



Upper Delaware Council

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UPPER DELAWARE COUNCIL MEETING MINUTES

August 1, 2024

The Upper Delaware Council held its monthly meeting on Thursday, August 1, 2024. Vice-chairperson Dexter called the meeting to order at 7:01 p.m. Roll call followed reciting the Pledge of Allegiance.

Attendees:

Town of Hancock- Fred Peckham (Zoom), Town of Fremont- Jim Rodgers, Town of Delaware- Harold Roeder, Town of Cocheton- Larry Richardson, Town of Tusten- Evan Padua, Town of Highland- Christine Martin (Zoom), Town of Lumberland- Nadia Rajsz (Zoom), Damascus Township- Jeff Dexter, Berlin Township- Al Henry, Lackawaxen Township- Doug Case, Shohola Township- Aaron Robinson, Commonwealth of Pennsylvania- Tim Dugan (Zoom), National Park Service- Lindsey Kurnath

Absent:

Town of Deerpark- Ginny Dudko, Westfall Township- Michael Barth, Delaware River Basin Commission, New York State

Staff:

Executive Director- Laurie Ramie, Resource & Land Use Specialist- Kerry Engelhardt, Administrative Support- Stephanie Driscoll

Media:

Tri-County Independent- Peter Becker

Guests:

USGS- Guy Foster (Zoom), NPS- Carly Marshall, Erick Lewis (Zoom), Friends of the Upper Delaware River- Jeff Skelding (Zoom), USGS- Tom Ruby (Zoom), Rachael Marques (Zoom), Jim Costolnick (Zoom)

Presentation: “USGS Streamgaging Networks – General Methodology, Data, and Funding” by Guy Foster, Chief of the New York Observing Systems Branch of the U.S. Geological Survey’s New York Water Science Center: Ramie introduced Guy Foster. The UDC sent a letter to USGS in April to inquire about the discontinuance of certain parameters of the Barryville Stream Gage after the Water Use & Resource Management Committee brought it up at the 4/16 meeting. USGS offered to give a presentation to provide more information on stream gages in response to the letter. Not only is Guy Foster here virtually tonight for the presentation, but Foster’s counterpart in Pennsylvania, Tom Ruby, is with us as well.

Foster thanked Ramie for the introduction. He showed a PowerPoint presentation on USGS history, streamgaging, and how it’s done. Foster oversees the data collection and monitoring network in the NY Observing Systems Branch. USGS. Who are they and what do they do? USGS is a Department of Interior (DOI) Science Agency established in 1879. They provide the nation with reliable and impartial science and information to understand our natural resources. USGS is the only pure scientific agency within the DOI, with very little regulatory authority. USGS data collection and studies are done in cooperation with state, local, and federal agencies and USGS national programs. Streamgaging has been going on since 1889.

Most of the streamgages are simple looking metal boxes nowadays. Some of the older stations are brick and stone. Streamgaging uses float tape, pressure system, or radar to collect stage data. Stage data is collected and served to the public every 15 minutes to once an hour (depending on location) to an accuracy of .02 ft via satellite or cellphone. To give discharge, which is the volume of water moving at a certain rate, USGS staff goes out anywhere from 4-8 times a year to measure that. Discharge is measured in a variety of methods such as acoustic, mechanical current meters, and visual/optical methods. Staff will relate the discharge measurement to the stage data and over time a rating curve is developed. Once the ratings are created, USGS serves that computed discharge to the web. They maintain that rating until the gage no longer has funding.

There is a lot of modern technology coming in; the traditional gage houses are getting smaller, optical technology, and the need to go out and measure may not be needed in the future. USGS has been doing this for a long time, but are moving technologies forward. Other real-time data types being collected are temperature, specific conductance, dissolved oxygen, pH, turbidity, algal fluorescence, dissolved organic matter, and nitrate. All of the stations are run by full-time professionals. All the data is served to the public through the National Water Information System (NWIS). A lot of the data that comes out is provisional until field staff goes out to approve it and gets its final USGS stamp of approval.

