

## UPPER DELAWARE COUNCIL MEETING MINUTES May 6, 2010

The Upper Delaware Council held its monthly meeting on Thursday, May 6, 2010 at the Council office on Bridge Street in Narrowsburg, NY. Council Chairperson Harold Roeder Jr. called the meeting to order at 7:37 p.m. A motion by Peckham seconded by Kenny to approve the April 1 meeting minutes was carried. There was no public comment on the agenda.

*In attendance:* Town of Hancock-Fred Peckham, Town of Fremont-Jack Niflot, Town of Delaware-Harold Roeder Jr., Damascus Township-Dolores Keesler, Town of Cohecton-Larry Richardson, Town of Tusten-Sue Sullivan, Town of Highland-Andrew Boyar, Town of Deepark-Phil Chase, Lackawaxen Township-John McKay, Shohola Township-Scott Rando, Westfall Township-Peter Kenny, and National Park Service-Sean McGuinness. Also attending: Town of Hancock Alternate-Jim Serio, Town of Fremont Alternate-Jim Rodgers. Absent: Berlin Township, Town of Lumberland, State of New York, Commonwealth of Pennsylvania, Delaware River Basin Commission.

Committee Reports: The committee reports were provided based on the meeting minutes. These included: April 20 Water Use/Resource Management-Jim Serio; April 27 Operations-Harold Roeder, Jr.; and April 27 Project Review-Fred Peckham.

### Status Reports

**Delaware River Basin Commission:** In lieu of attendance, handouts were provided to the Council. Roeder referenced the Delaware River Flow and Storage Data dated April 30. The New York City Delaware River Basin Storage combined was 99.1%. The Cannonsville Reservoir was at 100.6% storage; Pepacton 98.9%; and Neversink 96.2%. The DRBC Hydrologic Conditions Report of May 4, 2010 was handed out. Precipitation – above Montague for 1/1/2010 through 5/3/2020, .67 inches above normal. Streamflow – at Montague, NJ in April 2010 was 9,069 cfs, or 80% of the long-term average for the month. Groundwater – groundwater levels from 14 monitoring wells in the Delaware River Basin showed most normal or above normal, with Schuylkill County, PA in a Drought Watch. The salt front during April ranged from below River Mile 54 to River Mile 67. The normal location of this salt line during April is River Mile 61, a location which is 17 miles downstream of the Delaware-Pennsylvania state line.

A DRBC news release of May 6 was handed out that reported the DRBC would not be issuing natural gas well pad project permits until their regulations for natural gas well pad projects in shale formations in the Delaware River Basin were completed. Water withdrawals to be used to supply water to natural gas extraction projects will proceed in accordance with existing DRBC regulations. Peckham noted that at a previous UDC meeting DRBC Executive Director Carol Collier had talked about DRBC possibly using approval by rule for natural gas drilling well pads. This news release sounds as if that's the direction they're heading.

Another DRBC news release announced the availability of updated DRBC Recreation Maps. The packet of maps is now GIS-based and comes in 10 Delaware River sections. The maps cover the River's east and west branches prior to their confluence at Hancock, New York and the entire 200-miles, non-tidal reach of the River from Hancock to Trenton, New Jersey, and an additional 25 miles of the tidal River from Trenton to just south of the Betsy Ross Bridge (which connects Northeast Philadelphia, PA and Pennsauken, NJ). The maps depict river channel locations and depths, access areas, places of interest, stream miles and reference points, and provide a detailed Classification of streamflow characteristics in accordance with the International Canoe Federation's Scale of River Difficulty. A free Delaware River

Water Trail Guide will be mailed with every recreation map order. An order form for the maps can be located at the DRBC website, [www.drbc.net](http://www.drbc.net).

A news release issued by Congressman Maurice Hinchey and handed out provided copy of his April 29, 2010 letter to DRBC calling for them to conduct an environmental impact study on the cumulative effects of natural gas extraction water withdrawals. The study, Hinchey argued, should occur before the Commission considers any water withdrawal applications. Details of the letter can be obtained at Congressman Hinchey's website at [www.house.gov](http://www.house.gov), link to Hinchey, then press releases.

**NYS Dept. of Environmental Conservation:** In lieu of attendance, handouts were provided to the Council. A DEC *Environment DEC* newsletter article touted DEC's "Forty Years of Protecting the Environment" since its inception on April 22 (Earth Day), 1970. Four decades later, many of the environmental problems that led to DEC's creation - rampant air and water pollution, unchecked dumping of toxic chemicals, filling of wetlands, loss of important wildlife species, like bald eagles, have been stopped or reversed. DEC is planning special events in the coming weeks; check their website at: [www.dec.ny.gov](http://www.dec.ny.gov).

