



# Upper Delaware Council

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## UPPER DELAWARE COUNCIL MEETING MINUTES

April 7, 2022

The Upper Delaware Council held its monthly meeting on Thursday, April 7, 2022. Chairperson Boyar called the meeting to order at 7:00 p.m. and roll call followed.

In attendance: Town of Hancock- Fred Peckham (Zoom), Town of Fremont- Jim Greier, Town of Delaware- Harold Roeder, Jr., Town of Cohecton- Larry Richardson, Town of Tusten- Sue Sullivan, Town of Highland- Andy Boyar, Town of Deerpark- Virginia Dudko, Town of Lumberland- Nadia Rajs (Zoom), Damascus Township- Jeff Dexter, Berlin Township- Alan Henry, Lackawaxen Township- Doug Case, Shohola Township- Aaron Robinson, State of New York- Mike DiSarno, Commonwealth of Pennsylvania- Tim Dugan (Zoom), National Park Service- Don Hamilton. Staff in attendance: Executive Director- Laurie Ramie, Resources and Land Use Specialist- Kerry Engelhardt, Secretary- Ashley Hall-Bagdonas (Zoom). Absent: Westfall Township- Michael Barth, Delaware River Basin Commission- Kristen Bowman Kavanagh. Guests: Jeff Skelding- Friends of the Upper Delaware River, Inc., Jennifer Garigliano- NYC DEP, Brent Gotsch- NYC DEP, Diane Tharp- NorDel Conservancy, Amy Shallcross- DRBC, Beth Brown (DRBC), Garth Pettinger (Trout Unlimited), Heather Purvin- Delaware Valley Women's Fly Fishing Association TU, Bucks County Chapter, Cody Hendrix- NPS Community Land Use Planner, Bill Dudko- Town of Deerpark Alternate, Evan Padua- Town of Tusten Alternate. Media: Liam Mayo- River Reporter, Peter Becker- Tri-County Independent (Zoom), Meg McGuire- Delaware Currents, Kristin Barron- Hancock Herald.

**Presentation “Delaware Aqueduct Repair Shutdown Impacts” by Jeff Skelding, executive director, Friends of the Upper Delaware River, Inc. (00:05 time on recorded meeting):** Skelding thanked Jennifer Garigliano, chief of staff for the New York City Department of Environmental Protection (NYC DEP) Bureau of Water Supply, for attending the meeting. NYC DEP is the agency in charge of the Delaware aqueduct and its shutdown. Skelding said of particular concern are the three reservoirs upriver that feed the Rondout reservoir: the Cannonville, Pepacton and Neversink reservoirs, known collectively (together with the Rondout) as the Delaware system. Backup could lead to problems with flooding along the Upper Delaware. The approaching shutdown of the Delaware Aqueduct is an issue of clear importance to the New York City region. The aqueduct takes 500 to 600 million gallons of water per day from the Rondout reservoir for communities in and around the city. It will be shut down on or around October 1 of this year for the repair of a pair of leaks. A larger leak in Newburgh and a smaller leak is in the hamlet of Wawarsing. For five to eight months after the shutdown, the city will receive no water from that reservoir. NYC DEP plans to divert more water than usual out of the Delaware system of reservoirs ahead of the shutdown, said Garigliano. That will empty out the Delaware system to a certain extent and will fill up the other two systems that fed the city's water supply, the Catskill and the Croton systems. Once the Delaware Aqueduct shuts down, the NYC DEP will switch to drawing water out of the Catskill and the Croton systems. Then, when the aqueduct resumes operations, NYC DEP will switch back to using the Delaware System.