Martin asked what significant changes USGS has seen over the last few decades? Foster said that's a good question; it depends on the region. He isn't prepared to talk about that tonight but can follow up with experts in his office. On Zoom chat Erick Lewis asked how accurate the Stilesville gage is? Foster acknowledged there were issues collecting discharge at the Stilesville gage due to algae and plant growth. USGS made changes to the location of the gage.

USGS has invested specifically in the Delaware River Basin with a Next Generation Water Observing System (NGWOS). The NGWOS has been active since 2018 providing high-fidelity, real-time data on water quantity and quality necessary to support modern water prediction and decision support systems for water emergencies and daily water operations.

USGS streamgages are funded through three main sources. About 35% comes from federal (appropriated) dollars and federal partners (interagency agreements). The majority of funding comes from state, local, and county partners through joint funding agreements. Gages are priced on a number of factors: initial and estimated replacement equipment costs; installation and establishing datums and levels; data type(s); operations and maintenance costs; data quality assurance and publication; and repairs. Gages are used for a variety of reasons such as flood prediction at a local scale, draught monitoring, regional statistics for culvert or bridge design, fishermen and kayakers, etc.

Some gages are funded through multiple agencies, like the gage at Barryville. The USGS can sometimes use a small amount of appropriated funds to match other funds to help offset the cost. The Barryville gage was installed at 2018. The stage and temperature functions were paid for by Pennsylvania DEP and discharge and conductance was paid for by the NGWOS program. This year the NGWOS program needed to make cuts to reallocate internal funds to technological research, so the discharge element was turned off in March of 2024 at the Barryville gage. The discharge element alone costs between \$10-11,000 per year and the conductance costs about \$6-7,000 a year.

Martin asked what that means for the Town of Highland on the Barryville gage? We are getting information from all the other gages, but she feels that losing those functions at that gage is a loss. Foster said there's no reason why partners can't come together to fund those functions at that gage. Martin asked if the USGS would help find that funding? Foster said USGS can talk with local federal partners in the area and provide cost and information but typically it's not up to USGS to find the funding. There is a program called the Federal Priorities Streamgages which is an attempt by Congress to fund a denser National Streamflow Network. USGS has reached out to local organizations, towns, and counties to see if there is interest in gages in their area. The best way to get a gage funded is for local communities to talk to their town councils or reach out to state agencies to inquire. Padua thanked Foster for the presentation and said he is a fishing guide on the Delaware River and uses the gages almost every day. Foster had said that the gage at Barryville was installed in 2018; was that a newer gage that was installed there? Padua remembers a gage being there before that time. Foster said USGS had daily discharge values there since the 1960's.

Rajsz asked what the cost of the gage is? Foster said for Barryville specifically the discharge element is between \$10-11,000 a year. If someone wanted to fund the entire gage system it would be between \$18-20,000 a year. In Barryville's case, PA DEP is already paying the stage element so the discharge is the only part that needs to be funded. Rajsz said this is then a recurring cost; what happens to the gage if the funding is not there? Foster said USGS is not allowed to work without a funding agreement in place. The infrastructure data is already in place at Barryville; it's just a matter of getting the discharge information republished. Rajsz asked when this needs to be done by if someone chooses to fund it? Foster said it's up to the entity funding it. It usually goes by their Fiscal Year. Peckham asked why New York City doesn't fund it? They are responsible for what these gages detect. Foster said NYC pays for a lot of the gages in the Catskills and the Croton systems, mostly related to the NYC water supply. USGS also does significant monitoring on groundwater paid for by NYC and the five boroughs.

Padua said the USGS website was reformatted for most of the gages in the last year or so. When he tries to open the gage, it will load the old format for 5 seconds and then switches to the new format. Has Foster experienced that on USGS's end? The new format is also more difficult to navigate. Foster said that's definitely been discussed internally within USGS, but he hasn't had an issue loading the website. He can report that issue to the IT department. Padua said he mentioned that there are detections for certain algae blooms; at what point does USGS talk to local authorities about algae blooms? Foster said NYS DEC has a website and app that you can report algae blooms. The reason NGWOS funds the chlorophyll and fluorescence sensor at the Callicoon gage is because of past harmful algae bloom issues. There is no system in place where USGS would notify anyone on harmful algae blooms. The USGS defers to the state since a lot of the time they monitor the water and fund these gages. Everyone thanked Foster for the presentation and he left the meeting.

