

Upper Delaware Council
WATER USE/RESOURCE MANAGEMENT COMM. MEETING MINUTES
Feb. 19, 2008

Committee Members Present: Charlie Wieland, Jim Serio, Phil Chase, John C. Sundholm,
John McKay, Jay Shafer, George J. Fluhr, Alan Bowers
Committee Members Absent: Mike Flaherty
Partner: Vidal Martinez
Advisory Council Members: None
Staff: Douglass, Soete, Coney, Ramie
Guests: S. Schultz

The meeting was called to order by Chairperson Wieland at 7:08 p.m. An e-mail note was issued to the committee from Serio clarifying his remarks at the Jan. 15 meeting. A motion by Bowers seconded by Chase to approve the amended meeting minutes was carried. There was no public comment on the agenda.

New York Regional Interconnect, Inc. proposed transmission line, update on activities:

~The NYS PSC has issued on Feb. 13 an Order Dismissing Petition for Declaratory Ruling and Declaratory Ruling that the Commission lacks authority to determine the applicability and constitutionality of the Transportation Corporations Act. This was in response to NYRI's petition to do so. NYRI is to file a supplement to its Art. VII application to the PSC relating to its power line proposal sometime around Feb. 22 per NYRI. Newspaper Public Notices produced by NYRI relating to the power line alternate routes include mention of the New York State Thruway, Marcy-South and Millennium Pipeline. The power line may go underground through Norwich and Otisville.

~NPS Solicitor's opinion on UDC joining CARI: The UDC has been advised, upon request, that under the Cooperative Agreement with NPS, it expressly prohibits UDC from lobbying the Congress. This does not preclude UDC from lobbying state legislators. If CARI's role includes lobbying Congress, UDC's staff participation (membership) would be precluded.

Old Business

UDC comment letter to DRBC regarding FFMP: The committee discussed an amended version of the UDC comment letter issued Sept. 6, 2007 to the DRBC regarding the FFMP (Flexible Flows Management Program). Additional comments regarding flows and the CP2 were mentioned along with other items for expanded comment. Due to the comment deadline of March 3, the matter was referred to the Project Review Committee as they can send correspondence directly from committee. Staff will work with Serio and Bowers on the comment letter language based on committee discussion.

Water Resources Assn. of Delaware River Basin newsletter article regarding FFMP: The committee was provided with a copy of the Winter 2008 newsletter of the Water Resources Association of the Delaware River Basin article "Around the Basin: Flexible Flow Management Plan: Trout Versus Floods". The article reviews the plan and offers comment. It states, in part: "The good news is that the decree parties and DRBC are working to incorporate into the FFMP agreement a discharge mitigation program. In addition, New York City and PPL's Lake Wallenpaupack hydroelectric facility are using snowpack-based storage management programs to calculate on-the-ground water supply storage. DRBC has also contracted with USGS, the Army Corps of Engineers and NOAA/National Weather Service to develop a flood analysis modeling tool. This valuable tool will facilitate evaluation of reservoir operations at all major Delaware River Basin impoundments."

Catskill Shopper article, Gunther legislation-flooding: The committee was provided with a copy of the *Catskill Shopper* article of Feb. 15, "Gunther Legislation Takes Steps to Reduce Risk of Flooding". The article stated, in part: "...Gunther's (D, C-Forestburgh) bill that requires water management experts from state and federal agencies to review and make recommendations about how to better manage New York City's drinking water supply system west of the Hudson River to reduce the risk of flooding passed the Assembly on Monday (A.1150).

Delaware River Sojourn update: Ramie reported the Sojourn Steering Committee met Feb. 12. They are continuing to refine the Sojourn day plans. The Upper Delaware section will take place on Day 1 and 2 with a paddle from Narrowsburg to Ten Mile River and from Callicoon to Narrowsburg. They are looking at expanding their publicity efforts including a MySpace page on the web. The next meeting will be held March 18 at the DRBC offices in West Trenton, NJ.

Upper Delaware Scenic Byway update: Ramie reported the Byway group met Jan. 28. The success of the web site was discussed with visitor hits of 4,000 in 2006 and 395,000 in 2007. Topics of interest on the site in order of interest were history, natural attractions, photo gallery, and business listings. As to the photo gallery page, they decided to solicit new photos from the public that could include, for example, historic and scenic qualities. The photos can be uploaded to the web site. Ramie showed the Delaware County travel guide with the Byway included. There will be a Byway presence in Sullivan and Orange county guides as well. They are looking at the distribution of official Byway brochures through a professional company and are preparing their 2007 tax forms for non-profits. Grant projects are continuing including member municipalities' improvement projects for the Byway (NYS Rt. 97). The Byway visitors' center grant was reduced by 14% at the federal level. The \$1 million project has now been reduced to \$916,000. The Sullivan County DPW project cost analysis had inaccuracies so Richardson did letters to the newspapers to correct the information.