Skelding said they are worried that below the dams depending on weather, we might see conditions that “will make folks nervous...”. The river has seen flooding even when diversions are operating as normal. Once the project is underway, the NYC DEP won't be able to reopen the Delaware aqueduct to respond to changing conditions. NYC DEP has a bailout plan if conditions look unfavorable leading to the shutdown. It took a look at the different percentiles of possibilities: the 10th percentile covers dry conditions, the 50th percentile covers normal conditions, and the 90th percentile covers wet conditions. And while the Delaware Aqueduct is shut down, NYC DEP will monitor the hydrologic conditions of the river to determine what level of releases to maintain. The possibility of flooding is still there, however, even with the best modeling. Tharp thanked Skelding for inviting her along to share the concerns of the North Delaware River Watershed Conservancy. She said they have been working on flooding

issues for the past 16 years. Her goal now is to assure there is adequate public outreach and that NYC DEP takes all necessary precautions prior to the shutdown to protect basin interests. Skelding and UDC members thanked Gargliano for unexpectedly attending the meeting to provide helpful information. She agreed to return closer to the shutdown date to share additional modeling results, contingency plans, and answer questions.. A copy of the presentation can be found here: <https://www.youtube.com/watch?v=SCWPnoaQBMM>

At 38:35 Skelding explained what the Civilian Climate Corps proposal entailed was as there were outstanding questions stemming from the 3/22 Operations Meeting, at which a support letter for a grant application to the Delaware Watershed Conservation Corps was voted down. They will be hiring youth at \$15/hour this summer to assess culverts for the Neversink River Management Plan. Robinson expressed concerns that it would detract from the private labor pool.

**Approval of March 3<sup>rd</sup> Meeting Minutes (51:41):** A motion by Richardson seconded by Greier, to approve the March 3<sup>rd</sup>, 2022 meeting minutes carried.

**Public Comment on the Agenda:** None.

**Committee Reports:** There were no questions regarding the following meetings: Water Use/Resource Management March 15<sup>th</sup> (Ginny Dudko); Project Review March 22<sup>nd</sup> (Larry Richardson); and Operations; March 22<sup>nd</sup> (Andy Boyar)

#### **Status Reports**

**Delaware River Basin Commission (52:38):** Bowman Kavanagh provided a written report in advance for the meeting packet in her absence. The Hydrologic report and meeting notices can be found at <https://www.state.nj.us/drbc/meetings/>

**NYS Dept. of Environmental Conservation (53:12):** Last month DiSarno brought up whether the improvements to the Mongaup River Access were sufficient to relieve the amount of use it was experiencing. They requested public feedback and UDC provided comments. They are going to give it a year to see how things work and any improvements are needed.

Jeff Rider will be taking over as Natural Resource Supervisor for Region III. Bill Rudge previously held that job. Rider is currently the Acting Director of the Divisions of Lands and Forests and may be holding that position simultaneously for a few months.

There's a new online mapping tool where you can click on any trout stream that is managed and stocked by NY and get the regulations for that specific section and see when it's going to be stocked: <https://gisservices.dec.ny.gov/gis/dil/index.html?cat=WRL>. Padua noted that the app is called the DEC Trout Stream Interactive Map and it has been useful to consult.

Greier asked if DiSarno knew of any construction happening at the Ten Mile River Boy Scouts Camp. Engelhardt said lean-tos that aren't in good condition are being knocked down by The Conservation Fund.

**PA Department of Conservation & Natural Resources (60:12):** Dugan had to leave the meeting early but shared a written report including several press releases in the meeting packet.

**National Park Service-Upper Delaware (60:45):** Hamilton shared there was a fatality at the Hawk's Nest on Tuesday. A subject in his 30's was apparently scouting locations to fly his drone and accidentally fell to his death. Richardson asked if you need a permit to fly a drone in the corridor? Hamilton said not if you're launching it off private property. If you are launching the drone off the river itself or landing on federal property or at an access NPS co-manages a permit is required.

In terms of public programs, they were kind of shut down by Covid the last few years. D&H Canal Days, where they bring elementary school kids in for programs at the Roebling Bridge will resume in May and June. The Zane Grey Museum is reopening, Wednesday through Sunday 10 a.m. to 4 p.m., starting Memorial Day weekend. The Zane

Grey Festival is going to occur this summer on July 16<sup>th</sup>. They are going to schools and doing large safety programs with fifth graders.

