

Upper Delaware Council
WATER USE/RESOURCE MANAGEMENT COMM. MEETING MINUTES
April 16, 2013

Committee Members Present: Tony Ritter, Al Henry, Pat Jeffer, Andy Boyar, John McKay
Committee Members Absent: None
NPS Partner: Don Hamilton
Staff: Laurie Ramie, Travis O'Dell, Cindy Odell
Guests: Fred Peckham, Bart Larmouth, Jeff White, Juliette Hermant

The UDC's Water Use/Resource Management Committee held its monthly meeting on Tuesday, April 16, 2013 at the Council office in Narrowsburg, NY. Chairperson Ritter called the meeting to order at 7:05 p.m. A motion by Jeffer seconded by Henry to approve the March 19 meeting minutes was carried. There was no public comment on the agenda.

Old Business:

Upper Delaware Scenic Byway 3/25 and 4/5 Meeting Updates: Ramie noted a Nominating Committee was appointed. They will be responsible for proposing a slate of officers to be voted on at the annual meeting on April 22nd. The search for a Recording and Corresponding Secretary continues, Ramie said. The deadline for applications was extended and consensus was reached to request placement of the ad on-line via the Upper Delaware Community Network website and the Byway's Facebook page. Funding for the Byway Visitor Center project in Narrowsburg was discussed. Federal funding de-authorization and the estimated facility price tag offered by the consultants have stymied the project. A meeting was held on April 5th at the Sullivan County Planning Office at the Government Center in Monticello initiated by Heather Jacksy and attended by representatives from many interests. Discussed at the meeting were the status of the funding and whether there are other funding sources available.

It was announced that a new 501(c)3 has been established called *The Delaware Company*. It will act as a "friends organization" for historic interests in the river valley. The Delaware Company will be able to seek grants and host activities to raise funds.

Ramie said there was further discussion about the signage program for businesses located off of Route 97. A field trip is going to be set up with Dean Smith of the NYS Department of Transportation to drive the route and determine where locations would be appropriate for groups of uniform signage to get people to proceed into the communities and see what sort of businesses are offered there. The second step would be to contact businesses and see if there is financial support to have this type of signage. The Byway isn't offering to pay for it, but to sponsor it and do some design work for uniform signage.

Discussion of funding a historic markers inventory by applying to the Upper Delaware Council's Technical Assistance Program (TAG) through a municipal sponsor took place. The TAG deadline will be August 30, 2013.

Ramie reported that the application for the Sullivan County Historical & Cultural Assistance Program Grant has been submitted. The Byway is requesting \$600 to purchase UDSB window decals. There is currently no timetable for an announcement of decisions.

Ramie noted that the next meeting of the Byway will be Monday, April 22nd.

iMap April 3rd Training Report: T. O'Dell noted this was a free training sponsored by the Catskill Regional Invasive Species Partnership (CRISP) that he attended in Arkville, N.Y. The meeting began with introductions and updates from all represented agencies including NYS DOT, Cornell Cooperative Extension, Delaware County Soil and Water, the Nature Conservancy, Trout Unlimited, NYS DEC, the National Park Service, and concerned citizens. The presence of Emerald Ash Borer and Hemlock Woolly Adelgid was discussed. O'Dell said that Jennifer Dean of the Nature Conservancy introduced the iMap Invasives Program. This program is a database used to monitor the spread of invasive species.

Upper DelAWARE Roundtable 4/4 Meeting Update: Two agriculturally based projects were discussed at this meeting. The first is a proposal to utilize a grant that Sullivan County has secured to subsidize the development of a plant that would manufacture cheese curd that can be used for the production of mozzarella and other cheeses, and market the curd to high-end restaurants in the metropolitan area. The

grant is to purchase the equipment necessary for this plant, but they currently do not have a location to construct it. Peckham noted that currently, New York lacks the milk required to make yogurt and changes in regulations have proven to be challenging. Ramie anticipates more information on this at the next quarterly meeting.