Henry said the NPS monitors water quality in the Delaware River. If anyone sees any harmful algae blooms the NPS should get out there to figure out what is going on. Kurnath said that UPDE commented on the Federal Priorities Streamgages (FPS) back in early 2024 that the gage at Barryville is important to UPDE NPS and that they were surprised it was shut off. NPS worked with their regional hydrologist to go back to their contact in the FPS system to see if they could better understand the situation. She hasn't gotten an answer yet and will follow up. NPS operations are based on height and that is still being collected at the Barryville gage. \$10-11,000 is a lot to absorb into the UPDE budget, but she will look into it. She added that UPDE is considering filling the position Andy Weber just left as an ecologist with a hydrologist. It seems there are a lot of questions on water quality, flow, and issues that would be nice to address "in-house". Padua said he had dropped of some algae to Hamilton last year, but it was around the time he was retiring. He thinks that it should be tested since he's noticing more this year than there was last year. Rodgers asked, when calling the NPS number for river conditions, will people get the water height information? Kurnath said yes, but no one is getting the cubic feet per second. Padua said that information will come from above Lackawaxen. Martin said if the Barryville gage has been there historically since the 1960s, it's a significant data point. Robinson said theoretically, you could calculate the flow from the Rowlands gage on the Lackawaxen River. Kurnath said she agrees with Martin, it does feel like we've lost something with the Barryville gage. Robinson said he doesn't remember there being a gage at the Barryville bridge in the 1960s. They are still getting the data, just not publishing it. Ramie said the message on the USGS website on the Barryville gage page said "Although historic data, stage, and water temperature will remain accessible, no new discharge data will be collected after this date unless one or more new funding partners are found." There was a phone number listed for anyone interested in funding the gage. Rajsza asked who was funding the gage before? Ramie said it was a combination of the PA DEP, who continues to fund it, and NGWOS. The federal funding through NGWOS was reallocated to another project. Robinson said the Delaware River Basin Commission (DRBC) should be funding the gages. Martin said the DRBC was listed as one of the organizations that fund gages. Robinson said they probably need the data and the gage at Barryville should be important to them, he'd think. He encourages the DRBC to help fund that gage. Henry recommended moving this topic to the WU/RM Committee to come up with a resolution. Rajsza said she thinks that Sullivan County should be backing this issue as well. This topic will be discussed at the next WU/RM Committee on 8/20.

Approval of July 11, 2024 Minutes: A motion by Robinson seconded by Rodgers to approve the July 11, 2024 meeting minutes with Richardson abstaining, carried.

Public Comment on the Agenda: None.

Committee Reports: There were no questions regarding previously distributed minutes for Water Use/Resource Management 7/16 (Evan Padua) and Operations 7/23 (Ginny Dudko). Martin commented on the 7/23 Project Review (Larry Richardson) meeting minutes. There was a back-and-forth conversation during the discussion on the letter to the Town of Highland Planning Board regarding the FIMFO DEIS that she would like better documented in the minutes so the comments on 'respect' could be put into context. She would also like each board member's position on climate change to be known; it's important for public record. Ramie said the minutes remain a draft until the next time the committee meets and anyone may propose amendments. Martin said she will bring it up at the next Project Review Committee meeting on 8/27.

Status Reports:

Delaware River Basin Commission: Absent. The hydrologic report is included in the packet for review.

NYS Dept. of Environmental Conservation: Absent.

Pennsylvania Dept. of Conservation and National Resources: A handout of Upper Delaware related topics is included in the packet. Dugan said he has heard there was a Snakehead sighting in the Delaware River in the Easton area. The Pennsylvania state budget was passed in mid-July and they are now working at the local levels to get the budget to come through. He was at the Legislative Breakfast last week that Ramie and Dexter attended on behalf of the UDC. He made sure to relay the PA funding issue to the Senator Rosemary Brown. Starting in the beginning of September Pike County wants to do something about the defoliation caused by spongy moth this year. On September 3rd there will be a public meeting on the topic in the Borough of Milford. The Borough of Milford Shade Tree Commission made the request to meet. DCNR does not have funding for that and no longer participates in a private land treatment program, but does have information they can provide. There will be a flyer ready to send out by next week. Dexter thanked Dugan for speaking to the PA Senator Brown on the UDC's funding issue. Ramie said unfortunately the UDC isn't within Senator Brown's district, but appreciates Dugan bringing it up.

