



# Upper Delaware Council

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## UPPER DELAWARE COUNCIL MEETING MINUTES

March 31, 2026

### APRIL MEETING

The Upper Delaware Council held its monthly meeting on Tuesday, March 31, 2026, due to Passover on April 2. Chairperson Dexter called the meeting to order at 6:33 p.m. Roll call followed reciting the Pledge of Allegiance.

#### Attendees:

Damascus Township- Jeff Dexter, Town of Fremont- Jim Rodgers, Town of Cohecton- Larry Richardson, Town of Delaware- Harold Roeder, Town of Tusten- Cathleen Breen, Town of Deerpark- Ginny Dudko, Town of Highland- Christine Martin, Town of Lumberland- Nadia Rajsz (Zoom), Lackawaxen Township- Doug Case, Shohola Township- Aaron Robinson, National Park Service- Lindsey Kurnath (Zoom), Delaware River Basin Commission- Anthony Pontarelli (Zoom)

#### Absent:

Town of Hancock, Westfall Township- Michael Barth, New York State- Ryan Coulter, Commonwealth of Pennsylvania- Tim Dugan

#### Staff:

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

#### Media:

Tri-County Independent- Peter Becker (Zoom), Sullivan County Democrat- Isabel Braverman, River Reporter- Liam Mayo, Pike County Dispatch- Robert Katz (Zoom)

#### Guests:

Town of Deerpark- Bill Dudko, Nora Ryniewicz (Zoom), DRBC- Chad Pindar (Zoom), Mary T. (Zoom), DRBC- Amanda Khalil (Zoom), Rosie Starr (Zoom), Debbie Ackerman (Zoom), Deborah Bailey (Zoom), Jeanine Davis (Zoom), Jacque Kraszewski (Zoom), Susan Colletta (Zoom), Donna Redman (Zoom), Ed Layton (Zoom), John Barnes (Zoom), Anneke van Rossum (Zoom), Rebekah Creshkoff (Zoom), Jill Hardina (Zoom), John B. (Zoom), D'Andre Henderson (Zoom), Cynthia Nash (Zoom), Ben Johnson (Zoom), Barbara Arrindell (Zoom), Diane Giammarin (Zoom), Dominique Azzollini (Zoom), Tom Rue (Zoom), Anie Stanley (Zoom), Jess Eggert (Zoom), Steve Adams (Zoom), Dave Rodgers (Zoom), Kristina I. (Zoom), Craig (Zoom), Adrienne (Zoom), Mark Redman (Zoom), Taylor Mizah (Zoom), Tom Yatsonsky, Diana Yatsonsky, Jane Cyphers, Bernie Handler, Bill P., Nan Weinerman, Connie Lloyd, Patricia Knack, Debbi Knack, Heidi Hackemer, David Landis, Michael Paolietta, Louise Washer, Jacqueline Sailer, Laura N., Liz Nelson, Cindy Creek, Deborah Bailey

**Presentation: “Data Centers in the Delaware River Basin – An Update” by Amanda Khalil, Water Resources Scientist, Delaware River Basin Commission:** Dexter introduced Amanda Khalil, a Water Resource Scientist with the Delaware River Basin Commission (DRBC). Khalil opened the presentation by sharing her PowerPoint on the screen and explaining that this topic, data centers, is relatively new territory for the DRBC, but one that has quickly risen to the level of an “emergent issue” within their Water Resources Program. This presentation is both informational and exploratory. The DRBC is still in the early stages of understanding what data centers could mean for the basin’s water and energy systems. The presentation will move through four main areas: why DRBC is focusing on data centers at all; what current water use and power demand trends look like in the basin; an overview of what data centers are and how they function; and how all of that connects back to the basin and what DRBC is doing in response.

