

Upper Delaware Council
PROJECT REVIEW COMMITTEE MEETING MINUTES
July 23, 2024

Committee Members Present: Larry Richardson, Harold Roeder Jr., Al Henry, Fred Peckham (Zoom), Jeff Dexter, Aaron Robinson, Christine Martin
Committee Members Absent: Ginny Dudko
Staff: Laurie Ramie, Kerry Engelhardt, Stephanie Driscoll
NPS Partners: Carly Marshall
Guests: None

The UDC's Project Review Committee held its monthly meeting on Tuesday, July 23, 2024. Chairperson Richardson called the meeting to order at 6:31 p.m. There was no public comment on the agenda.

Approval of June 25, 2024: A motion by Henry seconded by Roeder to approve the 6/25 meeting minutes carried.

Resources and Land Use Specialist Update:

New York State Projects

The DRBC has not posted a Notice of Applications Received for July.

Town of Highland

Camp FIMFO – Engelhardt and Marshall attended a workshop meeting regarding the Draft Environmental Impact Statement for the Camp FIMFO project on July 16. This will be discussed further under New Business.

Kate Project – The UDC received plans for the Kate Project, a proposed walking trail along the river. We will be reviewing that project at August's meeting.

Town of Delaware

Callicoon Water Project – The Town of Delaware accepted a low bid for the project, article from the Sullivan County Democrat is shown below.

Delaware to begin work on new Callicoon Water system soon

BY FRED STABBERT III

HORTONVILLE – The Town of Delaware accepted the low bid last Wednesday for the installation of meters on the hamlet of Callicoon's water project.

The bid for installation came in at \$197,000 for installing 152 meters – or \$1,296 per meter.

George Oram, of Oram Contracting, questioned the board and Delaware Engineering's Bill Brown on the acceptance of the low bid.

Oram, who was the second lowest bidder, pointed out several irregularities in the low bid as it pertained to the request for bids.

Town Attorney Ken Klein said, "We reviewed all the bids and reviewed this minor irregularity [in the low bid]. This bid was substantially lower than the next lowest bid."

Supervisor Scott DuBois said he took the advice of his professionals – the town attorney and water project engineer – in presenting the bid for approval to the board.

Brown said he expects construction on the project, "to begin starting late summer. It is a mandate of the Delaware River Basin Commission (DRBC) that meters be installed.

In other business, the building inspector's report noted that the Town of Delaware has issued 51 building permits so far in 2024.

The board also voted to appoint Rebekah Chreshkoff as the Alternate Upper Delaware Council (UDC) representative to assist Harold Roeder.

Town of Tusten

The Shops at Narrowsburg – Engelhardt spoke with Jim Crowley, the Code Enforcement Officer in Tusten. He confirmed that the “storage” on the upper floors is just space for the existing tenants to store various things, it’s not a formal commercial storage facility. Therefore, the project does not require the UDC to review it again.

Commonwealth of Pennsylvania Projects

The DRBC has not posted a Notice of Applications Received for July.

Damascus Township

Hotel Darby – The earth movement in the rear of the Hotel Darby was for the installation of a pool. As this is an accessory use, not located in the flood zone, not within 100 feet of the river, not on steep slopes, and has no visual impacts, and does not meet any of the other criteria, it does not require a review.

Open Substantial Conformance Reviews

Project ID	Project Name	Municipality	Action	Status
2024-03	Nectar Juice Bar	Town of Tusten, NY	Class II – Special Use Permit	Recommendation for Substantial Conformance sent to NPS 7/16
2024-04	Robinson Convenience Store	Lackawaxen Township, PA	Class II – Conditional Use Permit	Recommendation for Substantial Conformance sent to NPS 7/12
2024-05	Kate Project	Town of Highland, NY	Class II – Constructed by a government agency	Received July 17. To be reviewed at the August meeting

FY 2024 & FY 2025 Technical Assistance Grants

The project completions for FY2024 grants are due August 16, 2024.

The memo announcing the availability of FY2025 grants went out to our member towns and townships and county governments on June 7th.

Land Use Complaints

We’ve received a complaint about noise from the Lander’s campground at Skinners Falls Bridge, which has been passed along to the National Park Service. Dexter said he hears a lot of complaints about noise from that spot.

New Business:

7/16 Camp FIMFO Draft Environmental Impact Statement (DEIS) Workshop: Engelhardt attended this meeting in the Town of Highland. She reviewed the 11/22/23 letter we sent on the Scoping Document and referred to some of the things we had requested that didn’t make it into the DEIS. She sent the comments on the DEIS to the Highland Planning Board Chairman Jeff Spitz. There is a Planning Board meeting tomorrow evening (7/24) that she and Marshall will attend. The town will be collecting all of the written comments from Planning Board members to submit to the applicant and by Friday (7/26) the town has to decide whether they want changes made or if they accept the DEIS as is. She anticipates from the workshop that the town will request additional information to be included in the DEIS. The applicant then has 30-days to revise their report.