National Park Service: An NPS monthly activity report is included in the packet. Kurnath thanked everyone for their help getting Road Show dates scheduled. Every town and township is either done or scheduled, with the exception of Manchester and Buckingham. There is a new [Wild and Scenic River Management Course](#) that has been uploaded to a portal open to the public. UPDE staff has been using that tool to learn more about the Wild and Scenic River Act and review requirements.

She thanked everyone who attended the Zane Grey Festival on July 13th. There were about 700 attendees that day. Later in August there will be a guided bi-lingual nature hike at the Minisink Battleground Park on 8/17 and a vintage baseball game in Lackawaxen on 8/24. Both events are free to the public.

Corrine Hinton, currently the Community Volunteer Ambassador at UPDE funded by the Conservation Legacy Program, has agreed to stay on board for another year. Seasonal Interpretation Park Ranger positions will be live on jobs.gov on 10/21. Engelhardt asked if there is an age requirement for the Seasonal Interpretation Park Ranger position? Kurnath said she thinks 18, but she will double check.

Wayne/Pike Workforce Alliance Intern Avery Ohliger and NPS Cultural Resource Manager Alex Garcia-Madonado will be giving a presentation at the September 5th UDC meeting on the UPDE oral history tapes.

All of the paperwork has been submitted to start the Baseline Archaeological Inventory and Evaluation. This will be a multi-phase, multi-year project. The first phase will hopefully be awarded and starting in the next month. It includes both upland archeological surveys, particularly at Cowen Farm and Minisink Ford, as well as initial submerged aquatic survey work, starting Labor Day through late September. Future phases will continue through 2026.

Dexter said there has been a lot of Shad at Skinners Falls. Kurnath said when Shad surveys were done at Skinners Falls last fall and winter, the team hasn't been having successful survey days. Perhaps they aren't coming during the right time of year.

Henry said he is pleased to see on the report that Ranger Schumacher has found five businesses operating without CUA's. What are the consequences for these people? Kurnath said they were each issued citations. Henry asked what for? Kurnath said she didn't get the details before this meeting. They were issued citations and all their information is passed onto the CUA office to follow up. She has dug deeper into Park Service policy on individuals or businesses operating without a CUA. The policy focuses on "suspending and revoking" people that already have CUA's, not so much on people who are doing things illegally in the first place. She plans to follow up with the regional office and maybe Washington about the issue. She also plans to speak with Chief Ranger Winslow to see what can be done after so many citations. Henry recommends reaching out to the U.S. attorney that prosecutes these situations. Kurnath said she knows during COVID it was difficult with the National Association of Assistant U.S. Attorneys (NAUSA). Now they can start talking about what support they can get on this issue. Henry asked Kurnath if the UDC can meet with NPS to discuss the Water Use Program. Kurnath said yes, they can set something up. Kurnath said the modifications to the CUA program is aligning the program with federal law. She views this as correcting something that has been wrong. The River Management Plan (RMP) needs to operate within existing law. That is something she takes very seriously as a federal employee. Congress states that we need to collect all of our costs if we choose to operate a CUA program, which we haven't been doing since day one. Henry said the RMP is a contract, and the NPS and UDC is a partnership. The plan says the UDC will run the RMP so we should have been consulted.

Henry said that Jim Hammil with Pocono Mountain Visitor Bureau only mentioned the Delaware Water Gap during a local commercial when talking about the NPS. Kurnath will follow up on this. Henry said the Upper Delaware Scenic and Recreational River should be mentioned.