The second update provided was plans by the Solution Project to develop the Narrowsburg School into an agro-hall and other uses. The building is 30,000 square feet and the group feels they can have a regional food hub there and an incubator community kitchen to give different classes. There are a number of various ideas for use of the rest of the building. This group needs to make a second offer to the Sullivan West School District and see if it is accepted. The additional 14 acres across from the Narrowsburg School is not currently on the market. Ritter noted that the school is on the market for \$700,000 and has been on the market for the past year. Peckham noted that the Hancock golf course is also for sale.

Federal Eastern Shale Group 4/8 Conference Call Report: T. O'Dell noted that this group was formerly known as the NPS Marcellus Shale. He referenced the handout titled "Natural Gas Liquids *Fracking and Cracking*". It covers the difference between liquefied natural gas and natural gas liquids. Liquefied natural gas (LNG) is dry gas that has been converted to liquid form for ease of storage or transport. Natural gas liquid (NGL) are components of natural gas that are separated from the gas state in the form of liquids. The plants are called crackers because they use heat and other processes to "crack" the ethane molecules into smaller chemical components. The group is keeping an eye on cracker plants that are being built.

Common Waters Partnership 4/11 Meeting Summary: T. O'Dell said that he and Ramie along with Don Hamilton of the NPS attended this meeting that was held at Grey Towers in Milford, PA. One discussion item was submitting an application to nominate the Delaware River to the National Blueway system. Benefits include eligibility for federal technical assistance and increased marketing value. A handout offering more information was provided in members' packets. O'Dell said the conference "Natural Economies: Making the Most of the Delaware River Region's Natural Assets" is scheduled for May 14, 2013 at the Riverview Inn, Matamoras, PA. Gerald Kauffman is the keynote speaker and will discuss the socioeconomic value of the Delaware River Watershed. Further details will follow, he added. O'Dell noted that Susan Beecher presented the Model Forest Policy Program. He said he has been participating on the team through bi-weekly conference/webinar calls. The program runs through November 2013. Presenters cover various topics that focus on the correlation between climate change and forest, water, economics, and public engagement. The creation of an adaption plan that is tailored to our particular region is expected upon completion of the program. O'Dell reported that Common Waters communications and outreach focused on the updating of the website/partner page, creating a website calendar to list upcoming events, and the re-printing of the Common Waters brochure. He noted that a Common Waters Fund update was provided on the status of projects. To date, they have completed just over 50% of the funded projects for the fiscal year and expect completion of all projects by August 2013. New funding is limited, but cataloging potential projects was encouraged in the event additional funding is granted. The Fund has assisted over 100 projects for a total of just over 52,000 acres, primarily through Forest Stewardship Plans and easements. The next meeting is scheduled for July 11th at a location to be determined. Ritter questioned if anyone knew how often economic studies are conducted on the Upper Delaware River. He recalled a study having been done approximately 10 years through Trout Unlimited. Ramie agreed it was at least 10 years ago as she recalls Phil Chase referring to it often.

Update on Upcoming Presentations: Ramie reported that Thomas Murphy of the NYC DEP has confirmed his attendance at the June 6th full Council meeting. She noted that Mr. Murphy is also currently serving as the Chairman of the DRBC Regulated Flow Advisory Committee. Ramie added that at the May 2nd full Council meeting, Lackawanna Community College students will project the effect of the Principles of the Upper Delaware Land and Water Use Guidelines on the community, economy, and environment of the river corridor in the year 2063. Ramie said staff had invited Marie Stewart, the Deputy Delaware River Master, to attend tonight's meeting, but she was unable to attend due to sequestration limitations. She did offer her phone number if anyone had any direct questions, Ramie added. Boyar asked where her office is located. Ramie told him Milford, PA. Boyar suggested developing a list of questions and/or concerns and perhaps sending a delegation to visit with her at her office. Henry wondered if she would be interested in entertaining members of the committee. Ritter said that he personally would like for her to come to the Council office for a presentation in order to reach a larger audience. Boyar noted that in ten years, the River

Master has never been here. Ramie does not recall the UDC ever extending an invitation. She reminded members that Stewart did send a letter in response to our inquiry about what the procedure is for making emergency thermal stress releases. After more discussion, it was decided that staff would reach out to Marie Stewart to see if she would entertain the idea of members traveling to her office for a meeting.

