

UPPER DELAWARE COUNCIL MEETING MINUTES

February 2, 2017

The Upper Delaware Council held its monthly meeting on Thursday, February 2, 2017 at the Council office in Narrowsburg, NY. Chairperson Jim Greier called the meeting to order at 7:05 p.m. The Pledge of Allegiance and roll call followed.

In attendance: Town of Hancock-Fred Peckham, Town of Fremont-Jim Greier, Town of Delaware-Harold Roeder, Jr., Town of Cohecton-Larry Richardson, Town of Tusten- Susan Sullivan, Town of Highland-Jeff Haas, Town of Lumberland-Zoriana Gingold, Town of Deerpark-David Dean, Damascus Township-Jeffrey Dexter, Berlin Township-Alan Henry, Lackawaxen Township-Doug Case, Shohola Township-Aaron Robinson, Westfall Township-Mike Barth, State of New York-Bill Rudge, Delaware River Basin Commission-Steve Tambini, National Park Service-Carla Hahn. Staff in attendance: Executive Director-Laurie Ramie, Resource Specialist-Pete Golod, Secretary-Cindy Odell. Also in attendance: Ginny Dudko, Town of Deerpark Alternate. Absent: Commonwealth of Pennsylvania. Media: Dave Hulse, Peter Becker. Guests: Rita Greier, Cheryl Korotky, Jim Barth.

Swearing In of 2017 Officers: Greier welcomed Town of Fremont Supervisor George Conklin. The 2017 elected officers: Chairperson Jim Greier, Vice-Chairperson David Dean, and Secretary/Treasurer Alan Henry; took their oaths during a swearing-in ceremony officiated by Conklin.

Approval of January 5 Meeting Minutes: A motion by Peckham seconded by Henry to approve the January 5 meeting minutes was carried unanimously.

Public Comment on the Agenda: None

Committee Reports: No committee reports were offered as the three committee meetings for January were cancelled due to inclement weather. The re-scheduled committee meetings took place prior to the full Council meeting.

Status Reports

Delaware River Basin Commission: Tambini reported that the Delaware River Basin Commission (DRBC) announced on January 18th the termination of its drought management special permit in effect since Nov. 23, 2016, when the basin was placed in a drought watch. He noted that many of the basin states still have drought watch and warnings in effect. He explained that the DRBC's drought stages are based on the combined storage in the three reservoirs located at the headwaters of the Delaware River in New York State. Referring to the hydrologic report in members' packets, Tambini stated that New York City combined Delaware River basin storage is currently at 66%. That is 36.9 billion gallons above drought watch and trending in a very positive direction. He reported that the snow pack is currently below normal.

Tambini reported that the Commission will hold a public hearing on Wednesday, February 15, 2017. Information regarding the hearing can be found on their website. A DRBC Regulated Flow Advisory Committee Meeting is scheduled for Thursday, February 16, 2017 in West Trenton. The next DRBC

business meeting will be held on Wednesday, March 15, 2017 at the Washington Crossing Historic Park Visitor Center, 1112 River Road, Washington Crossing, Pa., Tambini added.

Peckham read from Golod's February 2nd Project Review Committee Discussion Items report under the Pennsylvania heading, "On 11/29 The Department of Environmental Protection (DEP) staff from its Oil and Gas Management and Water Resources Planning offices attended a special meeting of the DRBC to discuss draft regulations covering oil and gas development activities in the watershed. The DEP report said, 'All jurisdictions reviewed draft regulatory language for oil and gas management and provided direction to the Commission related to the next steps for regulatory actions. DRBC will be providing additional edited language for certain sections of the proposed regulations to the jurisdictions as follow up actions. Commissioners from all the jurisdictions will continue to discuss future actions concerning oil and gas activities in the basin.'" He questioned if the DRBC is going to do something with their regulations. Tambini said it is accurate that there was a meeting, but he has no further comment beyond that.

A brief discussion about the New York City Catskill Aqueduct Repair & Rehabilitation project took place. Rudge said that New York City is actively working to solve the leaks. They are in the midst of a huge infrastructure project to build a new line under the Hudson River so they can shut off the line that is leaking and repair it.

NYS Dept. of Environmental Conservation: Rudge referred to the two press releases included in members' packets. The first was issued February 1 and is titled, "New York State Announces New Initiatives to Protect Consumers and Waterways from Unsafe Disposal of Unused Prescription Medicines". NYS DEC announced two new initiatives to encourage the proper management and disposal of products potentially harmful to public health and the environment. The Pharmaceutical Take-back Program is a \$1 million pilot program promoting the proper disposal of unwanted or unused prescription medicines that covers the costs of consumer drug collection boxes and disposal for two years. The second initiative, the Environmental Audit Incentive Program, offers incentives to pharmacies to better identify, manage, and properly dispose of certain material currently regulated under the federal Resource Conservation and Recovery Act (RCRA), including some medicines, batteries, ignitable liquids, and lamps containing mercury. Additional information is available on the DEC's website, Rudge noted. The second press release was issued January 20th and is titled, "DEC Announces Proposed Updates to Streamline Environmental Quality Reviews." The first update to State Environmental Quality Review (SEQR) regulations in 20 years would preserve the integrity of the program while streamlining the environmental review process. The update is designed to encourage smart growth and sustainable development across the state. In addition to the proposed SEQR update, DEC announced the success of the agency's implementation of the New York State Lean Initiative. The Lean management method has improved public responsiveness and performance at DEC while maintaining high standards of environmental and natural resource protection. Additional information can be found on the DEC website at <http://www.dec.ny.gov/permits/83389.html>.