UDC Executive Director: Ramie said the work is underway at the Callicoon-Damascus Bridge, with equipment staged on the NY side as well as a causeway being installed underneath the bridge. This is a \$17.8 million rehabilitation project. NY Governor Kathy Hochul issued a statement on the project: “New York State is making historic investments to modernize our infrastructure, and we are committed to working with our partners and local government to help ensure that their bridges and codes are ready to meet the challenges of today. This project to rehabilitate the Callicoon Bridge will extend the service life of an important connector and help maintain access the scenic Upper Delaware River region for the tens of thousands of outdoor enthusiasts who enjoy this special place, especially in the summer.” The 960 ft long bridge was built in 1961. With no closures anticipated during construction it is anticipated to be finished by November 2027.

Ramie shared a save-the-date notice for a new sojourn happening on the Lackawaxen River. This is a brand-new event as a pilot project consisting of a 2-day paddle on 10/12-10/13 from Honesdale to Lackawaxen. It will start at the new Sycamore Point in Honesdale paddling to the White Mills River Access for lunch. From there they will paddle to the D&H Canal Park at Lock 31 for a presentation, and end at Settlers Inn for lodging and camping. On day two they plan to paddle the lower Lackawaxen River and have asked for a water release from Brookfield Renewable Energy to facilitate that. Take out that day will be at the Zane Grey Access where they will have a morning program also. Details will be out soon for rates and registration. The partners involved in this sojourn are the Wayne County Community Foundation, Pocono Mountain Visitors Bureau, the Pennsylvania Organization for Watersheds and Rivers, Northeast Wilderness Experience, and Settlers Hospitality Group. If you’re interested in more information email info@lackawaxenrivertrails.org. Ramie said if you remember, when Christine Foland from Lackawaxen River Conservancy came to give a presentation on their bid to nominate the Lackawaxen for Wild and Scenic River status at one of last year’s WU/RM Committee meetings, she had mentioned that there was interest on putting on a sojourn on the Lackawaxen River. That designation attempt is still active.

On July 23rd the UDC received another memorial donation in honor of Phyllis MacKinney a New Jersey resident who passed away on October 25, 2023 at the age of 87. MacKinney had a deep appreciation for the Delaware River, and her family had listed the UDC as a beneficiary in her obituary. With the latest contribution we have received a total of \$381.02 through checks and PayPal payments in MacKinney’s honor. Ramie said Driscoll had met Mrs. MacKinney’s son at Riverfest on 7/28. Driscoll said he was very kind and happy to hear the UDC has gotten so many donations in his mother’s honor.

The UDC raft trip will be this Sunday 8/4. The summer issue of *The Upper Delaware* is due to be delivered by this Monday 8/5. It is currently available in full color on our website under Publications. As Kurnath had mentioned in her report, there are three Project Review Road Shows scheduled this month in Deerpark, Berlin, and Fremont. FY24 Technical Assistance Grant (TAG) projects must be completed by 8/16 by the Town of Tusten and Damascus Township. Application for FY25 TAG projects are due by 8/23, the same date award nominations are due. River and Shoreline Cleanup Grant projects by the Towns of Deerpark and Highland are to be completed and submitted by 9/10. Cochecton and Damascus are scheduled in September for their Project Review Road Shows. Reservations for the River Valley Awards Banquet are due by 9/13. Staff has started preparations for the awards banquet now that will carry on with a timeline of necessary tasks leading up to the 9/22 event. Engelhardt will represent the UDC at the 12th Annual Delaware River Watershed Forum on 9/26-9/27. Staff will look into spending down UDC federal funding by the end of Fiscal Year 2024 by 9/30 and start working on annual reports due to NPS. She reiterated that the presentation at the 9/5 UDC meeting will be on the NPS Oral History project.

New Business:

- a. **8/4 UDC 36th Annual Family Raft Trip Update:** Driscoll said there are currently 80 people registered for the raft trip coming up on Sunday 8/4. That’s a difference of about 10 less people from last year. She and Ramie will be at Lander’s Minisink Base on Route 97 in Barryville on Sunday morning to check in UDC raft trip guests, collect waivers for Lander’s River Trips, and get photos of the launch. The weather currently shows a 50% chance of rain.
- b. **UDC Seeks Nominations for 36th Annual River Valley Awards by 8/23:** A copy of the press release seeking nominations for the River Valley Awards is included in the packet, along with a list of past

recipients. Nominees that have done anything that enhanced the resources, protected them, or enhanced the quality of life in the Upper Delaware River region are sought. The nominations will go to the Award Subcommittee made up of the three chairs of the standing UDC committees. Director of PA Outdoor Recreation, Dr. Nathan Riegner, will serve as the keynote speaker. Ramie will issue a press release on the keynote speaker in the next few days. The deadline to RSVP is 9/13.