Other: McKay asked if at the Common Waters Partnership meeting, there was any mention or discussion of the PA DEP proposed nitrate abatement policy. O'Dell said several agencies are drafting letters opposed to the policy. Ramie said that Wayne and Pike County Conservation Districts both spoke of it. She added that no one spoke in favor of it. McKay asked if anyone watched the webinar presented on the issue on April 15th. Ramie said that T. O'Dell and Jeff Dexter participated in it at the Council office. McKay questioned if they were penitent or if they were still adamant. O'Dell said he felt they talked around the questions.

Henry asked to briefly discuss the "Strides Across the Delaware" 5K Run/Walk event. He said he has been in contact with different agencies for traffic control and permits and provided O'Dell with several names and phone numbers of people to speak with. Hamilton asked what the proposed route is for the event. O'Dell said starting at the Equinunk Methodist Church, down Lordville Road, across the Lordville Bridge, a right onto Bouchouxville Road approximately .2 miles and then back to the church.

New Business:

Discussion of Accessibility at the NYS DEC Lordville Access: Scott Wells and Dennis Wischman of the NYS DEC Region 4 Bureau of Fisheries joined the committee for the discussion via a conference call. Ritter told them the committee would be discussing the access at Lordville, NY. He told Wells and Wischman that in addition to being an alternate to the Upper Delaware Council for the Town of Tusten, he is also a licensed guide under permit from the NYS DEC, the National Park Service, and also the Pennsylvania Fish and Boat Commission. He said he has worked the river for 20 years and that occasionally he uses the Lordville access and has passed by it a number of times. Ritter asked Wells and Wischman why there are boulders at that state access which prevent any kind of boat trailer, like a drift boat, to go down to the river. He noted that none of the Pennsylvania accesses, such as Buckingham or Damascus, have any boulders obstructing trailers. Wells said there are two answers to that question. The first is the site was never designed to be a trailer-ramp site and there is just not the capacity currently. He said it has been a car-top, hand launch site. Ritter noted the DEC has an access at Hale Eddy. Wells said that access is not designed as a trailer-ramp site either, but it is being used to launch small boats, like guide boats, in and out of there. He noted the DEC has not had the public pressure to change that. At one point, Wells said, the DEC considered opening up the Lordville access and the locals stepped in and voiced their opposition. Ritter asked if there were any boulders obstructing the Hale Eddy access. Wells said there probably were years ago and they were removed and they haven't had any public pressure to put them back. Ritter noted the grade at Hale Eddy is much steeper than Lordville and has even less capacity. Wells said that every site is different. Discussion took place about the boulders being pushed out of the way at Lordville occasionally. Wells said that when this happens, the DEC usually gets called right away asking them to put it back again. Ritter said a boulder was removed for a benefit that took place last year. Wells said it was not something that was authorized by the DEC. Ritter asked how difficult it would be to just have the boulders removed so that the public could have full use of that access to include trailered boat launching. Wells told Ritter that in their office they are in favor of this, but the site is managed in conjunction with the NYS DOT and the National Park Service. An agreement would need to be reached with them and then they would need to deal with the local landowners who are really against it. Dennis Wischman, who handles the access program for the DEC, said that currently the office is so back logged, they can not take on any new projects until they get caught up on other ones. Ritter said the access is already established, it is just a matter of removing the boulders. Wischman said that is not the case. The matter would have to go to the DEC design staff as the access would be going from a hand launch to a boat launch. Peckham asked if there have been any studies done on the adverse effect or the impact on the dwarf wedgemussels if they increase the boat and fishing traffic as the main bed if just above Equinunk, PA. Wells said he is not sure of anyone working on mussel studies on the main stem right now. Peckham said he feels opening Lordville would have a major impact. He was told that is something that could be taken into consideration. Wells told Ritter what the DEC needs in order to consider opening Lordville is public pressure in the form of petitions and letters. Ritter asked if it would help to have a petition signed by the

