

UPPER DELAWARE COUNCIL MEETING MINUTES April 5, 2018

The Upper Delaware Council held its monthly meeting on Thursday, April 5, 2018 at the Council office in Narrowsburg, NY. Chairperson Aaron Robinson called the meeting to order at 7:00 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 G. Roeder, Jr., Town of Tusten- Susan Sullivan, Town of Highland-Kaitlin Haas, 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, Commonwealth of PA-Timothy Dugan, National Park Service-Kris Heister. Staff in attendance: Executive Director-Laurie Ramie, Resource Specialist-Pete Golod, Secretary-Linda Drollinger. Absent: Town of Cochection, Town of Lumberland, New York State, Delaware River Basin Commission. Media: Dave Hulse, Peter Becker. Guests: Carla Hauser Hahn, Jamie Myers, Don Hamilton of National Park Service; Jonathon Chester, Alfonso Yañez, Antonia Price, Dr. Claire Jantz of Shippensburg University CLUS; Shannon Thol, Mike Attianese, Pete Grosser, Ed Lagarenne, Shannon Cilento, Heather Jacksy, Ed Jackson, Roger Saumure, Dave Preston, Theresa Preston, Brian Snyder.

Demonstration by National Park Service–Upper Delaware and Shippensburg University’s Center for Land Use and Sustainability (CLUS): CLUS Director Jantz introduced associates Antonia Price and Jonathon Chester, both of whom addressed different aspects of the Geographic Information System tool (BETA version) currently in development for land use planning, in particular substantial conformance and project review work. Asked exactly what the GIS tool is, Price said it is an online stacking program that incorporates information from multiple sources into one software that will be used initially for project review by UPDE staff and its partners, and later by the 15 towns/townships, five counties, and two states within UPDE jurisdiction. The tool is designed to streamline the project review process by quickly identifying parcel location, size, zoning, and determining if it’s in the river corridor (if so, scenic or recreational designation), in a floodplain, on or near a tributary, wetland, terrain slope of 15% or greater, or in an otherwise ecologically sensitive area. It does this by “stacking” information about parcels, zoning, river corridor boundaries, flood hazards, elevation, and topography. Additionally, it indicates parcel proximity to manmade features such as roads, railroad tracks, bridges, and overpasses as well as providing instant access to relevant ordinances and designation of protected lands, easements and trails. And it depicts ground cover information: field, forest meadow and glen. Immediate goals of the program are to continue collection of data identified as essential components of UPDE’s project review process, rollout of the application when development of webmapping is complete, introductory training and technical support after rollout, and ongoing maintenance of the GIS system to keep it updated and relevant. Roeder noted that Delaware County had a similar tool. Asked how long NPS would support updates to the tool, Heister replied that if towns use it and find it helpful, NPS will continue to make it available. CLUS is in the second year of a five-year Cooperative Agreement with NPS for this project. Henry asked what kind of cost will be associated with use of the GIS tool. Heister said it will be essentially free of charge; accessible via website, users need only internet access to run it. Asked about PC technology requirements necessary to run it, Jantz said end user technology requirement specifications will be published. Henry suggested most towns/townships may lack the expertise necessary to use the program. Dugan replied that counties are

rapidly going digital, and towns/townships must keep up. Hahn noted that no special software is required. Case asked when it will be available for use. Jantz said fall workshops are planned. Dean noted that town/township planning, zoning and code enforcement personnel are generally mature, lacking the digital savvy of teenagers.

Approval of March 1 Meeting Minutes: A motion by Peckham, seconded by Henry, to approve the March 1 meeting minutes was carried unanimously.

Public Comment on the Agenda: None

Committee Reports: Committee reports were provided based on the meeting minutes. They were: March 20 Water Use/Resource Management by Peckham, March 27 Project Review by Dean, and March 27 Operations by Robinson. Peckham advised that Friends of the Upper Delaware River is sponsoring a river cleanup that could present partnership opportunities for the UDC.

Status Reports

NYS Dept. of Environmental Conservation: Although Rudge was absent, he provided a handout of Environmental Protection Fund FY 2018-19 balance sheet, and asked Ramie to make the following statement on his behalf: "The Empire Forests for the Future Initiative that had been included in the NY Governor's budget proposal earlier this year and which I had reported on in the February and March UDC meetings was not included in the budget that was recently signed by the Governor. Thus, there will be no changes to the Forest Tax Law (Real Property 480a) this year. NY's 2018/19 Budget did include \$300 million in funding for the state's Environmental Protection Fund, which includes many items that may be of interest to UDC members." (Rudge sent a second handout, "DEC Announces 2017 Deer Harvest Results," via e-mail on 4/6, asking that Ramie distribute to all UDC meeting participants; she did, via e-mail, on 4/9.)