She started with the “why,” explaining that DRBC’s Water Resources Program—an annually updated planning document—serves as the foundation for identifying emerging issues. This program is divided into two sections: one that describes current water resource conditions in the basin, and another that outlines goals, priorities, and staff

work plans. In the most recent version, covering fiscal years 2026 through 2028, data centers were formally identified as an emerging issue. As a result, the DRBC added a specific work plan task to research and document their potential impacts, particularly how they could influence water resources in the basin. The data the DRBC relies on is not modeled or estimated—it reflects actual recorded withdrawals from the basin. Using the most recent available data (2024), the total water use is on the order of billions of gallons per day, with thermoelectric power generation accounting for more than half of all withdrawals. Public water supply is the next largest category, just under one billion gallons per day. Since roughly 2005–2010, water withdrawals across most sectors have been steadily decreasing. This includes especially significant declines in thermoelectric and hydroelectric sectors. Projections suggest that this downward trend will continue through 2060. However, an important and somewhat unexpected shift: public water supply withdrawals, which had been expected to decline or plateau, have instead been increasing year-over-year for approximately the past four to five years. That reversal stands out against the broader downward trend and is something DRBC is monitoring closely. Consumptive use is water that is withdrawn and not returned to the source. The DRBC currently assumes a 10% consumptive use rate across sectors. While this assumption has remained stable, it may need to be revisited, particularly because data centers are known to have relatively high consumptive use due to cooling processes. Overall, consumptive use has decreased significantly in recent years, but emerging industries could alter that trajectory. Although data centers are unlikely to match the historically high water use of thermoelectric generation, they could still have meaningful impacts because their demand would likely be concentrated within the public water supply sector. This raises important considerations about how utilities will manage large new users, especially during droughts or water supply emergencies.

She said that data centers are not just water-intensive; they are also extremely energy-intensive, and the two systems are tightly linked. The Delaware River Basin plays a major role in supporting the PJM grid, the largest electrical grid in the country, serving over 65 million customers across multiple states and Washington, D.C. Although New York State is not part of PJM, water resources from the basin, including those within New York, still contribute to power generation that feeds the grid. The Lower Delaware region is one of the densest power-producing areas in the country, meaning that water withdrawals in the basin support energy needs far beyond its geographic boundaries. This creates an important indirect effect: even if data centers are not physically located within the basin, their demand for electricity could drive increased water withdrawals within the basin to support power generation.

Khalil began explaining what data centers are, describing them as facilities that house computing infrastructure - servers, storage, and related systems - and that they can range dramatically in scale, from small server rooms to massive warehouse-sized facilities. The Delaware River Basin currently contains the smaller and mid-sized categories, such as server rooms and small co-location facilities. However, the largest categories (large co-location and hyperscale data centers) are the ones associated with the greatest water and energy demand. These large-scale facilities are already concentrated in regions like Northern Virginia and parts of the Midwest and are now being discussed or proposed in areas near the basin. Based on national trends, water use by data centers is expected to grow exponentially, driven primarily by the expansion of hyperscale facilities. Even conservative estimates suggest that water demand could double within just a few years, reaching tens of billions of gallons annually. This ties back to energy demand. As data centers expand, electricity demand will also increase, which in turn could increase water withdrawals for power generation. Given the basin's significant role in supplying energy to the PJM grid, this creates a strong likelihood that the Delaware River Basin will feel indirect impacts even from data centers located outside its boundaries. Zooming back into the region, Khalil said that the basin is geographically positioned between two major data center hubs: Northern Virginia and New York City. Because of this, it is likely to become a corridor for infrastructure development, including both data centers and the transmission systems that support them. She described this as “seeing the writing on the wall.”

The first step the DRBC has taken to understand the situation better has been identifying what data centers exist and what is proposed. This requires pulling information from multiple sources, including industry classifications, third-party tracking tools, and media reports, because no single comprehensive dataset exists. Through this effort, DRBC has identified just over 60 existing data centers within the basin and approximately two dozen proposed facilities. All of these are currently served by public water supply systems, meaning that any water demand from data centers is being routed through municipal or regional utilities rather than direct withdrawals regulated by DRBC. However, obtaining detailed data on water use at individual facilities is difficult. Non-disclosure agreements between developers and utilities often limit access to this information, making it challenging to quantify actual usage. To address this, DRBC is collaborating with other regulatory agencies and river basin commissions to share information and develop a more complete understanding.

She concluded by outlining key next steps, which include determining how much water data centers actually use, understanding what cooling technologies they employ (since these significantly affect water demand), evaluating whether their consumptive use could alter current assumptions, and assessing how these facilities plan for droughts or other water supply emergencies. Dexter thanked Khalil and opened the floor for questions.