A letter dated April 6, 2010 issued by Patricia Riexinger, DEC Director of Fish, Wildlife and Marine Resources, to its Partners in Conservation provided insight into the DEC programs and projects that would be negatively impacted by the NYS budget shortfall. In order to provide a direct point of communication to its constituents, DEC has launched a Division List-Serve newsletter, *Field Notes*, that will provide regular information on what they are doing and recent accomplishments; opportunities to participate in outdoor recreation and to comment on proposed regulations; and reminders for things such as season openers or application deadlines. Find it at [www.dec.ny.gov](http://www.dec.ny.gov), under the Division of Fish, Wildlife and Marine Resources.

A DEC news release reminded New York anglers that their recreational marine fishing license initiated in October 2009 is required when fishing for striped bass and other migratory fish of the sea. Anglers were also reminded that in an effort to restore dwindling stocks, the recreational and commercial fisheries for American Shad have been closed. The Delaware River is seeing a reduction in take as an exemption. For information, go to the DEC website and link to Recreational Marine License FAQs page.

**PA Dept. of Conservation and Natural Resources:** Dennis DeMara could not attend the meeting, but he sent a message: "DCNR is currently in the grant review stage of our yearly grant process. We received almost 100 applications in the Northeast Region for planning; acquisition; and development of park, recreation and conservation projects. We hope to announce early Fall 2010."

**National Park Service-Upper Delaware:** Sean McGuinness reported that NPS will hold its Zane Grey Museum new exhibit opening on May 22 and invitations were sent to the UDC members. A new roof is currently being placed on the museum building as well.

NPS-Upper Delaware has received from the Washington, DC office the Integrated Solid Waste Plan. All parks are required to reduce their waste stream by 50% and a team from the Washington office will be coming up here to look at ideas for this reduction.

McGuinness reported he met with the Town of Hancock Supervisor on Monday as part of his plan to meet with all the local officials. Next meetings will be tomorrow with Damascus Township and the Town of Cocheton.

On April 30, the Upper Delaware River Safety Committee held its annual meeting at which UDC's Douglass and Soete were in attendance. The committee discussed safety issues, PFDs, and law enforcement. It was decided there could be better communication between NPS and the liveries and we'll work on improving that. Boyar felt the initiative to reduce solid waste would be difficult as NPS picks up all the garbage along the River. McGuinness said they'll be looking more closely at recycling; green packaging; and such other items of that nature.

**UDC Executive Director's Report:** Bill Douglass referenced a handout in the members' packets that was a press release issued by the newly formed Wayne County Oil and Gas Task Force. It was announcing a May 13 meeting in Honesdale which would be a public presentation. The purpose of the presentation is to introduce the various subcommittees that comprise the Task Force. Information can be obtained at the website at: [www.wcpaoilandgastaskforce.info](http://www.wcpaoilandgastaskforce.info). Douglass noted that he serves on the Planning subcommittee

while Dave Soete is participating on the Outreach subcommittee. They were invited to be on the Task Force.

**Old Business**

**U.S. House Bill 4698 follow-up:** Peckham inquired if staff had looked into the House of Representatives proposed Bill No. 4698, that was mentioned at the April 27 Project Review Committee meeting. Douglass responded, not yet. Peckham said he mentioned it because it involves a funding mechanism for projects and technical assistance.

(FYI: HR 4698-Delaware River Basin Conservation Act. of 2010: To direct the Secretary of the Interior to establish a program to build upon and help coordinate funding for restoration and protection efforts at the Federal, regional, state, and local level for the four-state Delaware Basin, including all of Delaware Bay and portions of Delaware, New Jersey, New York, and Pennsylvania, located in the Delaware River watershed, and for other purposes. The Bill was introduced on Feb. 25, 2010.)

**New Business**

**UDC 2<sup>nd</sup> Draft Comment Letter-Proposed Hawks Nest Café Re-building Plans:** The members reviewed the second draft comment letter on the proposed Hawks Nest Café re-building plans that was referred from committee and distributed prior to the meeting. There was discussion on some concerns the Council had. Boyar suggested adding the language “undoubtedly you’ll require an engineer’s certification and have a dye test done” in reference to the septic system. The Town of Deepark’s Planning Board requested UDC input. Following discussion, a motion by Richardson seconded by Kenny and carried to send the amended comment letter to the Planning Board. The letter enumerated four comments relating to the project. Copies of the letter can be obtained at the Council office.

**UDC Resolution 2010-05, Approving NYS Grant TM09050 Project Proposals:** The members reviewed the draft resolution that approved the projects the NYS member Towns would be engaged in under NYS Grant TM09050 which amounted to \$3,125 in funding to each Town. The funding is being channeled through the NYS DEC and is being administered by the Council. Funding was arranged for through NYS Senator John Bonacic. Following final review, a motion by Richardson seconded by Peckham and carried to approve the project proposals.

**Public Comment**

~ Jim Rodgers inquired when the Delaware River Basin Commission would be sending a representative to the Council meeting. Coney responded in June. Douglass added that they were to attend quarterly but their staff has been busy with some major projects.

**Adjournment** A motion by Peckham seconded by Kenny to adjourn the meeting at 8:21 p.m. was carried.

Carol Coney, Office Manager