

Upper Delaware Council
WATER USE/RESOURCE MANAGEMENT COMM. MEETING MINUTES
February 18, 2014

Committee Members Present: Tony Ritter, Al Henry, Pat Jeffer, Andy Boyar, John McKay, Joe Demalderis
Committee Members Absent: None
NPS Partner: Don Hamilton
Staff: Laurie Ramie, Travis O'Dell, Cindy Odell
Guests: Jeff Skelding

The UDC's Water Use/Resource Management Committee held its monthly meeting on Tuesday, February 18, 2014 at the Council office in Narrowsburg, NY. Chairperson Ritter called the meeting to order at 7:06 p.m.

Election of Committee Chairperson and Vice-Chairperson for 2014: Boyar made a motion to nominate Tony Ritter for Chairperson of the Water Use/Resource Management Committee for 2014. The motion was seconded by Henry. Ritter was elected by voice vote. Boyar made a motion to nominate Alan Henry for Vice-Chairperson of the Water Use/Resource Management Committee for 2014 and Jeffer seconded the motion. Henry was elected by voice vote. Ritter introduced Joe Demalderis and welcomed him to the WU/RM Committee. He said that Demalderis has been a guide on the Delaware River for 22 years, was named by Orvis Company as their 2010 Freshwater Fly Fishing Guide of the Year, and is a board member of Friends of the Upper Delaware River. Ramie noted that Demalderis is the new UDC representative for Westfall Township.

A motion by Boyar seconded by Henry to approve the December 18 meeting minutes was carried. There was no Water Use/Resource Management Committee meeting in January as it was cancelled due to inclement weather. Jeff Skelding asked if there has been any follow up with the Delaware River Basin Commission regarding the UDC's request for an analysis of the proposed Equitable Apportionment Plan (EAP). Ramie noted the Council encouraged the DRBC to undertake a thorough evaluation of the plan as the Council was not qualified to judge the science behind it. O'Dell stated there has been no follow-up to date. Boyar asked if the meeting agenda could be available in advance to anyone that was interested. After a brief discussion, it was decided that Odell will send out a draft agenda to the committee members and interested parties as soon as it became available.

Old Business:

January 8 DRBC Response: Lordville Thermal Stress Relief Protocol: Ritter noted the response from Bob Tudor acknowledging UDC Resolution 2013-07 expressing support for the "Lordville Thermal Stress Relief Protocol" was provided in members' packets. Boyar suggested drafting another letter reiterating our support and sending it to the Decree Parties. He referenced Tudor's statement in the letter which read, "While the RFAC, as a standing committee of DRBC, is an important vehicle for communicating new concepts/programs for consideration by the Decree Parties as part of their deliberative process to amend and adapt the FFMP, it has no decision making role." Boyar said the new letter could reference both the "Lordville Thermal Stress Relief Protocol" and the Equitable Apportionment Plan. A very lengthy discussion took place about corresponding with the Decree Parties Principals. Boyar said he would like to see the line of communication go from this body, the body charged by Congress to manage and handle these issues, directly to the Principals. Henry suggested contacting the Secretary of The Interior office and request they find out the appropriate protocol for sending correspondence. Ramie noted we received an e-mail from Marie Stewart, Deputy Delaware River Master, containing information on the Decree Party Principals. There is a letter under New Business that we intend to send to these individuals requesting even more information for better correspondence, she added. Ramie said we will re-work a letter to cover the two positions and send it to the Decree Parties in order to compel an answer. Skelding noted that according to Tudor's letter, some sort of thermal stress relief protocol is under active consideration for the next June 2014 iteration of the FFMP. He feels that the analysis of the EAP should be directed to the Delaware River Basin Commission as the UDC originally did.

January 21 Catskill Regional Invasive Species Partnership (CRISP) Summit Update: T. O'Dell reported that on January 21, he and National Park Service's Jamie Myers attended a Hemlock Woolly Adelgid Summit at the Frost Valley YMCA in Claryville, NY. The summit was sponsored by the Catskill Regional Invasive Species Partnership (CRISP), and included 38 staff members from 20 different agencies and organizations across the Catskills. The morning's presentations focused on Hemlock Woolly Adelgid (HWA) management, while discussion sessions in the afternoon sought to crystalize a broad plan for hemlock conservation across the region. Biological management efforts include the Laricobious beetle that feed exclusively on Adelgids. For more information on Laricobious and biological control efforts for HWA please visit www.catskillinvasives.com. A brief discussion took place about the effect of the cold weather on the Adelgids.

