

UPPER DELAWARE COUNCIL MEETING MINUTES

October 4, 2018

The Upper Delaware Council held its monthly meeting on Thursday, October 4, 2018 at the Council office in Narrowsburg, NY. Chairperson Aaron Robinson called the meeting to order at 7:02 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 Cohecton-Larry Richardson; Town of Tusten-Susan Sullivan, Town of Deerpark-David Dean, Damascus Township-Dan Rutledge, Berlin Township-Alan Henry, Lackawaxen Township-Doug Case, Shohola Township-Aaron Robinson, National Park Service-Kristina Heister. Staff in attendance: UDC Executive Director-Laurie Ramie, Resource Specialist-Pete Golod. Absent: Town of Highland, Town of Lumberland, Westfall Township, State of New York, Commonwealth of Pennsylvania, Delaware River Basin Commission. Media: Dave Hulse. Guests: Ginny Dudko-Town of Deerpark; Roger Saumure-Shohola Township; Carla Hauser Hahn, Don Hamilton, Jessica Newbern, Andrew Weber, Erica Spiess-National Park Service; James Brewster, National Weather Service; Ashley Hall-Bagdonas, UDC incoming secretary.

Presentation by James Brewster, National Weather Service's Advanced Hydrologic Prediction Service: James Brewster, the Service Hydrologist/Meteorologist for the National Weather Service (NWS) based in Binghamton, NY, was introduced. He thanked the UDC for providing thoughtful feedback and questions about the NWS proposal to change flood categories for the Delaware River stream gages at Matamoras/Port Jervis and Montague effective August 6, 2018. The UDC's Water Use/Resource Management Committee had sent a letter dated July 20 asking: 1. What causal factors and specific criteria went into drafting these recommendations? 2. Which agency is ultimately responsible for making floodplain determinations? and 3. Will these new categories impact property owners' flood insurance programs under Federal Emergency Management Agency (FEMA) standards? Brewster asked whether his reply directed to Ramie on July 20 which she subsequently shared with the Council membership had sufficed to answer those questions. Peckham asked if he could reiterate his explanation.

Brewster said that as the hydrologist at the NWS, he reviews flood impact statements and flood levels on a five-year cycle to monitor any natural or geopolitical changes, an example of the latter which would be buyouts of properties after a flood. The motive is to ensure that the categories and associated stage impacts are appropriate for flood messaging. He consults with local and county officials, emergency managers, FEMA Flood Insurance studies, newspaper accounts, satellite views, and other data. With the Matamoras/Port Jervis gage in particular, he observed that the major flood stage in 2004 and 2006 was too high to meet that definition. They changed the category for the Matamoras/Port Jervis forecast gage moderate flood stage from 24.0 feet to 20.0 feet, and major flood stage from 27.0 feet to 21.5 feet. The NWS makes the decision about whether flooding impacts will be minor, moderate or major/severe. It doesn't necessarily relate to water depths. They are not determining flood plains for regulatory purposes. Peckham said that FEMA determines floodplains. Brewster agreed that FEMA does independent modeling to figure out 100-year, 500-year, etc. ratings by contracting for studies and putting historical data through hydrologic models. He said that FEMA's flood insurance authority and the NWS's work in setting flood categories serve different purposes. Peckham said that the presence of reservoirs on the Delaware River

makes this region different. Brewster agreed that reservoir issues figure into the daily run of the forecast model. He said that he collects intelligence from fire chiefs, planners, town and county governments, emergency management agencies, and local organizations to develop benchmarks for flooding. “Moderate” would be first floor flooding while “major” would be widespread devastation. He is the long-term historian and librarian to document these impacts. Don Hamilton asked whether the NWS flow forecasts are used by the U.S. Geological Survey (USGS) to help determine their releases. Brewster confirmed that the NWS supplies information to the Rivermaster. They use that data along with temperatures, rainfall forecasts, and other pertinent data. Peckham said with all these agencies around – NOAA, FEMA, USGS, NWS – it gets confusing. How does it all work? Brewster said that NWS is a line office of the National Oceanic and Atmospheric Administration (NOAA), which operates under the Department of Commerce. There are 122 forecast offices around the nation. The Middle Atlantic River Forecast Center located in State College, PA prepares river forecasts for seven river basins, including the Delaware and Susquehanna. The USGS installs and maintains gages. They are under the Department of the Interior.