Tom Yatsonksy of Lake Ariel, PA asked whether a township could ban a data center through zoning. Khalil responded that this type of decision would fall entirely under local municipal authority and is outside DRBC's jurisdiction. Zoning and land use controls are handled at the township or municipal level, not by the Commission. Yatsonksy asked if a township could mandate certain requirements instead of banning data centers outright. Specifically, requiring closed-loop cooling systems or mandating the use of renewable energy rather than diesel generators or other sources. Khalil reiterated that those types of requirements would also be handled at the local level through zoning or ordinances. The DRBC's role is not to impose those requirements but rather to understand what technologies are being used and to develop recommendations for sustainable practices. Yatsonksy said he had attended a meeting in December where it was suggested that banning data centers could expose a township to legal challenges. He expressed concern about potential lawsuits if such restrictions were enacted. Khalil said she could not offer legal guidance, and recognized the complexity of the issue.

The moderator then asked if there were any additional questions and turned to participants attending via Zoom. A Zoom participant, Taylor Mizah from Delaware Township, referenced early 20th-century agreements between New York, New Jersey, and Pennsylvania regarding water allocation and asked whether DRBC still oversees similar agreements governing how much water each state can use. Khalil said that she did not feel comfortable answering that question definitively and did not want to speak out of turn since she did not have enough information to answer that question accurately. Mizah asked whether the DRBC considers historical projects, such as the Tocks Island Dam, when evaluating current proposals. Khalil said that the DRBC focuses on current data and sustainable allocation, rather than relying heavily on historical precedent.

Donna Redman via Zoom chat asked whether there was any indication of a data center being proposed in Pike County, saying that there had been rumors. Chad Pindar from the DRBC explained that what Khalil presented reflects the full extent of DRBC's current knowledge. The DRBC has not had direct conversations with developers, and much of what they know comes from publicly available information and media reports.

Jacqueline Sailer asked whether the Delaware River Basin Commission has any sort of cap or upper limit on the total amount of water that can be withdrawn from the river system, more specifically, if withdrawals were to approach some threshold, whether the Commission would have the authority to deny permits for new uses, such as data centers. Pindar explained that the DRBC does not operate with a fixed cap on total withdrawals. Instead, when an application for a withdrawal is submitted, it is reviewed on its individual merits, rather than being evaluated against a basin-wide ceiling. There is a wide range of withdrawal sizes across the basin, pointing out that some existing facilities already withdraw over a billion gallons per day for cooling purposes, which helps put the scale of water use into perspective. Pindar said that one of the key points Khalil had tried to convey during the presentation was the importance of scale and historical context. Current total water use in the basin is approximately 6 billion gallons per day, which actually represents a significant decline from roughly 10 billion gallons per day about 15 years ago. He attributed that decrease primarily to reductions in thermoelectric power generation withdrawals and industrial water use, both of which have dropped substantially over that period. Pindar described a more relevant question going forward: whether this emerging industry (data centers) could grow in a way that would offset or reverse that historic decline. In other words, could the water demands associated with data centers and the energy required to power them approach or exceed the roughly 4 billion gallon per day reduction that the basin has already experienced? Current understanding is that they will not. During discussions the DRBC has had with industry representatives, there appears to be a trend toward closed-loop cooling systems, which significantly reduce water consumption compared to older or more water-intensive methods. The idea that individual facilities would use millions of gallons per day has been evolving rapidly. Technologies and practices are changing quickly in ways that may reduce their overall water footprint compared to earlier expectations.

Barbara Arrindell (Zoom) asked for clarification on what seemed like a contradiction in the presentation. One slide indicated that DRBC is not currently reviewing any data center permits, while another slide stated that there are 66 data centers already operating within the basin. Pindar explained that there are indeed approximately 66 data centers currently operating in the Delaware River Basin, but the key distinction is how those facilities obtain their water.