Marshall said she looked at the DEIS with fresh eyes; they weren't reviewing whether they responded to NPS comments previously but if the DEIS was complete. Most of her comments were on what she was seeing in the report like where certain numbers were coming from and documentation for certain analyses done. The Planning Board commented that all of the impacts were measured based on the maximum occupancy of the current campground and the maximum occupancy of the proposed campground, which is technically reduced. But there will be bigger parking lots, with more water usage and solid waste, among other things. In all sections of the report there is an increase of use, and most noticeably a considerable increase in parking space. The DEIS is not consistent with the expectation of there being reduced occupancy. A lot of her notes referred to that; if there is lower occupancy, why are there more parking spaces? Maybe it's not the metric they should be using. Robinson asked if that falls under Highland zoning? Marshall said the required parking spaces are in the low 300s, and they are proposing more than 600. Robinson asked if the applicant gave any explanation? Marshall said no. On a site plan you would usually see existing and proposed. There was no report on expected parking spaces. She thinks the area would increase because there are more requirements for parking lots, even if they were offering the same amount of parking spots. The area will increase regardless. There was also a comment that the applicant should stay consistent throughout the report since the applicant didn't address whether there would be an impact or not in some parts. NPS should have about sixty questions.

Martin said that the letter Engelhardt had sent to the Planning Board was excellent, bringing up some great points. She was hoping to see more on climate change in the DEIS. Is there something the UDC can say or do to raise awareness there? Engelhardt refers to a change in water temperature at Beaver Brook in her letter from tree clearing that could be exacerbated by climate change. In the report it was stated that the new septic systems will be improving the environment, and yes, while improving the dated septic systems would be better, it wouldn't be improving the environment. Marshall said some of the comments from the Planning Board were on heat gain from the tree removal, not directly climate change. Martin said that addresses it indirectly. She would like to see a direct statement on climate change. Robinson said climate change is a non-specific definition. The point of the DEIS is to be definitive. If you look at it from an engineering standpoint it's hard to relate anything to climate change. If you're able to show a cause and effect, that's applicable. What if the applicant has a hard business year? They may have the facility, but they might not have the use. You can design a septic for a certain amount of output, but only get 50% utilization. It would be hard to say anything specific on climate change. Martin said she's not trying to define climate change. The Delaware River Basin Commission (DRBC) at their quarterly business meeting at the Tusten Theatre announced climate change as a new initiative. She feels that's something to be considered. A lot of organizations are supporting the view that climate change exists. All the UDC would be doing by bringing up climate change would be to align our views with organizations like the DRBC. Climate change needs to be brought up in such a large project proposal as a perspective. Robinson said he can't see how such a project can impact the climate. When you consider our corridor, it's a very small part of the world. When you talk about climate change, you are talking about something that can't be defined. Martin said it's an international term being accepted by a lot of agencies and organizations. Robinson said as someone who comes from a technical background you can define temperature, water value, and water flow, but he doesn't know if any of that has anything to do with climate change. Engelhardt said certainly climate change will exacerbate the changes that this project does make, but she doesn't think the project itself will have a noticeable effect on climate change. Martin said everything we do has an effect on climate change. Where can we start to make measures? We can all take responsibility. She feels that this is an area that is so precious and protected, climate change should be mentioned as an important topic. Richardson said he agrees with Robinson; can anyone really determine how this project may affect climate? Engelhardt said it would be the clearing of trees and increase of impervious coverage. She doesn't think that mentioning climate change specifically would alter the report. Martin said the tree clearing resulting in higher temperatures in Beaver Brook would result in more algae among other things, then that would be considered a climate change. Engelhardt said she did make a comment about that. Martin said that's what triggered her to say climate change needs to be specifically addressed in the DEIS. The flooding that's a result of storms is a product of climate change.

Henry said in Engelhardt's letter where it states, "Any evidence of hemlock woolly adelgid or emerald ash borer should be discussed"; do you know how many trees are being killed because of these natural predators? Engelhardt said climate change is forcing non-native predatory bugs north for cooler temps.