Moving on to the Advanced Hydrologic Prediction Service (AHPS), Brewster demonstrated the functions of <https://water.weather.gov/ahps> by projecting the website and reviewing its capabilities. He said that typing in water.weather.gov first would provide a national big-picture view to use as a jump-off point to drill down to a region or gage of interest. The NWS uses river forecast models to estimate the amount/level of water flowing through the U.S. rivers. These models estimate the amount of runoff a precipitation event generates, compute how the water will move downstream, and then predict the flow of water at a given location (AHPS forecast point) throughout the forecast period (every six hours, out 3 to 5 days in many locations). As the precipitation event unfolds and actual reports of precipitation amounts from rain gages and radar estimated rainfall becomes available, the precipitation forecast values are replaced with the observed amounts in the river model. In addition to precipitation, some other factors the NWS River Models account for are snowmelt, base flow/groundwater, reservoir operations, and routed water from upstream. The river forecasts at each AHPS location are sent to the NWS Weather Forecast Offices, which issue flood watches and warnings to the public.

Brewster noted that there are a total of 8,896 gages which are displayed on a hydrograph that functions as a typical Google or ESRI map. He noted that when the public is monitoring hydrographs for emergency purposes, they should take into consideration that there can be a lag in the data. Gages record continuously but they hit the satellite once every hour. He displayed River Observations and River Forecasts banners, and showed how one can use filters to sort information, see a graph of flood stages (green shade is no flooding, orange is minor, red is moderate, and purple is major), obtain explanations of historic and recent flood crests, print images, turn on automated FEMA layers, and find hot links to the USGS site. They keep a narrative history of flooding which comes from collaborative interviews and data research as a reference package. Many planning and comparison tools are offered. One can choose the River-at-a-Glance tab and set up your own page with the information you want to see. Inundation mapping is also available. Brewster said that the U.S. Army Corps of Engineers had a grant to build those layers. They show how far water would spread out at various flood levels. Visit <https://water.weather.gov/ahps/inundation.php> for that service. He said that this presentation on website capabilities was introductory, and he encouraged everyone “just go play with it and click on buttons” to witness its full potential.

Brewster cautioned that hydrographs represent a deterministic forecast. While they do their best to try to predict rainfall and current soil conditions, that is difficult to accomplish throughout the whole basin. The better forecasts are closer in time. The best forecasts come after the rain is down, but that can be too late for upstream communities. He said that the model is 1970s technology that has been fine-tuned to work very well in the Delaware and Susquehanna basins. They are moving toward providing probability information. Running 40 or 50 different rainfall scenarios over the next 10 days through statistical models multiple times builds a higher level of confidence. It helps mitigate for unexpected rainfall in the area. That offers a better answer of the potential for flooding.

Carla Hahn observed that some stream gages are located close together and the main stem Delaware has only two. What determines whether more data is needed elsewhere and how far apart they are? Brewster

said it's a multi-step process. A local agency or community determines a need and funding, then it is brought to a vendor, such as the USGS. If it gets installed, the NWS would write up a proposal for evaluation on whether it is appropriate for a forecast site. Dave Hulse said that for many years, the UDC emphasized that another gage was needed for the Upper Delaware River between the confluence and Barryville, with a proposed location at Callicoon. Brewster said there is one at Callicoon. He acknowledged that funding plays a major role in determining where gages go. NWS does not install gages. Observing that there are several gages "stacked" on the East Branch, Brewster said he didn't know the history of those but suspects that may have been requested by the New York City Department of Environmental Protection to monitor the flows coming into the reservoir. He said that if he saw an area of dire need for a new gage, he could initiate the process but he believes that the coverage is fairly dense in this region. You can't have them too close together. He said there can be some misperception of scale when looking at those locations on the hydrographs. Some gages also serve different purposes. Hulse asked what is the cause of the data lag. Is it due to the satellite to Earth time or broadband space? He said he has found up to a 20-minute lag with radar. Brewster said that depends on which radar is used and the typical average has always been 5 minutes. During bigger storm events, there have been issues with server load slowing down the system. Nationally they are working on infrastructure improvements that could address that. Peckham asked whether NWS is part of the Emergency Broadcast System that the federal government had initiated. Brewster said yes, but there are only two messages they currently issue: for flash flood or tornado warnings. Peckham brought up the Aug. 9 train derailment and diesel spill on the West Branch of the Delaware River. He asked if there was anything that NWS could have done since that was said to have been caused by flash flooding that undermined the railroad tracks. Brewster said they had issued a flash flood warning but it sounds like there was a communication issue. NWS does offer pollution plume modeling for rivers, most likely through the NOAA office in Seattle. Current groundwater and flow stages factor in with long-term antecedent conditions, and the parameters are continually adjusted. Noting the time, Robinson expressed appreciation to Brewster for the informative presentation and gave him a UDC lapel pin.