PA Dept. of Conservation & Natural Resources: Dugan provided a handout, "Delaware State Forest District 2018 Activity Plan" detailing DCNR initiatives for areas all over Pennsylvania. He announced that wildfire season is here and that there have already been fires on the Appalachian Trail that consumed two acres along a power line. A PA burn ban is in effect on state properties from March 16 to May 31. This being an election year, Dugan said state agency budgets are generally good. Asked about invasive species, blights, and other forest threats, Dugan said a lot of quarantines are currently in effect.

National Park Service-Upper Delaware: Heister said she was particularly impressed with a recently-published book, "The Story of a Forest: Growth, Destruction and Renewal in the Upper Delaware Valley" by Robert Kuhn McGregor, a SUNY Binghamton graduate student who had worked on early Upper Delaware cultural resource studies and was married on the banks of the Delaware in 1982. The book was passed around for all to examine. It can be previewed and purchased at https://www.amazon.com/dp/1476665915/ref=rdr_ext_tmb.

UDC Executive Director's Report: Ramie noted that while setting up for the GIS tool demonstration a Wi-Fi connectivity problem was detected in the UDC office building. With the aid of IT consultant Jeff Chorba, who troubleshoots e-mail and internet problems for the UDC office, it was determined that the brick wall construction within the building is blocking the Wi-Fi signal from a modem in the front office. Chorba had discussed alternatives of rewiring with Cat 5 cable, which would require hiring a contractor, or he could install equipment to increase the signal capacity for approximately \$350 worth of parts and labor. Ramie recommended the equipment purchase. A motion by Case, seconded by Henry, to purchase the freestanding equipment carried unanimously.

Ramie reported that \$5 million in federal funding has been allocated for the Delaware River Basin Restoration Program as one aspect of the FY 2018 Omnibus Spending Bill approved on March 23. The Delaware River Basin Conservation Act was authorized in December 2016 following a six-year push, but

with no funding. The authorization did, however, lay the framework for coordination of the non-regulatory program under the U.S. Fish and Wildlife Service. The types of basin projects now eligible for funding will focus on water quality management, fish and wildlife habitat preservation, recreational opportunities, increasing public access and flood damage reductions. One day before the bill's passage, Congressman John Faso introduced a resolution titled, "Recognizing the Importance of the Upper Delaware River in New York State." That support is one reason he is receiving the Advocacy Award at our April 22 banquet.

The banquet keynote speaker will be Gay Vietzke, Northeast Regional Director of the National Park Service; she is the delegate designated by Secretary Ryan Zinke's office. Her address will focus on the 40th anniversary of the Upper Delaware Scenic and Recreational River designation and the 50th anniversary of the Wild and Scenic Rivers Act. Ramie reminded all that reservations are due by April 13.

The 2018 Spring/Summer issue of "The Upper Delaware" was mailed timely on April 2 and has been available on the UDC website since March 23. This latest issue required 37.5 hours of production work. Per our contract with Courier Printing, 10,000 copies are printed; of those, 8,462 were mailed directly to subscribers and the remaining 1,538 copies were delivered to the UDC office for our archives and distribution. Anyone knowing of a place that would like a supply is welcome to take some or let us know where to send them. An updated Visitor Information Map and Guide, first available last fall, is now being requested daily by individuals and local resorts.

On March 23, a memo went out announcing river cleanup grants with an April 20 application deadline. We are now soliciting proposals from member towns and townships for review by the Operations Committee on April 24 and submission to the full Council for a vote on May 3.

Ramie contacted the UDC municipal membership about two other issues: meeting compensation policy and RMP issues. Fremont, Tusten, Lumberland and Lackawaxen had yet to respond to the compensation memo. The requested deadline is April 20. The second memo, dated March 16, sent by Chairperson Robinson seeks input from towns and townships to identify areas of concern with the 1986 River Management Plan and the Land and Water Use Guidelines. The objective is to see if they are satisfied that those advisory documents are successfully meeting the current needs of the designated river corridor, are generally regarded as helpful or a hindrance to their land use planning policies, and whether any suggestions for modification should be brought to the attention of the UDC to systematically address. Responses are requested by April 27.