An Upper Delaware Shad Festival is also being promoted in May. Numerous events are planned up and down the river. NPS will have a presence at the Barryville Farmers' Market May 21<sup>st</sup>. NPS is also planning a Shad Float Trip in conjunction with World Fish Migration Day and the NPS Fishing Guides meeting is Tuesday, April 12<sup>th</sup> in Hancock. They are getting geared up for Natural Resource Division samplings and will have to work around higher water.

Ramie said we included a copy of a press release about National Park Service Director Chuck Sams and his focus on Native American tribes specifically because Superintendent Salvatore mentioned last month that he's interested in pulling together a symposium of the Native Peoples associated with the Upper Delaware River. Engelhardt said there's a Lenape Sojourn "The Rising Nation Journey" that happens every four years and it's happening this year.

**UDC Executive Director's Report (65:45):** Ramie received a call on Monday that U.S. Congressman Matt Cartwright (PA-8<sup>th</sup> District) accepts our invitation to serve as keynote speaker for the 34<sup>th</sup> Annual River Valley Awards Banquet on September 18<sup>th</sup>. He had last joined us for our 31<sup>st</sup> ceremony on April 28<sup>th</sup>, 2019, when you may recall that he cut short a Congressional military fact-finding trip to the South China Sea and booked a special flight to keep his commitment to attend our event.

With the passage of federal budget appropriations bills, we were able to apply for the balance of our Cooperative Agreement funding, specifically \$150,000, for the 3<sup>rd</sup> and 4<sup>th</sup> quarters. That will carry us through to the September 30<sup>th</sup> end of the fiscal year. Ramie submitted our package with a new budget, work plan, narrative report, and the required attachments to the National Park Service on Tuesday, which is the date we were told that the online software management program would be ready to accept applications with the updated SF-424 forms. The 2<sup>nd</sup> quarter had ended on March 31. She is hopeful that it will be processed and approved without any complications.

The spring issue of "The Upper Delaware" was delivered four days ahead of our April 4<sup>th</sup> contract date by Courier Printing to the post office for distribution, so you should be receiving your copies soon. It is also posted on our website. Our lead story is "Fiscal Plan Report Reinforces UDC Funding Unsustainability." On that note, we asked for feedback on the future of this publication and have been receiving some comments, along with continuing our research into alternative distribution options. We will be discussing that further in the Operations Committee. All ideas are welcome for how we can disseminate this same amount of information most effectively in terms of cost and public outreach.

Please see the April calendar of meetings, activities, and deadlines in your packets. The National Park Service is gearing up for the recreational season and will hold its annual meetings with fishing guides on 4/12 and water safety partners on 4/29. April 22 is the deadline for member municipalities to submit proposals for the UDC's River and Shoreline Clean-up Grants Program. That is also the Earth Day start date, of course, for the 2<sup>nd</sup> Annual Upper Delaware Litter Sweep that will continue for nine days. Looking ahead, we don't currently have a presentation set for the May 5 meeting but are working on ideas.

Ramie invites all to check out a photography and digital media exhibit that a friend of the Upper Delaware Council's and past recipient of our Distinguished Service Award, Peter Kolesar, has at the Narrowsburg Union. It's called "Our Fine Fishermen". It opened this past Saturday and will run through April 22 in the Union's digital gallery. One of those fine fishermen that Peter features is Andy Boyar. The gallery is open every day from 8 a.m. to 8 p.m. Monday through Saturday, and 8 to 5 on Sundays.

### New Business

**Draft Letter to NPS: UDC 2022-004: Big Eddy Brewing Co., Town of Tusten (75:00):** A Motion by Henry seconded by Richardson to approve the draft letter to NPS regarding UDC 2022-004: Big Eddy Brewing Co., Town of Tusten recommending substantial conformance carried unanimously. Hendrix asked Engelhardt if she heard back about what the group had discussed regarding sewage. She had not heard back about that but did find out more about parking.