Rudge reported that in 2016, Governor Cuomo proposed and the State Legislature supported an appropriation of \$300 million for the Environmental Protection Fund (EPF). This marked the highest level of funding for the EPF in its 23-year history. In January 2017, Governor Cuomo once again proposed a \$300 million appropriation for the EPF, continuing this historic victory by maintaining the appropriation.

Barth asked Rudge how often an evaluation of the deer populations in Wildlife Management Areas 3M, 3C, 3K takes place. Rudge told him there is no specific formula to reviewing the issuance of hunting tags in different areas. Barth spoke about how hard it is to obtain doe permits in certain areas. Rudge told him that he will look to see if there is a schedule to review the areas he is interested in. Barth said he would like to offer input if possible. Rudge told him there will be a public input period. Dean asked Rudge if he had the numbers on the deer take for this year. Rudge said they had not come out yet.

Sullivan read from the January 20th press release, "A notable addition to the Type II list is the installation of broadband within an existing right-of-way, which will accelerate the buildout of broadband infrastructure and help the state meet the goal of 'broadband for all' under the New NY Broadband Program." A brief discussion about the length of review should this change occur took place.

Dave Hulse noted that New York State's Water Quality Rapid Response Team announced the results of a targeted sampling effort to test select regulated drinking water systems near facilities suspected to be frequent users of perfluorinated compounds such as perfluorooctanoic acid (PFOA) and perfluorooctanesulfonic acid (PFOS). This initiative was led by the Department of Environmental

Conservation and Department of Health. He said he read that one well that was not being used as a source of water for drinking or cooking at the Sullivan County International Airport tested above the EPA health advisory level for PFOA and PFOS. Rudge said he was not surprised that this result occurred at an airport as it is a common ingredient of a fire retardant used at airports. He added that we don't want this showing up in wells. They are trying to pinpoint the source and address it. Hulse asked if DEC will be calling for a clean-up of some sort. Rudge said yes.

PA Dept. of Conservation & Natural Resources: No report in the absence of Representative Tim Dugan.

National Park Service-Upper Delaware: Hahn reported that there is currently a hiring freeze in place. Prior to the freeze, UPDE was successful in filling two maintenance positions. Long-time seasonal employee Susie Kaspar has obtained permanent status, Hahn added. UPDE has advertised for a Biological Science Technician to work in the Natural Resources office. She added that they can advertise for positions, but can not fill them currently because of the freeze.

Hahn noted that bridges across the Upper Delaware are active. Work is scheduled for Kellams, Cocheton, Narrowsburg and Roebing Aqueduct. Work continues on the Pond Eddy Bridge construction project, she added.

Hahn provided an update on upcoming road work including Pennsylvania SR 1004, Milanville Road, and on Route 191. She noted that these roads are very close to the river in spots and the Park Service will be reviewing these projects. Hamilton noted that these projects are slated for 2018 and 2019.

Hahn stated that Mysteryland will take place again this year at Bethel Woods Center for the Arts and UPDE is beginning to plan for the impacts of the event which utilizes campgrounds in the river valley.

Hahn reported that the ice on the Delaware has gone out and people are fishing at Narrowsburg and the Zane Grey access.

Many Bald Eagle programs are taking place, Hahn noted. She provided some details of the programs taking place with the Port Jervis School District and the Eagle Institute.

Hahn said that social media will be focus of UPDE in the upcoming year.

Hahn noted that UPDE staff is participating in a drowning prevention seminar. The focus of the UPDE will be the park's "Loaner Life Jacket" program. This program allows for people who don't have life jackets to borrow them for their river-related activities.

Planning has begun for the D&H Canal Days scheduled for May, Hahn reported. She asked that anyone interested in volunteering, let the Park Service know.

Hahn stated that Natural Resources staff provided comments on the Delaware River Basin Commission's draft Water Resources program.

Dean commented that the No. 2 Railroad Bridge is to be rehabbed. He reported that this bridge goes from Sparrowbush, NY into Mill Rift, PA. Ramie said she will be providing additional information on this project during her report.

Robinson noted that WNEP Channel 16 recently had a nice feature on the eagles on the Upper Delaware.

UDC Executive Director's Report: Ramie thanked committee members for their flexibility in coming out early tonight to handle the business of the three committees that were cancelled in January due to bad weather. She stated we will be taking the annual board photo upon conclusion of the business meeting to accompany a news release that will be issued tomorrow.