January 22 D&H THC Meeting Update: Ramie said the D&H Transportation Heritage Council met at the Westfall Township Municipal Building following a morning tour of the Mill Rift Museum guided by Chuck Dowd and lunch. Members reviewed the organizational bylaws as adopted on July 18, 2001 line-by-line to discuss potential amendments. Proposed changes will be reflected on a draft copy to be sent electronically and a vote will be taken at the next quarterly meeting.

Ramie reported that a Facebook page has been set up for the Council and is active. Search for "Delaware & Hudson Transportation Heritage Council" and like it as a friend.

Ramie said Cliff Robinson handed out copies of a draft tri-fold brochure he designed and wrote using a Print Shop graphics program. He also developed a Quick Response (QR) code for the Council that leads people who scan it to the Council's website. The brochure will stress the theme that from Kingston, N.Y. to Carbondale, PA and beyond, this is one system of canal and Gravity Railroad and will emphasize all the trail development that is going on.

Ramie noted that announcements of member accomplishments, concerns, and upcoming events took place. During this time, she spoke of the transition in the National Park Service leadership and the fact that the cultural resources position filled by Dot Moon is also vacant based on her retirement.

Ramie reported that the next quarterly meeting is scheduled for Wednesday, April 23, which was coincidentally noted as the day that the D&H Canal Company was incorporated. It was suggested meeting at the D&H Canal Park in Cuddebackville. Itinerary details will be announced.

January 27 UDSB Meeting Update: Ramie reported there have been a couple of changes to the Byway membership. Deb Conway will be the Town of Highland alternate and Jenny Mellan will be the Town of Lumberland alternate. The City of Port Jervis announced that Deborah Schofield will be their new representative and Kristen Trovei will be their alternate.

Ramie said discussion took place about ways to close a gap between income and expenditures in the Byway budget. She will contact Senator Bonacic and Assemblywoman Gunther's offices to seek assistance in recouping \$7,661.83 of delinquent Federal Highway Administration (FHWA) grant money due to the Byway.

Ramie said it was discussed whether the \$250,000 Bonacic grant is still available, and if so, whether it can be used to acquire lands rather than for construction. Also discussed was a movable kiosk/visitors center for Route 97 promotional purposes and possible sites to locate this.

The Byway group discussed the NPS UDSRR superintendent vacancy. They will write a letter endorsing the UDC letter in which insight was offered regarding the naming of a permanent superintendent.

Ramie provided Byway members with a briefing about the two proposed Verizon broadband towers in Damascus Township because they would be visible in the proposed present form from Narrowsburg and Callicoon resulting in a viewshed impact to the Scenic Byway. Byway members were told of the telecommunications workshop tentatively scheduled for March 29th.

Ramie said the Byway received correspondence from NYS DOT providing advance notice of culvert repair work on Route 97 in the Town of Hancock. No timetable has yet been provided. She is appreciative that they do let the Scenic Byway know about these pending repairs.

The UDC awarded to the Town of Lumberland a Technical Assistance Grant to conduct a study estimating the economic impact from tourism to the Byway. Fairweather Consulting of New Paltz was hired to conduct this study. A meeting will take Friday, February 21 between a steering committee and the consultant. The consultant is looking for input from people familiar with the Byway.

The next UDSB meeting is scheduled for Monday, February 24, 2014.

February 10 Eastern Shale Call: T. O'Dell said Pennsylvania Chapter 78 regulations were discussed briefly. The main topic of the call was "frac-outs". Frac-out can occur during Horizontal Directional Drill (HDD). HDDs are most commonly used to cross underneath sensitive or difficult to construct areas such as areas with slope stability issues, roads, wetlands, and waterbodies. A frac-out occurs when drilling fluids escape the drill bore hole and are forced through the subsurface substrate to the ground surface. The take home message from the call was to be sure that contingency plans are in place should a frac-out occur.

February 15 Climate Change Symposium: Ritter noted this symposium took place in the Town of Highland. He asked Boyar about the turnout. Boyar said it was well attended both days despite the weather. Ramie said the agenda was included in members' packets. She said the caliber of speakers was impressive. On Saturday, a series of three, 2-hour panel discussions on different topics of climate change and sustainability took place. Interspersed among these discussions were theatrical performances from the NACL Theatre. The *Weather Project* collaboration with NACL Theatre culminates in the Community Pageant Performance on August 9, 2014 outdoors at the Yulan ball field. The *Weather Project* is made possible by a grant from The National Endowment for the Arts. Boyar provided some information on the project.