Based on DRBC's current understanding, all of those existing data centers are served as customers of public water supply systems, rather than withdrawing water directly themselves. These facilities are essentially end users, meaning they receive water from utilities that already have DRBC-approved withdrawal allocations; many of which have been in place for decades. Because of that, the data centers themselves did not require separate DRBC approval, since they are not the entities withdrawing water directly from the basin. When the DRBC first began researching this issue about a year ago, they were not aware of the full number of facilities. As they dug deeper, they realized that many data centers have been operating quietly in the basin for years. He gave examples such as telecommunications and internet infrastructure facilities like those operated by companies such as Verizon or Comcast which may have been in place for a decade or more supporting cloud computing and network services. Arrindell said so these facilities are essentially "sub-users." Pindar clarified that they are better described as customers, similar to any other commercial user of a public water system. He compared them to the distinction between residential and commercial customers; these are large commercial customers purchasing water from an existing utility provider, rather than holding their own withdrawal permits.

Arrindell said that the DRBC had expressed interest in gathering more information about data centers and asked whether members of the public could submit information, particularly about planned or proposed facilities. Pindar said yes, the public can absolutely share information. You can send that information to Khalil via email which was provided at the beginning of the presentation. Driscoll also sent Khalil's email through the Zoom chat.

Jessica Eggert asked via Zoom chat what data centers might mean for recreation areas and long-term impacts. Khalil clarified that recreation areas are already designated as such, and that DRBC is not currently tracking any proposed data centers that would directly impact those designated areas.

Deborah Bailey asked who is using the water and how much, seeking clarity on data center water consumption. Khalil said that this is one of the biggest challenges: facility-level data is extremely difficult to obtain due to nondisclosure agreements and variability in operations. Water use varies widely depending on factors like cooling technology, and the DRBC cannot currently provide specific usage figures for individual facilities.

A participant asked about where an Amazon data center would be located. Pindar said that he had already shared information in the chat and clarified that the facility is in Falls Township, Bucks County, Pennsylvania.

Jill Hardina raised concerns via Zoom chat about potential health impacts, referencing reports of cancer, miscarriages, and carcinogens in wastewater near a data center in another location. Khalil and Pindar made it clear that they could not comment on those claims. Such statements were outside their scope and not something DRBC could verify or address.

Heidi Hackemer of Damascus, PA said that it felt like there is not enough concern about the potential impacts. She argued that even if national estimates vary, the scale of water use is still significant and asked what threshold would trigger concern. Khalil emphasized that national-level data cannot be directly applied to basin-specific conditions, and that the DRBC prefers to rely on localized analysis rather than broad assumptions. Hackemer suggested that regardless of the exact number, the scale is still large enough to warrant concern. Pindar said that the DRBC's commissioners have tasked staff specifically with understanding the water resource impacts, and that based on current data, the 66 existing facilities are not considered significant in terms of water use. Proposed facilities are at a different scale, and the DRBC is actively working to understand those potential impacts as more information becomes available.

Yatonsky raised a concern about evaporative cooling systems used in data centers, stating that he had heard these systems involve mixing chemicals into the water. He asked whether that was true and, if so, what kinds of chemicals are typically used. Pindar said that based on the DRBC's general understanding, evaporative cooling systems do indeed use certain chemical additives, particularly for purposes such as descaling and maintaining system performance. Similar chemical treatments are used in power plants as well. Yes, additives are used in cooling water systems. Jane Cyphers asked whether those chemicals are safe, particularly in terms of human exposure and potential impacts on nearby communities. Pindar said that the DRBC has not specifically analyzed the exact chemicals used at individual data center facilities, but any wastewater generated would be subject to treatment requirements and regulatory controls. Wastewater treatment plants are governed by effluent limitations, meaning they must meet specific standards before discharging water back into the environment. Oversight of those details

would fall under permitting processes, including DRBC's permitting group where applicable, and reiterated that understanding exactly which chemicals are used and how they are managed is an important area for further understanding. Cyphers asked whether there are any exemptions when it comes to chemical use. Pindar said he was not aware of any such exemptions. To his knowledge, facilities would still be required to comply with established regulatory standards.