Announcement: Robinson said before the agenda progressed further, he was pleased to introduce Ashley Hall-Bagdonas, who was seated in the audience, as the UDC's incoming Secretary. She received a round of applause. Robinson said she had taken it upon herself to attend her first full Council meeting so that she can hit the ground running and that we all look forward to her starting soon. Robinson said that Ramie would offer a more formal introduction during her report.

Approval of September 6 Meeting Minutes: A motion by Greier, seconded by Henry, to approve the Sept. 6, 2018 meeting minutes was carried, with Richardson abstaining.

Public Comment on the Agenda: None

Committee Reports: Committee reports were provided based on the meeting minutes. They were: Sept. 11 Special Project Review Committee by Roeder; Sept. 18 Water Use/Resource Management (WU/RM) by Peckham; Sept. 25 Project Review by Dean, and Sept. 25 Operations by Robinson.

Status Reports

Delaware River Basin Commission: Ramie noted that the DRBC will have a representative in attendance at the Nov. 1 UDC meeting. The hydrologic report was handed out. As of October 3, total storage in New York City's Water Supply System was at 95.8%, with normal capacity at 76.1%. The Cannonsville Reservoir was at 94.7% and the Pepacton Reservoir is 99%. Average precipitation in August was 8.99 inches and September was 7.69 inches.

NYS Dept. of Environmental Conservation: Ramie highlighted a Sept. 26 news release, "DEC Announces Two New Certified Climate Smart Communities: Towns of Tusten and Bethel Achieve Bronze Certification for Reducing Greenhouse Gas Emissions, Energy Use." She noted that DEC Regional Director Kelly Turturro came to Narrowsburg on Sept. 26 to officiate a ceremony at the Big Eddy

Observation Deck. She congratulated each town's supervisor and Energy Committees, and presented them with street signs declaring the municipalities as Certified Climate Smart Communities. The news release outlined Tusten's climate smart actions as including the installation of a solar array to supply power for all town buildings and facilities at no cost to taxpayers, replacement this spring of all its street lights with energy efficient LED lights, an educational campaign about the environmental dangers of plastic bags and plastic straws, providing free tote bags made of recycled material to each household in the town, labeling every trash receptacle with Tusten Recycles stickers, and recycling all electronic waste, paper, plastic, glass and cans in the government facilities. As a result of these actions, Tusten has reduced its carbon footprint and is now "carbon neutral". Two additional news releases provided by NYS UDC Representative Bill Rudge were: "DEC Announces Start of Small Game Hunting Seasons: Ruffed Grouse, Waterfowl and Pheasant", Sept. 19; and "DEC Announces Bowhunting Seasons for Deer and Bear", Sept. 19.

PA Dept. of Conservation & Natural Resources: There was no report in the absence of Representative Tim Dugan, who Ramie reported had planned to attend but was ill.

National Park Service-Upper Delaware: Heister reported that they have five seasonal employees remaining on staff through the end of October. She noted that the Continuing Resolution that is in effect for the operation of the federal government through December 7, 2018 affects both NPS and UDC by limiting funding access to 18.63% during that period.