majority of licensed guides who work the river. Wells said he has heard very little from the guides. Wells said to keep in mind it will take years before anything could be done. Boyar asked if the DEC has in their files any letters from landowners in the Lordville access area as to what their concerns are. Wells said increased traffic and noise are the complaints that have been received the last couple of years. Ritter asked if there is documentation to support these complaints. Wells said he does have some e-mails, especially from 2012 and probably some from previous years. He noted there were at least a half a dozen from last year. Henry asked if a signed petition would generate this project to go for design committee review, not remove the boulders. Wischman said it would go on a list of projects that need to be looked at. Ritter asked how many accesses from Hancock down to Sparrowbush that are managed by the DEC have official trailer launch sites. Wischman said his region, Region 4, goes from Hancock to just above Long Eddy and does not have any trailer launch sites. Ritter noted that Pennsylvania has many more trailer launch sites than New York does. Ritter said the issue of opening Lordville access up as a trailer launch site came up because it would be nice to have an access every seven or eight miles on the river. Peckham said there will be a lot of resistance from the locals there to open that access. Ritter asked why. Peckham said they don't want people using that area because it gets so congested and people are stuck on the bridge for 20 minutes. Wells suggested finding a landowner that has property that would be a better site, and the DEC could look at it as an option. Ritter asked how much right of way the DEC has from the bridge on both sides. Wells said that when they moved the bridge to the current location, the private land is right on the downstream side of the bridge. He said they would like to utilize that area, but it is all private right now. Ritter thanked Wells and Wischman for their time and waiting at their office for our call. Wells said to contact them whenever anyone has any questions.

Peckham commented to Ritter that this issue is a conflict of interest for him as he has a direct financial stake in getting this access open. Ritter countered to Peckham that he is on every bulletin board when it comes to natural gas and fracking. Peckham said he has not made a dime off of that; he has not signed a lease. Peckham reiterated that this is a direct conflict of interest for Ritter.

McKay asked if there is a ramp at Lordville that goes directly into the river. He was told no. Ritter said the grade is flat. Henry said the reason there are no ramps in New York is the DEC is into fishing whereas Pennsylvania is a Fish and Boat Commission. Henry added that agency liability is paramount. The accesses in New York State are set up primarily for fishing and hand launches. Ritter said he did not mind when Pennsylvania quadrupled their fee for the guide program because part of the monies goes to maintaining the accesses which are stellar. Discussion of the Callicoon access took place. Boyar said there are boulders on the access road to it and they have been in place since the damage that was incurred a few years ago during flooding. Henry said the whole access is currently closed. He added that at Lordville, the DEC will not simply remove the boulders and let people launch boats because of the liability.

Boyar said he felt the conversation with the DEC representatives went poorly. He told Ritter he represented himself as a fishing guide, he did not speak as the Chairman of the Committee and he has to wear the hat of the interest of the entire river when you are speaking as the Chairman. He said that when he is representing the group, he can not be such an advocate for one interest, which is the fishing interest, when we need to be political about it. We need to make sure the landowners are not being stepped on, be sure it is good for the ecology, and any other issues. Discussion of the absence of boulders at the Hale Eddy access took place.

Henry referred members to pages 91 through 97 of the River Management Plan noting there is a lot of good information there. He said it tells the Council what they should be doing. He noted that in New York State the accesses are predominantly set up for fishing, not so much boat launches.

