments are sought that describe and quantify the burden and suggest appropriate remedies that the agency may undertake to eliminate or amend regulations that are unnecessary, unbalanced, unwise, duplicative or unduly burdensome.” Public comment web links cover the regulation topics for: air; environmental permits; environmental remediation; fish-wildlife-marine resources; forest protection; hearings and mediation services; lands and forests; law enforcement; mineral resources; solid and hazardous materials; water resources; among others. Comments must be received by DEC on or before Feb. 15, 2010. Further information at [www.dec.ny.gov](http://www.dec.ny.gov) and enter Executive Order 25 in the search box.

**UDC Participation in Narrowsburg EagleFest Jan. 16:** Ramie reported that she staffed an Upper Delaware Council information display table during the Jan. 16 Narrowsburg EagleFest. There were various other environmental organizations also set up in the Tusten Town Hall to provide information to the visitors of EagleFest. The EagleFest organizers estimated there were 2500 visitors taking in all the

numerous events during the day. Ramie said she distributed UDC brochures with information about Council activities as well as the newsletter. A chart of the eagle counts as mentioned earlier was of much interest to passersby.

**PA DEP Modular II Regulation:** Keesler mentioned that at the Damascus Township meeting there was discussion about a PA DEP Modular II regulation that the township received notice about that would call for a higher standard for on-lot septic systems in regions graded as being within a Special Protection/Exceptional Value watershed, which would include most of Wayne County. Keesler thought that no one would be “grandfathered in” under these regulations and tanks would need to be cleaned out every three years. It also will impact new development. Serio noted that the state codes overrode the township codes. He would look into further. Soete added that DEP should be telling the township sewage enforcement officer what’s needed to meet the regulations. Keesler noted that the township is looking into the matter as well.

**Public Comment** None

**Adjournment** A motion by Chase seconded by Rando to adjourn the meeting at 7:59 p.m. was carried.

Carol Coney, Office Manager