Heister distributed copies of a map titled, "Emergency Towers Near the Upper Delaware" that NPS UPDE Community and Land Use Planner Jennifer Claster had created following last month's UDC presentation on Sullivan County's public safety communications system upgrade project. The map shows emergency cellular towers within five miles of the Upper Delaware Scenic and Recreational River's boundary which Heister said is the average length for service to carry. The tower locations data is based on information collected from the FCC database, the river valley counties, and the National Park Service for its radio towers. Heister noted that there are opportunities to co-locate cellular service antennas on these towers. She said that while NPS had spoken directly with all five counties, Pike County did not provide its GIS data but they did confirm the FCC information for towers in Pike County. Hahn said that Pike County has a policy about sharing its GIS data; Robinson said maybe a township could ask. Delaware County is currently installing 10 more towers but none would be in the Upper Delaware boundary. There is one tower located on Point Mountain. Heister said she had received feedback that there should be more differentiation of shades between the star symbols representing FCC or county-supplied data. Henry said as nice as the map is, it would make good sense to look at all existing infrastructure including non-emergency towers. The cellular service companies present for the UDC's meeting indicated that they prefer having existing towers on which to co-locate. Ramie said she would report on the UDC's efforts to have those companies back for a more in-depth presentation during her report. Hahn said the two companies are competitors and therefore may not wish to participate in the same program. Heister said they have started to look at data for other types of towers. Hahn said the FCC data is not very complete. Robinson said it appears that the FCC took the map database they previously had posted to show every registered tower off-line for some reason. He offered as an idea that every tower in PA at least must have a conditional use license, which would provide latitude and longitude coordinates. He added that since drone operators have access to tower locations, the FAA must have that information. Hahn said when NPS approached the counties, it became difficult to connect all the information because each county collects and presents its tower data differently. Henry reiterated that having a map with all of the existing tower infrastructure would be ideal. He offered to go through the Wayne County Commissioners to seek their data on where non-emergency towers are located. Hahn said that Wayne County had been cooperative. She reiterated that the data is coming in differently. One way to move forward is to determine what information do we want to know specifically, and ask for that. Is it the owner, the location, the parcel number, the height? Heister said the question is, what do we want to visualize on this map? Henry said he doesn't feel the need to go into great detail on each tower. Just knowing where they are located is the relevant information. Sullivan suggested rather than trying to find out the specific carriers or owners, just designate the non-emergency towers as "commercial" and provide the location. Case agreed that would suffice for now. Saumure said that the representatives from AT&T and Verizon who attended the Sept. 6 UDC meeting have divisions within their companies that are dealing with emergency services specifically. Commercial cellular service is not how they would get

their commissions; however, the least they could do is help underserved communities. Robinson said the NPS-produced map is a great start. Roeder agreed that it's very helpful.

Ramie noted that the handouts included a copy of a news release issued by NPS UPDE, "Celebrating 50 Years of the Wild & Scenic Rivers Act", which is also posted on the UDC website under Partner News. Heister said the exact anniversary date of the legislation's passage was October 2.

UDC Executive Director's Report: Ramie said we are thrilled that Hall-Bagdonas accepted the UDC's secretary employment offer. She reported that her first day of work will be October 15. She noted that Hall-Bagdonas had attended the Sept. 18 WU/RM Committee meeting as part of the interview process to take a trial run at drafting minutes. By means of background, Ramie noted that Hall-Bagdonas is a graduate of Western Wayne High School and Lackawanna College. She has most recently been employed as a legal secretary in Honesdale. She's an active member of the Northeast Pennsylvania Audubon which shows her conservation influences, enjoys recreating on the Delaware River, and lives in Lake Ariel. Asked if she would like to comment, Hall-Bagdonas said she's anxious to start her position. The UDC seems like a great place to work and she is excited to fall right into it. Ramie thanked the board for expediting the hiring approval process through an email vote based on the unanimous recommendations of the Personnel Subcommittee and Operations Committee so that we could bring Hall-Bagdonas on board sooner. She said that she and Golod will greatly appreciate the help.