- c. **9/12 Radio Catskill 2024 Community Awards for Environmental Stewardship:** A copy of the invitation to the 2024 Community Awards for Environmental Stewardship and Sustainability, where Ramie will be receiving a Special Recognition award, is included in the packet. The ceremony will be held at the new La Cigogne restaurant located in The Shops at Narrowsburg on Thursday 9/12 from 5-7pm. Tickets are \$85 per person and include drinks and appetizers. There will be a program booklet at the event that anyone can take ads in. Ramie will bring that up at the next Operations Committee meeting on 8/27 for consideration since the deadline is 9/1. WJFF listener-supported public radio station selects a different theme of honorees each year. In 2023, it was Arts and Culture for example. Everyone applauded Ramie for the award.
- d. **10/16-10/17 Upper Delaware River Rendezvous Registration by 8/31:** This event used to be called the “Water, Water Everywhere” conference put on by Friends of the Upper Delaware River (FUDR) and has been elevated to a state-wide conference this year. The Operations Committee had authorized a maximum of three tickets to be paid by the UDC in addition to the one comp ticket included with the sponsorship level the committee chose of \$500. Engelhardt and Driscoll would like to attend, leaving one ticket available. FUDR subsequently asked Ramie to serve as a presenter during the conference which she agreed to and offered another ticket at a discount of 50%. A motion by Richardson to accept the additional ticket for a 50% discount seconded by Henry, carried. Everyone will let Ramie know if they would like to attend the event by 8/30, with two tickets available. Richardson added that the UDC Chairperson (Ginny Dudko) should get first refusal however.
- e. **Other:** Henry asked if the Personnel Subcommittee could meet at 6:00pm prior to the Project Review & Operations meeting on 8/27.

Old Business:

- a. **7/26 Pike/Wayne Conservation Partners Legislative Networking Breakfast Report:** The poster created for the event was displayed at the front of the room, featuring the UDC’s funding issue and the Skinners Falls-Milanville Bridge preservation goal. Ramie said that Dexter also brought his engraved wooden flag featuring the Skinners Falls-Milanville Bridge. They were looking forward to meeting PA Representative Jeff Olsommer particularly, who took office in May after a special election for the 139th District. Unfortunately, by the time he got around to them there were only a couple minutes left of the meet and greet. He did acknowledge speaking with Robinson about UDC funding at another event. She said that Senator Rosemary Brown was very kind while speaking with them and was interested in the Skinners Falls-Milanville Bridge issue. She seemed to be aware of the situation. They also met Cody Forgach from U.S. Senator Fetterman’s office in person. All six commissioners on the county level were in attendance. Dexter said he was happy that the Skinners Falls-Milanville Bridge got so many reactions.
- b. **Other:** Padua said he floated under the Skinners Falls-Milanville Bridge the other day and thinks it’s a public safety concern at this point. There is metal missing from under the bridge that has obviously fallen into the river. It’s to the point where the whole bridge looks unstable and like it’s going to fall. Dexter agreed that it is rusting badly. Padua said it’s about to be an emergency situation. Henry recommended contacting NPS if it is a public safety concern. Padua said since PennDOT closed the bridge, wouldn’t it be their responsibility to secure the bottom of the bridge? A bridge inspector needs to come out and look at it. Roeder said if the state gets sued because of the bridge, it will cost 3x the amount it would have cost to just fix the bridge in the first place. Richardson said a letter needs to be written to PennDOT and to CC the NPS. A motion by Padua, seconded by Henry to send a letter to PennDOT about the condition of the Skinners Falls-Milanville Bridge carried. Henry said the local liveries should also be made aware of the situation.

Public Comment: None.

Adjournment: A motion by Robinson seconded by Rodgers to adjourn the meeting at 8:38 p.m. carried.

Minutes prepared by Stephanie Driscoll, 8/6/2024