A participant asked how concerned residents and community members can "get in front of this" issue. Many people are doing their own research and are worried about multiple aspects, not just water use, but also chemical exposure, air quality, and overall environmental impacts. The DRBC's focus is primarily on water, but the issue is broader. How can communities proactively engage or respond? Pindar said that this question extends beyond the DRBC's direct role and brought in Anthony Pontarelli from DRBC's Government Affairs group to help provide a more complete answer. Pindar also emphasized that local municipalities are on the front lines of these issues. Townships and local governments are typically the first to see applications for data center development and therefore have the earliest opportunity to review and influence proposals. Based on his experience attending municipal meetings, much of the decision-making at that level comes down to zoning and local ordinances.

While the DRBC does not create or enforce local zoning rules, there are model ordinances and guidance documents being developed that municipalities can adopt to address concerns like water use, chemical management, and infrastructure impacts. He suggested that these resources could help communities take a more proactive role. Pontarelli confirmed Pindar's points and elaborated that organizations such as the Pennsylvania State Association of Township Supervisors have been actively developing model ordinances specifically related to data centers. Similar organizations likely exist in other states, including New York, and can provide guidance tailored to local governance structures. Meaningful action on these issues will occur primarily at the local and state levels, not through DRBC. He encouraged attendees to engage directly with local municipal meetings, where zoning and land use decisions are made, and state legislators, as there are already multiple bills and proposals moving through state legislatures related to data centers. The most effective path for concerned residents is to actively communicate with local and state elected officials, ensuring that their concerns, whether related to water, chemicals, air quality, or broader environmental impacts, are heard and considered as policies are developed.

The council thanked Khalil for her presentation. There was a brief pause to allow guests to leave.

**Approval of March 5, 2026 Minutes:** A motion by Henry seconded by Richardson to approve the March 5, 2026 meeting minutes carried.

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

**Committee Reports:** There were no questions regarding previously distributed minutes for Water Use/Resource Management 3/17 (Evan Padua), Operations 3/24 (Jeff Dexter), or Project Review 3/24 (Larry Richardson).

**Status Reports:**

**Delaware River Basin Commission:** Pontarelli said he is filling in tonight for Beth Brown. The latest hydrological conditions report is included in the meeting packet. He reported that reservoir storage levels are currently higher than average. River flows, both along the main stem and in the tributaries, are also above normal for this time of year, and notably higher than they were at the same time the previous year. He addressed conditions farther downstream, explaining that the salt front in the Delaware Bay is currently located at River Mile 58, which is downstream of the typical March median of River Mile 70. This is also a favorable indicator.

On April 16, the DRBC will be co-hosting a public-facing webinar on the relationship between water use and data centers, in partnership with the Susquehanna River Basin Commission and the Interstate Commission on the Potomac River Basin. He will share the registration link in the chat. The webinar has a capacity limit of 300 participants, but will be recorded and made available on the DRBC's website afterward for those unable to attend live.

He reported that the DRBC's second quarter public hearing is scheduled for Wednesday, May 6. The Source Water Protection Committee will meet on May 14, the Monitoring Advisory and Coordination Committee on May 28, and the Water Management Advisory Committee on Wednesday, June 3.

**NYS Dept. of Environmental Conservation:** Absent.

**Pennsylvania Dept. of Conservation and National Resources:** Absent.

**National Park Service:** The NPS monthly activity report is included in the packet. Kurnath said the America 250 initiative remains a priority at the national level. However, as she's said at the previous meeting, the Upper Delaware unit will not be hosting its own dedicated event this year. Instead, their role will be to support other park units within the National Park Service system that have more direct connections to Revolutionary War history and independence-related themes.

She reported that the Water Safety Committee meeting is tentatively planned for mid-May and will focus on sharing information and building awareness among river partners around safety issues. An invitation would be sent to the Upper Delaware Council shortly.

Kurnath announced that the Upper Delaware Scenic and Recreational River (UPDE) has been selected to host a National Park Service Business Plan Internship Consulting Team. This team will be on-site from early June through August, working to develop a partner action strategy, which has been an identified need dating back to the park's 2014 foundation document. She emphasized that this will be a valuable planning tool moving forward and expressed enthusiasm about having the team working directly with them over the summer.