Boyar feels the subject of the Lordville access needs to be looked at a bit more broadly. Ritter spoke of an e-mail from Mr. Lee Hartman who provided his opinions as a fly fisherman, why he did not want the access opened to drift boats. Henry said when the boulder was moved at Lordville last year, drift boats were being launched from that site by a number of people. Ritter said if the boulder was removed, why not just leave it removed and open it up and that's the end of the story. Ramie said as Henry had stated, it is an issue of liability. Peckham said he does not know of one resident in that area that wants Lordville opened as a boat access. Boyar pointed out that if there were more accesses available, the population of users would be spread out. He suggested that more "spade work" be done to lay a better foundation for the request of opening up Lordville.

Delaware River Flow and Storage Data Report: Ritter referred to the handout in members' packets. He said precipitation is at about one half of where it should be for this time of year. He reported that the

Cannonsville Reservoir is at about 91%, Pepacton is at about 89%, and normal total storage for this time of year is 97% and the actual is at 93%, which is a bit below where it should be for total New York City storage. Ritter said that 224 cfs is currently being released from the Cannonsville Reservoir.

Other: Ramie said the new UDC Visitor Guide brochure which includes the map that members were referring to during the meeting, was just delivered to the office on April 11th. She encouraged members to help distribute the 35,000 copies that we have on hand. She noted we are trying to minimize our shipping and delivery costs. Boyar questioned who printed the brochure. Ramie told him it was Courier Printing of Deposit, New York who are also the printers of our newsletter. She noted they were very good to work with. McKay told T. O'Dell that he had quickly read his letter to the PA DEP and said it was "an excellent job, well crafted." O'Dell said there are a few edits that need to be made. Boyar said he agrees with the suggested edits and the letter was good. He advised "keeping your words soft, as you may have to eat them someday."

Public Comment: Bart Larmouth introduced himself as the general manager at the Delaware River Club, which is a fly fishing lodge and resort in Starlight, PA. He is also a licensed guide and has six licensed guides that work for him full time in addition to many private guests that have their own boats. He said he was attending tonight's meeting to hear the Lordville access discussion. He noted that he has never observed a traffic jam at the access and uses it frequently. When the boulder was removed, he took a picture of his truck with the trailer attached down at the access. He believes that Ritter circulated the photo. It is his opinion there is plenty of room. He said the only time he has observed any traffic issues is during the summertime when canoeists and kayakers are launching their boats. Guides with drift boats would use the access in the spring. Larmouth said of the 55 licensed guides, several won't use it, but he feels there are many private individuals with drift boats who would love to have that access. He noted it is a long haul from Buckingham down to Long Eddy which is a wonderful float. He said it is a 10 mile trip in which 4 miles is dead water. He said he does not know a lot of the dwarf wedgemussels, but feels motors would be more of a disturbance. Peckham said it is the anchoring and wading that disturbs them. Jeff White introduced himself and told Peckham they used to rent Frisbie Island as a boat access from his uncle since Lordville was unavailable. Larmouth said he has heard noise complaints from individuals about "beer floats", but not of fisherman. He said he agrees with Ritter that it should be simple to move the boulders, he does understand the other side of the issue, but feels that if it works as it is, open it up and let people enjoy it. He does not see any negative impacts from opening the access up. White said he has lived in the area since 2000 and he moved here because of the river. He said the more people that enjoy the river, the better. As long as there is no negative impact on the environment, he does not see the harm in opening up the Lordville access and he noted he is not a Lordville user.

Hamilton reported that the historic Lewis Fishery that operates out of Lambertville, NJ has started to catch shad in the last week down there. Last night they had a haul of 164 shad, which he understands is twice what they have ever taken in one haul. He added it looks like there are good numbers of shad in the river headed this way.

Adjournment: A motion by Jeffer seconded by Henry to adjourn the meeting at 8:27 p.m. was carried.

Minutes prepared by Cindy Odell, 4/23/13