**Draft Letter to NPS: UDC 2022-005: 90 Main St., Town of Tusten:** A Motion by Henry seconded by Richardson to approve the draft letter to NPS regarding UDC 2022-005: 90 Main St., Town of Tusten, recommending substantial conformance carried unanimously.

**Cochecton, NY-Damascus, PA Bridge Short-term Closures Schedule:** This press release from NY DOT is for the rehabilitation project and involves two weekends in April, the 9<sup>th</sup> and 16<sup>th</sup>, weather permitting.

**Other:** Richardson said in support of the Shad Fest, the Cochecton Preservation Society had decided to open the station for tours on May 21<sup>st</sup> and sponsor a student Shad art contest and exhibition from 10 a.m. to 1 p.m.

### **Old Business**

**UDC Funding Advocacy Responses and Resolutions (77:35):** Members will follow up with Town/ships to encourage their boards to consider approving a resolution to “Support the Establishment of a Permanent Budget Line in the [NY/PA] Budget for the Upper Delaware Council” based on the memo and sample resolution that went out on 3/24 in hard copy and electronically to the 13 member municipalities. Ramie referenced a 3/7 letter from NYS Senator Mike Martucci (42<sup>nd</sup> District) expressing his support. He wrote to the leadership, “Without an appropriated \$100,000 budget line, the valuable work of the Council is threatened.”

**Documenting E-vote Outcomes for Grant Support Letters (114:26):** Ramie said there are copies of grant support letters provided in the meeting packet that were approved by UDC for Sullivan County’s Callicoon Riverside Park and the DRBC’s grant for a science project. These were time-sensitive issues with a March 30 deadline and required a vote. The Delaware River Civilian Climate Corps was not called for an e-vote but a request was made to bring it up again at full Council.

**Delaware River Civilian Climate Corps: Discussion on Recalled Letter (96:22):** On a motion by Roeder seconded by Greier, the Council tabled action on sending a support letter for Friends of the Upper Delaware River’s application for a Delaware Watershed Conservation Fund grant for its proposal, “increasing Capacity in the Upper Delaware River through support of the Civilian Climate Corps.”

**2<sup>nd</sup> Annual Upper Delaware Litter Sweep April 22-30 Updates (115:53):** Ramie said this will be our last full council meeting before the Litter Sweep and \$6,000 has been raised which is pretty amazing from 36 different sponsors! They included individuals, businesses, and organizations.

We will be issuing a press release to express appreciation to all those entities tomorrow. That press release also advises how volunteers can still get involved and participate in cleanups in their communities. All of that information will be posted on our website and our social media accounts. The T-shirts are in their final design phase. Hall-Bagdonas is very ill and working from home on securing DOT permits and arranging logistics with Litter Leaders. PENNDOT has offered to provide us with gloves and bags for the PA cleanups. Ramie has reviewed the NYDOT permit and that was sent out today. We placed ads in 5 newspapers for a total of \$584.20. Ramie showed members the back page of the River Reporter from the 4/7 edition. Staff encouraged members to continue to promote volunteer recruitment and sharing town/ship events.

**Other (181:30):** Henry referenced WNEP saying a Northumberland County will have a plant in operations in 2024 that will take post-consumer plastic and recycle it into chemicals to make new plastic items  
<https://www.wnep.com/article/news/local/northumberland-county/1-billion-dollar-manufacturing-plan-coming-to-northumberland-county-encina-circular-recycling-plastics/523-499c5a91-e0a6-4f0a-9b5f-a8a486783be9>

Henry said big soft drink brands are also looking to develop a newer container that would be better to recycle.

**Public Comment:** None.

**Adjournment:** A motion by Dudko, seconded by Sullivan, to adjourn the meeting at 9:02 p.m. was carried.

*Minutes prepared by Ashley Hall-Bagdonas 5-2-2022  
Recording of meeting available on request*