Henry said how many trees will die in the corridor due to natural infestation? That's been going on for years. If you're concerned about this site, what about the rest of our area and natural infestation killing our trees. Also, in Engelhardt's letter regarding item 4 where she speaks about the impact of hammering and blasting on local species, Henry said he has seen eagles at logging sites watching the work being done, and next to loud railroads. Engelhardt said the report discusses the impact of things, even if there is no impact that still needs to be discussed. Henry said the NPS made comments on concerns of eagles and bat colonies, but then said there are no bat colonies anywhere near the site. He thinks a lot of the native species that live here have adapted to noise and other operations in the corridor. The eagle population has increased. Engelhardt said the report is on the environmental impact of various factors of the project. Richardson said the UDC can express concern. Marshall said the reason that some things jumped out is because what they did include in the report was more minor than blasting. If they are looking at smaller things then they should be looking at everything. Engelhardt said the comment on the blasting came from the public being concerned on the noise from the blasting. The applicant said they would do rock hammering instead. Is that better? Blasting could be over quickly, but hammering can last a while. She feels the report should address that. Martin said in general, she thinks referencing climate change has scientific value. Being a partner organization with the DRBC, who has now made climate change a part of their new agenda, she feels that the UDC could put that into the phrasing. If it needs to be left in a subtext, then so be it.

Ramie asked if the UDC could request a copy of the NPS comments on the DEIS so we can have them as part of the record and if the DEIS is able to be shared? Engelhardt said the DEIS is available for public viewing on the Town of Highland [website](#). Marshall said she believes the NPS comments are public. She sent meeting comments to the Town of Highland, since she wasn't be able to get them official comments given the time constraints. Highland has not yet given her meeting notes to the applicant. After tomorrow's meeting she can forward the official comments. Martin said maybe climate change is mentioned in the 60 questions that the Planning Board plans to ask. Richardson said the things you're looking at in Engelhardt's letter are related to climate change. He's not against a broad statement on climate change; this project should keep in mind how it evolves with an eye on climate change. Robinson said the whole objective is to quantify the comments, and you can't quantify climate change. If we analyze the project in terms of relative changes you can come up with the opinion that it changes the climate, that's your opinion. He doesn't think it's the UDC's obligation to go into such a pursuit. Peckham said he thinks climate change is a money maker. No one can tell how climate will change or how much humans affect it. Martin asked for more respect during this conversation, feeling she was subtly insulted because she brought up an issue important to her. She thinks we need to take climate change seriously. Her concern is that this multi-billion-dollar organization has the potential and responsibility of ecological future decisions every day, big and small, that will contribute to climate change. Robinson said the UDC doesn't want to get attacked on generalizations. He doesn't think it is appropriate for the UDC to put climate change in our letter. There's nothing in the River Management Plan (RMP) on climate change and the UDC is here to follow the essence of the RMP. Richardson said that's the purpose of the DEIS, before the term 'climate change' became popular. The objective of the DEIS is to look at how the project may impact the environment. It was suggested that the committee vote on whether to reference climate change directly.

Ramie said she's not sure if there's a specific vote to take, with no solid proposal in front of the committee. The letter has already been sent ahead of the Planning Board meeting. We could certainly consider mentioning it when the UDC has another opportunity to comment. Martin said she thought the letter was a draft and that it hadn't been sent yet. Engelhardt said it's already been sent, but the UDC staff and Project Review Committee did hear her comments and will take them into consideration.

Richardson said he hasn't heard that the DRBC will be taking on climate change as an agenda item. Ramie and Martin said that was announced at the DRBC's June 5th quarterly business meeting at which a resolution was unanimously approved to prepare a Climate Change Resilience Plan. An article is included in the summer newsletter. Richardson asked if some information on that could be brought to the next UDC meeting. Engelhardt and Ramie agreed.

Other: Ramie said the Upper Delaware Scenic Byway (UDSB) receives a monthly report on capital projects on Route 97 from the NYS DOT. They mentioned at last night's (7/22) meeting that the Pond Eddy Bridge is undergoing some emergency repairs that no one seemed to be aware of. She reached out to the DOT who

responded that they are looking into it. When she hears back from the DOT she will let the committee know. She asked if the NPS knows anything about it? Marshall said no, she saw Ramie's email earlier about it but she didn't have time to look into it further. Roeder commented that the Callicoon Bridge will be done sometime in 2027. Ramie said that's because they aren't shutting the bridge down, keeping one lane open during construction to keep traffic moving without a detour. She said they estimate the bridge will be complete by November 2027. Martin asked when the new Pond Eddy Bridge was built? Engelhardt said November 2018.

Old Business:

UDC/NPS Project Review "Road Show" Update: Marshall said Berlin is scheduled for their August Planning Commission meeting and Cohecton is scheduled for September. She left a message with Buckingham and will reach out to Manchester tomorrow. They still need to schedule Lackawaxen and Damascus.

Other: None.

Public Comment: None.

Adjournment: A Motion moved by Robinson, seconded by Roeder to adjourn at 7:22 p.m. carried.

Minutes prepared by Stephanie Driscoll, 7/29/2024