Ramie announced that this morning she received confirmation that the keynote speaker for our Awards Banquet will be U.S. Congressman John Faso, who is the successor to Chris Gibson in representing New York's 19th Congressional District. She said he is willing to "cross state lines" to join us at the Central House Family Resort in Beach Lake, PA on April 23rd. Ramie referred to the award nomination form in members' packets noting that we are gearing up to solicit nominations from the public. She told members that we welcome ideas of those individuals, organizations, communities and agencies who, in some way, have exemplified the best of what we have here in the Upper Delaware River corridor. The nomination deadline is March 15th.

Ramie reported that there was a news brief in today's Times Herald-Record about railroad infrastructure funding. Ramie said she reached out to Melanie Boyar from Central New York Railroad for

additional information. Boyer stated via email, "The bridge crosses the Delaware River at Mill Rift, PA and Sparrow Bush, NY. 75% of the bridge is in New York and 25% in Pennsylvania. We have made an application to Pennsylvania's Rail Freight Assistance Program as well. PA has not announced the projects for 2017. As to the New York State funding award, Central New York Railroad will contribute \$270,000 for a total of \$900,000. The project will primarily consist of steel repairs to the deck truss bridge that will enable the structure to continue to handle rail traffic safely and efficiently well into the future." Ramie noted that the \$630,000 in funding from New York will come from Governor Cuomo's Passenger and Freight Rail Assistance Program, of which there was \$25 million doled out for infrastructure improvements. Ramie noted that in her response to Boyer she advised her that Railroad Bridge No. 2 marks the southern boundary of the Upper Delaware Scenic and Recreational River managed by the National Park Service and Upper Delaware Council. Ramie said that Boyer responded that she did not know this, but found it to be very interesting. Ramie said it is positive that the railroad bridge is getting that attention.

Ramie announced the passing of former Lackawaxen Township UDC representative Tom Cardinale on January 21st. Cardinale was a township supervisor and the treasurer for Lackawaxen, and had served as their UDC representative for six months from when he took office in January 2016 through July 26 of that year. She also wished to express the UDC's sympathy to our Town of Highland Alternate Andy Boyer who suffered the accidental death of his 37-year-old son Josh in Florida on January 7th.

Ramie said we are regretful that our speaker was not able to join us for the geology presentation that had been planned for tonight. The presentation has been rescheduled to the March 2nd full Council meeting, she added.

Ramie referred members to the February 2017 calendar of UDC Meetings, Deadlines, and Activities.

Old Business: Greier noted that a presentation by Shippensburg University took place at last month's full Council meeting regarding the development of a GIS tool. He noted that he has more questions regarding the project and he would like to refer further discussion to the Project Review Committee. Richardson noted that the Project Review Committee has requested a demonstration of the use of the spatial data file of the river corridor boundary and scenic/recreational segments that the National Park Service began distributing on a CD to the counties, towns, and townships in August 2016. He noted that this project is different from the Shippensburg one, but a demonstration has been requested. Hahn asked Greier and other members that have questions about the Shippensburg project to provide them to her in advance so that she can retrieve answers efficiently.

New Business: Henry reported that the Pennsylvania Board of Game Commissioners unanimously gave preliminary approval to permitting semi-automatic rifles and shotguns for hunters. Under the proposal, semi-automatic firearms would be available for use while hunting big game, small game and furbearers. A five-round magazine would be required for all semi-automatic rifles, with a total ammunition capacity limited to six rounds. The board also granted preliminary use of air rifles for small game and furbearers. There will be a final vote on the proposal in March.

Henry suggested that when the Council goes into Executive Session, minutes should be taken and those minutes should be recorded someplace. A motion to raise the topic at the February 28 Operations Committee meeting of developing a policy to take confidential minutes during executive sessions was made by Richardson, seconded by Dean and carried.

Other: None

Public Comment: Jim Barth stated that during the Project Review Committee meeting, Hamilton of the NPS stated that regulations are being worked on by the DRBC in conjunction with the Pennsylvania Department of Environmental Protection. He asked if that is correct. Hamilton stated it is his understanding they are drafting revised natural gas regulations. Barth asked if the DRBC is doing this on their own volition. Hamilton said he could not answer that.

Dudko asked Ramie if she was going to make an announcement regarding Sullivan County's budget item regarding the Upper Delaware Scenic Byway organization. Ramie suggested that Dudko make the announcement as she is a member of that board. Dudko stated that Sullivan County generally gives the

Byway a donation of \$1,360. She said the Byway just received word that this year Sullivan County is giving a donation of \$20,000. Dudko said there is a list of priority projects that they would like to begin tackling with this funding.

A group photo and reception for the new officers will follow the business meeting, Ramie announced.

Adjournment: A motion by Roeder, seconded by Peckham, to adjourn the meeting at 7:51 p.m. was carried unanimously.

Minutes prepared by Cindy Odell 2/21/17