Regarding DRBC issues, now that the 120-day public comment period for the hydraulic fracturing regulations has ended, the next step will be to prepare a response document after reviewing every written and oral comment received. A DRBC statement released yesterday says, "There is no set schedule for a vote by the commissioners to adopt final rules. As always, the Commission may adopt final rules only at a duly-noticed public meeting." In the interim, public hearing transcriptions and all the 8,786 written and 227 oral comments are posted on the DRBC website at http://www.nj.gov/drbc/meetings/proposed/notice_hydraulic-fracturing.html. At the Commissioners March 14 meeting, a resolution was approved authorizing the expenditure of approximately \$32,000 to hire a hearing officer, stenographers and security personnel, purchase equipment, venue rentals, and other associated costs. Ramie also noted that the DRBC sponsors a seasonal photo contest; the winning Winter entry from Martha Tully of Glen Spey, a shot of the Ten Mile River Bridge in the Town of Tusten, was included in our Spring/Summer newsletter. The deadline for the Spring contest, open to both amateurs and professionals, is May 15. The rules are available at the following DRBC website page: <http://www.state.nj.us/drbc/basin/photo/photo-contest.html>.

Pennsylvania Environmental Council, one of last year's awards banquet honorees recognized for its Community Illegal Dumpsite Cleanup program, has put out a call for help with their next Wayne County cleanup: Adams Road in Manchester Township. An early April cleanup date has been tentatively rescheduled to April 28, if enough volunteers can commit to that date. According to the coordinator, Palmira Miller, the site contains about 60 tires and a small amount of trash over an embankment within a waterway leading to a creek. She's seeking 4-6 people to go down the bank, gather the tires and haul them up with a vehicle, all under her supervision. She estimates 1-2 hours of work. Cleanup date is flexible. If interested, register online at <http://pecpa.org/event/cleanupFSC> or via e-mail at pmiller@pecpa.org or by calling Palmira Miller at 570-592-7876.

Ramie called Council members' attention to the April calendar in their packets, noting that she will be taking a vacation the week after the awards banquet and so will not be present at the May 3 full

Council meeting, at which John Thompson from the Catskill Regional Invasive Species Partnership (CRISP) will be doing a presentation. After that, no other presentations are scheduled. Ramie asked for suggestions for future presentations. Henry suggested Robert Kuhn McGregor, author of the book recommended earlier in the meeting by Heister. Golod suggested Houtan Moaveni, Deputy Director of NY-Sun & New York State DG Interconnection Ombudsman at NYSERDA. Golod and Dean had attended a NYSERDA solar training session the previous week, which Moaveni taught, and both thought he was particularly knowledgeable. (Golod received confirmation on 4/10 that Moaveni is available to present on the New York Solar Model Law at the June 7th full Council meeting.)

Old Business:

Roeder asked why UDC can't get funding from Sullivan County, as the county has awarded Upper Delaware Scenic Byway, Inc. \$20,000 grants for the last two years. He suggested that UDC ask Heather Jacksy of Sullivan County if the UDC would be eligible for funding consideration.

Robinson reminded reps to go back and get feedback from towns/townships regarding the degree to which the RMP and Land and Water Guidelines documents assist in their respective planning efforts. Robinson said, "I see things not being followed by towns who say they follow the RMP, but clearly they are not familiar with its provisions." Barth said it is up to the UDC to educate municipalities on the RMP and their responsibilities to it. Golod said towns may not be aware of all RMP protocols, but he estimates 80% of them are familiar with Land and Water Use Guidelines. Robinson said UDC would be doing ourselves a disservice not to pursue helping familiarize municipalities with the RMP.

Henry said new land uses, such as renewable energy and marijuana farms, should be addressed by the Minor Amendment provision. Referring to the RMP excerpt in the handouts outlining the Minor Amendment procedure, Henry said his proposal is to change the wording of #7 from "requiring a unanimous vote" to "requiring a two-thirds majority" to enact a minor amendment. He noted that an earlier version of the RMP from January 1986, before the final plan was adopted in November 1986, did not originally include any provision for minor amendments.

New Business:

Town of Cohecton's DRAFT Zoning Law Amendment §240-38: Summer Camps and Private Schools: Golod directed the Council's attention to the draft April 5, 2018 letter to Heister recommending that Cohecton's Zoning Law Amendment §240-38: Summer Camps & Private Schools be found in substantial conformance. Golod presented the results of a joint UDC/NPS Substantial Conformance Review to the 3/27 Project Review Committee, which voted to submit its recommendation to approve to the full council. A motion by Roeder, seconded by Henry, to send the letter was carried.

Delaware River Flow and Storage Report: A copy of the April 4 NYC Current Reservoir Levels was provided in members' packets. Total combined storage was at 96.2%. Normal for the same date is 95.0%.

Other: Golod asked that Council members provide feedback to his e-mail query about a Westfall Township zoning amendment concerned with areas outside the river corridor. Roeder, Robinson, and Dean said areas outside the river corridor are not subject to UDC review.

Public Comment: None

Adjournment: A motion by Roeder, seconded by Sullivan, to adjourn the meeting at 9:19 p.m. was carried unanimously

Minutes prepared by Linda Drollinger 04-10-18