UPDE is working to bring on additional seasonal support staff through partnerships with the Wayne/Pike Workforce Alliance and the Pike County Career Center, to help meet operational needs during the busy summer season. She announced Community Volunteer Ambassador, Sophia McKinstry, began a one-year term on March 16. This is the position previously held by Corinne Hinton. She is excited about having McKinstry join the team. Looking ahead, she noted that in the coming months she expects to be able to report on the hiring and onboarding of seasonal employees who will be assisting throughout the summer.

In response to a questions raised in committee, Kurnath provided an update on the Skinners Falls–Milanville Bridge project. PennDOT divers had recently returned to the site and were able to successfully remove the remaining underwater wooden components of the center pier. This work had been planned earlier, but was delayed due to winter conditions, and the NPS had previously coordinated with PennDOT to issue a special use permit to allow the work to proceed. With conditions now safe, that work has been completed, and NPS will continue to stay engaged with PennDOT as the project progresses.

Kurnath directed everyone to the data on eagle watch numbers included in the report and explained that while eagle sightings were lower this year (471 compared to 675 the previous year), the difference is attributable to weather-related cancellations, which reduced the number of observation days.

Kurnath said that the joints on the Roebling Bridge and retaining angles are designed to move with temperature changes, meaning they can appear uneven or settled during colder conditions and then return to a more level position as temperatures rise. Due to age and wear, some deterioration has occurred, resulting in visible potholes. NPS staff plan to perform temporary patching as an interim measure, and a full replacement of the expansion joints is scheduled for 2028.

G. Dudko said she's disappointed in the lack of a dedicated America 250 event in the Upper Delaware region. This area is rich in early American history, including events tied to the nation's founding. She expressed disappointment that nothing specific was being planned locally to commemorate the anniversary. Kurnath said there are many parks with direct and significant Revolutionary War connections, and those parks are being prioritized for hosting major events. UPDE has been asked to **support** those efforts by allocating staff and resources where they are most needed across the system. She acknowledged that the Upper Delaware region does have meaningful historical connections and noted that NPS will still be participating in local events, such as the Minisink commemoration on July 18, though that event is not being hosted directly by the NPS. Rajs said Sullivan County Historian John Conway is organizing events for the America 250 event, and to look out for announcements on those. Richardson added that the Town of Cochection is planning events in all five hamlets to highlight the area's deep historical roots. Dexter will be participating in one of those events.

**UDC Executive Director:** Ramie said the Council will send one of its signature "Land, Water, People" lapel pins to Amanda Khalil from DRBC as a gesture of thanks for her participation and presentation. She noted that Khalil had agreed on short notice the previous afternoon to participate in a live radio interview with Tim Bruno from WJFF

Radio Catskill at 10:00 a.m. that morning. This kind of outreach is extremely valuable in helping raise awareness about UDC programming and public presentations.

She mentioned the April 16 data centers webinar, which had also been referenced earlier in the meeting, is being hosted collaboratively by the DRBC, Susquehanna River Basin Commission, and the Interstate Commission on the Potomac River Basin. She encouraged anyone interested to register through the link posted on the UDC Facebook page. The webinar is capped at 300 participants. For those who do not use Facebook, the UDC office can provide the flyer and registration information upon request.

She thanked members for their flexibility in adjusting their schedules, as this meeting was being held on a Tuesday rather than the Council's usual first Thursday of the month.

Ramie reported that the spring issue of the UDC newsletter had just been delivered the previous day. The cover article focuses on America 250 events happening throughout the Upper Delaware River Valley. You can view the full-color version online, with the printed version in black and white only. This issue was completed and delivered two weeks earlier than usual, due to multiple deadlines including the newsletter and the annual report were converging at the same time. The newsletter required 54 hours of staff time, including research, writing, editing, proofreading, and production, while the annual report required an additional 29.5 hours. This level of time tracking is necessary because UDC's auditor requires detailed timesheets, with staff recording their work in half-hour increments to support functional allocation reporting. This particular issue of "The Upper Delaware" benefited from outside funding for the first time. The UDC received a \$1,000 tourism grant from the Sullivan Catskills Visitors Association, along with an additional \$500 contribution from DRBC, bringing total external support for the issue to \$1,500. She expressed appreciation for this support which helped offset printing and distribution costs.

Since the last meeting, the UDC has received an additional \$1,000 contribution from the Town of Highland, bringing the total amount of local government support received from the Council's 13 member municipalities to \$5,000. These contributions are helping to address ongoing operational funding gaps.