The Byway group passed a motion to consult with a licensed architect to see if the visitor center project is doable under the \$1 million cost. They are reviewing the expansion of the web site business listing categories. The next Byway meeting is Feb. 25.

D & H Transportation Heritage Council Update: Ramie reported the D & H Council met Jan. 16 in Cuddebackville. They held election of officers, are looking at establishing an awards ceremony for those preserving canal remnants, are working on a master logo for all groups to use, and the next meeting will be April 16 at Ellenville Memorial Library.

Delaware Water Resources Regional Committee update: Douglass explained that the Delaware Water Resources Regional Committee is one of six committees across Pennsylvania that is working on the PA State Water Plan. Carol Collier, Executive Director of the DRBC, is chairing the Delaware committee. The committee met Feb. 8. Some agenda topics included administrative items, regional priorities statements, and prioritization of watersheds. The committee is to meet again on May 9 in Schuylkill County. Douglass commented that hopefully a statewide atlas including all water resources information will be produced through this project.

Regional cross-border group update: Douglass explained that the new regional cross-border group meets every two months the first Thursday in Narrowsburg. The intent is to work cooperatively and coordinate projects on both sides of the Upper Delaware River in New York State and the Commonwealth of Pennsylvania. Laurie Stuart and Sue Currier are leading the group. The focus of the meeting was the NPS map and where development was taking place in the River Valley. Martinez indicated that at the meeting there was discussion about formalizing the group with goals and purposes. This might also assist in securing funding for projects within the group. Schultz noted the group has been effective in pulling together the diverse agencies and organizations that handle projects within the River Valley, such as The Nature Conservancy and the Open Space Institute. She mentioned there's also a tri-state group downriver that has been moving forward with funding and working with the surrounding counties' planning agencies. Their focus is dealing with federal agencies as well as coping with growth.

New Business

Mid-winter bald eagle survey: Information was provided to the committee on the preliminary results of the mid-winter bald eagle count done by NYS DEC. There were more bald eagles in the River Valley than last year due to an early winter season in Canada. The preliminary aerial survey count statewide for New York nearly doubled, with two routes yet to be flown. Thirty eagles were spotted along the Delaware River versus 20 last year.

“Measuring snowpack” article in TH-Record: The committee was provided with a copy of the article in the Feb. 12 *Times Herald-Record*, “Measuring snowpack”. The article stated, in part: “The Neversink Reservoir is the site of a new snowpack measuring device aimed at more accurately recording water content in the region’s snowfall. The state-of-the-art “snow pillow” technology uses aluminum platforms with highly sensitive scales to record measurements every 60 seconds and transmits them to the New York City Dept. of Environmental Protection, which regulates the water in the reservoirs. Accounting for snowpack helps the DEP mitigate flooding for residents downstream of the reservoirs. The DEC plans to install another snow pillow in the Pepacton Reservoir. If the technology works well, it will expand the program to other reservoir basins.”

NYS DEC press release “Plan to Reduce Mercury Impacts in Fish Approved by EPA”: The committee was provided with a NYS DEC press release pertaining to reducing mercury impacts in fish. The press release stated, in part: “A multi-state plan to reduce mercury in the waters of New York and New England has been approved by the U.S. Environmental Protection Agency. The approval was a necessary step to implement collaboration between New York, Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, and Vermont to reduce mercury and make freshwater fish safer to eat. The vast majority of mercury pollution affecting New York comes from air emissions – much of it from out-of-state sources. Mercury impairs at least 80 waters in New York to an extent that violates state and federal law. The multi-state plan’s goal is to reduce atmospheric deposition of mercury to the region by between 86 percent and 98 percent, allowing fish-tissue mercury levels to decline and enabling the states to discontinue fish consumption advisories. The multi-state plan, called the Northeast Regional Mercury Total Maximum Daily Load (TMDL), recommends actions to be taken by EPA, including the implementation of a stringent national mercury control program, and also for the Northeastern states to continue building upon existing state initiatives that will control mercury contamination.”

Walton Reporter article, Wild Turkey studies: The committee was provided with a copy of a Jan. 23 *Walton Reporter* article, “DEC Continues Wild Turkey Studies With Banding, Data Collection”. The article states, in part: “Two large-scale wild turkey research projects are entering their third year, under the supervision of the New York State Department of Environmental Conservation (DEC). Between January and March, DEC staff and National Wild Turkey Federation cooperators will attempt to capture as many turkeys as possible and fit them with metal leg bands that bear a toll-free telephone number for reporting purposes. The banding will be done on private and public lands in the entire state above New York City. The department is also continuing to collect data on winter flocks, to assess feasibility of a long-term population monitoring program.” More information on both projects is available by e-mail at fwwildlf@gw.dec.state.ny.us.