Other: Ritter noted that the Town of Tusten passed a resolution embracing solar for its municipal buildings and are in the process of putting out a request for proposals for bidders for remote net metering. O'Dell commented that Lackawaxen Township has solar on its municipal building.

New Business:

Draft Letter to NYS DEC: Comments on Proposed Aquatic Invasive Species Control Regulations: T. O'Dell noted that letter was circulated in advance of tonight's meeting. Demalderis said he is not opposed to the regulation, but questions how effective it will be. Henry commented that the Park Service could enforce the regulations from shore to shore if they chose to enforce this New York State regulation. A very lengthy discussion regarding members' concerns with enforcement took place. Hamilton noted that a Watershed Steward Program has been started at some of the more heavily used boat launches. Volunteers are performing visual inspections of boats, canoes, kayaks and other craft entering and exiting the water to ensure that aquatic invasive species are not clinging to the vessels. Watershed Stewards stationed at these access points will also be able to play a part in stopping the introduction and transport of invasive species by fishing tackle, footwear, and boat trailers by conducting visual inspections, interviewing water body users, and encouraging them to properly clean all equipment before using it on another body of water. He added there is benefit in educating people. Ritter questioned if the committee wants to comment on the proposed regulations. Concerns about the burdens that would be placed on fishing guides and commercial recreational liveries on the Upper Delaware as a result of these regulations were discussed. Boyar commented that he feels the committee is obligated to comment. Ritter asked that the letter be amended to include the points that were raised by members and it be sent out to the WU/RM Committee members for review in order that he, as the committee chair, can sign it and it be sent before the deadline. A motion to send a comment letter from the WU/RM Committee after review by committee members was made by Boyar. Ritter reiterated that the comment deadline is Monday, February 24. Hamilton commented that the regulation may not be perfect, but it is a step in the right direction to combat invasive species. Ramie asked members if the last sentence of the third paragraph of the draft letter which reads "Also, coordination among neighboring states is essential for border waters such as the Upper Delaware to assure all regulations are congruent and effective" addresses their border water concern. Members agreed. After a brief discussion, Ramie asked members if they were satisfied with the draft letter as a basis and noted we could strengthen the enforcement concerns. Ritter noted the letter should just be concerned with the Upper Delaware river system. Boyar's motion was seconded by Henry and carried.

January 27 Deputy Delaware River Master Response: Decree Party Principals Correspondence: Ramie referred to her January 21st letter to Marie Stewart, Deputy Delaware River Master and the January 27th e-mail response from Stewart. The e-mail response contains contact information for the Decree Party Principals. The draft letter, which will be sent to each of the Principals named in the e-mail, requests more information for emergency situations and alternates. Ramie said she will add the inquiry of whether there is

a chairman or secretary of the Decree Parties. A motion to send the letters was made by Henry, seconded by McKay and carried.

Pond Eddy Bridge Emergency Repairs: Ramie reported that the Pond Eddy Bridge needs nearly \$500,000 worth of emergency repairs and its seven-ton weight limit is being reviewed by the Pennsylvania Department of Transportation. There is currently no time table for the work, but Ramie will advise when she learns of one.

Ramie noted that the Pennsylvania Department of General Services is offering the existing Pond Eddy Bridge in Shohola Township for sale. Parties interested in purchasing the bridge must submit a letter of interest to the Dept. of General Services not later than April, 2014.

Delaware River Flow and Storage Data Report: Ritter referenced the current reservoir level handout in members' packets noting the combined total storage as of February 18, 2014 is 88.8%. He noted he e-mailed out to committee members information on the current snow pack.

Other: Ramie reminded members that the Upper Delaware River Access Design Workshop will be held on February 27th at the Cochection Town Hall. A public open house will take place from 4 p.m. to 7:30 p.m. with a project presentation from 6:30 p.m. to 7:30 p.m.

Ramie noted that the nomination period for our nine award categories for the 26th Annual Awards Ceremony is open through March 10th. All are strongly encouraged to share any ideas that may be appropriate for the various categories.

Public Comment: None

Adjournment: A motion by Boyar seconded by McKay to adjourn the meeting at 8:47 p.m. was carried.

Minutes prepared by Cindy Odell, 2/25/14