Ramie pointed out the completion of the attic staircase to replace the previous unsafe and impractical pull-down steps as a major office transformation. She said that the Council applauds the ingenuity of JHA Engineers and Dave Leavenworth Construction of Eldred for making this work despite the building's challenging infrastructure and space constraints. The project also involved putting in a new ceiling with LED fluorescent fixtures in the hallway, a light at the top of the enclosed landing, a new conference room door opening, replacing the lights in the attic with LED bulbs for energy efficiency, and a few other odd jobs, all accomplished before the end of the fiscal year.

The National Parks Conservation Association (NPCA) has finalized its report titled, "Making Connections: Roots of Prosperity in New York and Pennsylvania's Upper Delaware River Region" and will be having two launch events on Thursday, October 11. Ramie said she had forwarded the message with links to register for these free events, but offered a summary. The first ceremony is in Hancock at 10 a.m. at the Friends of the Upper Delaware River office on East Front Street. It includes breakfast and will feature Superintendent Kris Heister, FUDR Executive Director Jeff Skelding, Nancy Furdock from Destination Hancock, and the project consultant and principal author, Michele Archie. The second program is at 2:30 p.m. at The Cooperage on Main Street in Honesdale. That will feature UDC Chairperson Aaron Robinson as well as Ryanne Jennings from The Cooperage Project, Michele Archie, and tours of the Honesdale River Project, Stourbridge Co-working and Incubator Space, and the Stourbridge Pie Market. Ramie said that this Upper Delaware economic research project has been going on for well over a year with our involvement in numerous meetings, consultations, editing of drafts, and Robinson contributed an article on the forest products industry. Ramie said she's not sure how long the NPCA folks are sticking around but they are also hosting a conference of their Mid-Atlantic and Northeast Regional Councils this weekend in Hancock which includes a Saturday night (October 6) dinner by invitation at the French Woods Golf & Country Club. The theme is "Scenic Recreation: The Beauty and Bounty of the Upper Delaware". Upper Delaware Scenic Byway, Inc. Chairperson Glenn Pontier from the Town of Highland is the featured speaker. The NPCA members and staff will also be doing a tour of the Upper Delaware's cultural resources that day with presentations by Heister and Hahn.

The Fall/Winter issue of "The Upper Delaware" was delivered on time on October 1 despite Courier Printing having warned Ramie that a part had broken down on the printing press and it could be late. Ramie said extra copies of the newsletter were available now for personal reading pleasure if people could not wait for it to hit their mailboxes and we also welcome its distribution through any local outlets. The newsletter is posted on the UDC's website on the Publications page.

By next week, Ramie intends to have the Fiscal Year 2019 budget and annual work plan ready for board review. She said we have been so focused on getting through FY 2018 in our short-staffed condition since mid-August that it's been difficult to find the time to look ahead, although we know the initial funding will be limited under the Continuing Resolution for the first three months. Ramie noted that UDC

Bookkeeper Mike Poska had come into the office today to start compiling figures for the budget as one component of the Application for Federal Funding Assistance FY 2019 package.

Lastly, Ramie referred to the October calendar handout of meetings, deadlines and activities, offering to answer any questions about it. She reported that she heard back on Sept. 27 from one of the wireless communications companies responding to the UDC's request for an engineering-oriented discussion of improving cellular capabilities in the river valley. He said that their "tower build-out plans are evolving so quickly that we are unable to have Engineering present in the near future; possibly after Jan. 1." Ramie said she would therefore make the request again after the first of the year. The next confirmed UDC meeting presentation is in February, when Penn State Extension Spotted Lanternfly Associate Heather Leach will speak. Ramie asked whether the Council would like to invite NPS UPDE Biologist Jessica Newbern to present on bats, as she had recently done for the Cochection Preservation Society, at the November 1 UDC meeting. They agreed with that idea.