Cornell University report excerpt “Public Awareness of Invasive Plants and Insects in the Catskills and Lower Hudson Region”: The committee was provided with excerpts from a report by Cornell University, “Public Awareness of Invasive Plants and Insects in the Catskills and Lower Hudson Region”. The report noted in part that the awareness of invasive species among landowners was low. Over half of the respondents had never heard of 12 of the 14 invasive plants and insects they were asked about in the survey. Outreach efforts should focus first on increasing basic awareness and knowledge of invasive species. The survey of forestry and tree professionals – most professionals had heard of the invasive trees, shrubs, and insects that were asked about on the survey. Outreach efforts should focus on increasing the knowledge base of professionals. The survey of local officials – less than half of the respondents had ever heard of many of the invasive plants and insects in the questionnaire. Outreach efforts should focus first on increasing basic awareness and knowledge of invasive species. The field identification guide and web site mentioned for tree and forestry professionals would have application to this audience. The report is available electronically at www.dnr.cornell.edu/hdru/pubs/Elecpubs.asp.

Sundholm noted DEC was to map all invasive species in the state. Douglass and Soete noted that they received e-mails from DEC on these types of subjects. Martinez commented that NPS is very interested in invasive species and eradication. They’ve been working on this in teams to control. He said at the Sullivan Renaissance conference they received a guide showing what’s native and not and he would bring it to the next meeting. Serio mentioned that NYS was producing a pamphlet for the summer season on Rock Snot with emphasis to not go from one body of water to another without cleaning your boat and equipment.

Lackawaxen River Conservancy Annual Report 2006-7: The committee was provided with a copy of the Lackawaxen River Conservancy's annual report for 2006-7 that was provided to the UDC from the Conservancy. The report notes that September 2007 marked the Conservancy's sixth year and they will continue their work in Pike and Wayne counties where the vast portion of their watershed exists. Highlights of the report included such topics as Northeast Environmental Partnership Award, partnership activities, designation as 501 (c) (3) entity, Adopt a Highway Program, first annual dinner, special memorial, officers and committees, and future directions. For further information go to the web site at www.lackawaxenriver.org.

NYS Gov. Spitzer Flooding Summit Feb. 28: Douglass announced that NYS Governor Spitzer has issued a press release announcing a flooding summit for state and local officials on Feb. 28 to be held at the Binghamton Regency Hotel from 8 a.m. to 1:15 p.m. The summit is to explore issues regarding the repetitive devastating flooding that has occurred in various regions of the state over the last three years, threatening the safety of residents and causing hundreds of millions of dollars in damages.

Gas leasing issues: Douglass reported that he and Soete attended the meeting last week at Cornell Cooperative Extension in Liberty on the dos and don'ts involved with gas leasing. There were good speakers from the state, cooperative extension and the Farm Bureau and a lot of important information was provided to the attendees. There is a big disparity of leasing rates to landowners Martinez noted. He's interested in the long-term impacts of this issue on the Upper Delaware resources. Douglass said two meetings were coming up on the subject. One on Feb. 20 at the Bryn Mawr Conference Center in Honesdale where PA DEP will discuss its oversight role, and Feb. 22 at 7 p.m. at the Callicoon Youth Center sponsored by the Damascus Citizens for Self-Government and Friends. Fluhr noted that the Municipalities Code exempts oil and gas exploration. It's a state regulated activity and towns have little control on this. UDC staff will be attending the Feb. 20 meeting.

NPS PowerPoint presentation, flooding in Sullivan/Delaware Counties that took lives: Sandy Schultz took 15 minutes and showed a PowerPoint reviewing the flooding that took place last year in Roscoe/Livingston Manor where three people lost their lives. The amount of flooding that took place in a short period of time in a highly localized area was unbelievable. Eight to nine inches of rain fell in a three-hour period and a "bucket" survey indicated eleven to 12 inches. A wall of water in lower Spring Brook hit a dam and washed it out. Average flow velocity was 8.8 feet per second and there was a 2700 cfs peak discharge. Schultz noted that NPS found the degree of analysis of the flood very interesting. Fluhr wondered if this kind of presentation would change flood delineation maps. Schultz commented that the FEMA maps are being updated due to all the floods. Martinez felt more USGS gages were needed. Schultz noted that NPS could provide CDs of the presentation if anyone was interested in having one for demonstration purposes.

Public Comment None

Adjourn A motion by Bowers seconded by McKay adjourned the meeting at 8:47 p.m.

Carol Coney, Office Manager 