Old Business:

Town of Highland Response to UDC's Rt. 97 Project Meeting Request – Ramie reported that Town of Highland UDC Representative Kaitlin Haas had sent an e-mail message directed to Chairperson Robinson and her on September 26 stating that Haas had reached out to schedule a meeting to discuss the UDC's concerns with a project on Route 97. She wrote, "Unfortunately, due to vacations and other commitments we are going to be unable to schedule in advance of the next full council meeting scheduled for October 4th. I would still like to get a date on the calendar with UDC representation to be determined, but it is looking like it would have to be the week of October 8th. I wanted to keep you apprised of the progress, and will also discuss at our Board Workshop on 10/2." Ramie said she wrote back to acknowledge that effort to set up a meeting and offered currently available dates during that week. Robinson said he recommends that Town of Deerpark UDC Representative David Dean be part of the group that meets with Highland officials due to his planning board and local government experience as a deputy town supervisor. Golod said he was questioned by Town of Highland UDC Alternate Debra Conway which committee is handling this matter now. He advised Conway that the Project Review Committee had referred it to the full Council at the September 6 meeting since the committee had not been able to resolve the request for additional needed information to conduct a review. The next step after that would be to send it to the National Park Service, according to the 1988 Project Review Workbook. Greier noted that the UDC is trying to do its job; that this is one of our charges in the River Management Plan. Robinson said since nothing has been scheduled as yet, he suggests coming up with a subcommittee of the full Council. Dudko said Robinson has the authority as chairperson to appoint a committee. Golod noted that this is not a dispute. The goal of the meeting is to clarify the situation and get information. Richardson agreed that this is still in the fact-finding stage. Robinson said the UDC has made multiple requests for information because the application is deficient. The Project Review Committee was not able to get a response. The full Council had offered 30 days to set up a meeting and discuss the status of this project. Hahn asked if this meeting is to talk about this particular project or the UDC's relationship with the town. Robinson said they are co-mingled issues. We did not have sufficient documentation to review this project. Henry said his previous motion had alluded to following up with the filing of a complaint. He proposes that we select a committee and respond back to set up a meeting. Robinson asked for volunteers. Greier offered to participate and added that he thinks this has been a miscommunication. Dean asked if the town is amenable to meeting; Robinson said Haas's email suggests they are. Robinson asked Project Review Committee Chairperson Richardson if he felt up to participating. Richardson said he would see when the meeting takes place. Asked whether Golod would be part of the meeting, Robinson said naturally he should be involved as the Resource Specialist. He said the town did infer that they would rather meet with fellow town representatives. Henry made a motion seconded by Case to appoint David Dean, Jim Greier, Larry Richardson, and Pete Golod to a committee to meet with Town of Highland officials to discuss the Route 97 project, with all in favor. Robinson asked Ramie to communicate that information to Haas.

Federal Funding for River-Related Law Enforcement Surveys from Towns and Townships – Copies were provided of three additional surveys (Damascus, Westfall, and Delaware) that were received in response to the October 1 deadline extension and one (Tusten) that was just received prior to tonight's meeting. Previously distributed at the September 6 UDC meeting were surveys from Lumberland, Shohola,

Deerpark, Highland, and Hancock. Ramie noted that makes it nine out of 13 member towns and townships that responded. Heister asked if any more are expected. Ramie said not necessarily, that she hadn't heard any others are pending. Heister said that survey question #3 may have been misunderstood based on the way it is phrased. The question states: "Would your municipality be able to pay the wage rates plus benefits established by the Department of Labor for these services (\$36.78/hour), noting that there is currently no defined constable category?" She said the point may have been missed that the National Park Service would provide the money to cover the river patrol officer wages; it would not be a town/township expense. Even so, she said some municipalities still don't want to offer that wage. Ramie suggested referring this back to the Operations Committee for further action now that the second deadline has passed. She noted that Heister has been compiling a chart with all of the responses to the five questions listed collectively. That can be a handout. Heister said since the law enforcement funding contracts go out in January, she would need any recommendations from the Council soon. Asked how much NPS has budgeted for this program, Heister said they are only allowed to use 18.63% of Fiscal Year 2018 budget levels until the final federal budget is approved, and they do not need to submit a budget for FY 2019 since their funding amount is the same. Ramie remarked that is true for the UDC also but NPS still asks the Council to prepare an itemized FY 2019 budget for approval. Roeder went back to the question about the wages. That was not stated correctly, he asked Heister? She confirmed that the \$36.78/hour wage would not be coming out of town coffers. Saumure suggested that the more accurate question to the towns and townships would be: if somebody gave you that wage, would you pay it? Heister said that is correct, but stated again that some towns and townships would object to paying that wage even if it was federally-funded.

Other – None

New Business:

UDC Resolution 2018-03: Approving FY 2019 Technical Assistance Grants – A motion by Peckham, seconded by Roeder, to approve Resolution 2018-03 approving the awards of four Technical Assistance Grants for Fiscal Year 2019 as follows: Town of Lumberland, \$787 for a Brochure for the Town Building Department; Shohola Township, \$5,000 to Refine Zoning Ordinance #79 to Adhere to the River Management Plan and Land and Water Use Guidelines; Town of Tusten, \$5,000 for Municipal Organizer/Planner Software; and Berlin Township, \$600 for an Informational Township Brochure, was carried unanimously.

Letter: Concerns Related to Barnes Landfill, Town of Highland, to NYS DEC Commissioner Basil Seggos from U.S. Congressman John J. Faso, 19th District-NY – Ramie noted that this letter dated September 12 had been referenced during the September 25 Project Review Committee meeting report and was provided as an update on this subject of importance to the UDC. Rep. Faso writes, in part, "As the agency with primary oversight of this landfill, NYSDEC has been contacted by several local and federal stakeholders, many of whom have offered to assist NYSDEC. Despite these requests and public reports on this matter, NYSDEC's course of action to address these concerns remains unclear. The environmental and economic importance of the Delaware River cannot be overstated. NYSDEC must provide stakeholders and the public at large a better understanding of any testing it has conducted in the past and provide a detailed plan for the additional testing it will undertake to ensure that we can find resolution to these issues and concerns with the Barnes Landfill." Ramie noted that the congressman's letter may spur a response to follow-up letters with additional inquires that the UDC and the NPS have sent to the DEC as well.

Letters: Emergency River Access at Pond Eddy Bridge from Thomas D. Wisner, NYS DOT Region 9 Acting Director, and NYS Assemblywoman Aileen Gunther, 100th District – A response from the NYS Department of Transportation Region 9 dated September 11 and addressed to Sullivan County Legislature Chairman Luis Alvarez and UDC Executive Director Laurie Ramie was provided which states, "Thank you for your letters of July 19 and August 3 in support of maintaining the existing construction entrance at the Pond Eddy bridge site for emergency river access. New York State Department of Transportation (NYSDOT) staff who have been involved with this project acknowledge that some form of access at this site has been desired for many years. Because the desired access is on the New York side, the Pennsylvania Department of Transportation (PennDOT) has agreed that NYSDOT should take the lead on responding.

“The area in which the temporary access driveway is currently constructed is within the 100-year flood plain. A condition of the US Army Corps of Engineers Permit allowing us to construct the access was that it had to be removed at the end of the construction project. Other factors such as the narrow shoulder, steep embankment, and sight distance issues make it an unsafe area for access.

“There is a pull-off on Route 97 approximately 500 feet downstream where there is an existing gated drive and the river bank is less steep. If this location meets your needs and the needs of the other involved parties, the NYSDOT will further investigate the feasibility of developing this site as an access.

“If you have any further questions regarding this or other concerns regarding state highways please contact Ed Mall, NYSDOT Sullivan County Resident Engineer, at (845) 794-7450. Sincerely, Thomas D. Wisler, P.E., Acting Regional Director”

Ramie noted there was also a letter from New York State Assemblywoman Aileen M. Gunther dated September 7 expressing her support to install a permanent emergency access point on the New York side of the Delaware River at the foot of the new Pond Eddy Bridge which would have a locked gate for which the Lumberland Volunteer Fire Department would be given a key.

The UDC did not take any action.

Other – Richardson said he didn’t want to come back empty-handed and presented Robinson with a donation from the Upper Delaware Scenic Byway, Inc. in his role as secretary-treasurer of the non-profit organization. Robinson offered thanks on behalf of the Upper Delaware Council and said that the \$1,200 will be deposited into the Unrestricted Fund. Dean said he thinks he speaks on everyone’s behalf to say that it’s really good to see Richardson back at UDC meetings after an illness.

Public Comment: None

Adjournment: A motion by Roeder, seconded by Greier, to adjourn the meeting at 9:23 p.m. carried unanimously.

Minutes prepared by Laurie Ramie, 10-10-18