April 1 marks the official launch of the 6th Annual Upper Delaware Litter Sweep. She referenced calendars included in tonight's packet with scheduled cleanup dates, noting that only a handful of events have been confirmed so far. There is still ample opportunity for additional participation. In 2025, there were 21 separate cleanup events across the 15 municipalities. She encouraged members to step forward as Litter Leaders or volunteers. The UDC will assist with promotion and provide necessary supplies. Anyone interested can contact Driscoll.

The Barnes Landfill in the Town of Highland has historically been a concern because it is a "no man's land," with no clear ownership or responsible party overseeing it, and no tax base supporting its management. Multiple entities, including the town, Sullivan County, NPS, and the state, have an interest in the site, but the original escrow funding for monitoring had been exhausted many years ago. Rajsz brought the issue up after speaking with the Commissioner at a recent conference. The agency in Albany, New York State Department of Environmental Conservation (DEC). The agency has been actively monitoring the site. DEC staff are now preparing to provide a formal update to UDC. Rajsz said she had spoken directly with the DEC Commissioner in Albany, who then connected her with Regional Director Kelly Turturro. She appreciates that the DEC is actively monitoring the situation given the landfill's proximity to the Delaware River and the uncertainty around potential impacts such as leachate and has committed to reporting back to UDC. Martin said the landfill site is located near the proposed Northgate development (Camp FIMFO). It's important we receive information in a timely manner as related decisions are being considered.

Ramie said, at the direction of the Operations Committee, she had sent a formal invitation to Pennsylvania Governor Josh Shapiro to serve as the keynote speaker for UDC's 38th Annual Awards Banquet, scheduled for September 13. The invitation was sent on March 24 and included a requested response deadline of April 30, in order to allow sufficient time to secure an alternate speaker if necessary. The request was submitted both by formal letter and through the governor's online guest appearance form. She expressed hope that a response would be received either to accept or decline.

She directed attention to the April and May calendars included in the packet and highlighted upcoming presentations scheduled over the next few months. The May 7 program will feature Sullivan County Historian John Conway, who

will present on the America 250 semiquincentennial in partnership with Sullivan County and The Delaware Company. The June 4 presentation will feature a consultant who worked with the NPS on a ground-penetrating archaeological study at the Cowen Farm site in Minisink sites. This presentation was arranged following a suggestion by B. Dudko to learn more about the findings of that work. The July 2 program will feature Professor Paul King, an expert and author on John A. Roebling. His presentation will focus on the Roebling Bridge, drawing on both historical, engineering, and architectural perspectives. The previously scheduled March 5 presentation by the Lenape Nation, which had been canceled due to internal changes within the organization, has a new spokesperson who has since reached out, expressing strong interest in re-engaging with UDC and scheduling a future presentation focused on Lenape culture. Additionally, the Rising Nation River Journey is now expected to proceed between mid-July and mid-August, with a formal announcement anticipated soon. The Lenape presentation to the UDC will likely take place after the journey rather than before.

#### **New Business:**

- a. **Draft Letter to NPS: Natural Nails Salon (UDC 2026-06), Shohola Township:** A motion by Henry seconded by Richardson to send a letter to the National Park Service that Natural Nails Salon in Shohola Township substantially conforms with the River Management Plan, carried.
- b. **Draft Letter to NPS: Zoning Ordinance Revision (UDC 2026-07), Lackawaxen Township:** A motion by Henry seconded by Richardson to send a letter to National Park Service that Lackawaxen Township's zoning ordinance revision substantially conforms to the River Management Plan, carried.
- c. **Upper Delaware Council 2025 Cooperative Agreement Performance Progress Report:** Ramie said a copy of this report is included in the packet to share what was accomplished in 2025. This was submitted to the NPS as per our Cooperative Agreement. She will convert this report into a more publicly relatable press release. Driscoll and council members thanked Ramie for her hard work on this report.
- d. **Other:** None.

#### **Old Business:**

- a. **Shohola Township Proposal to Amend the River Management Plan (referred from 3/24 Ops):** Ramie said this proposal had originally been introduced at the March 5 Council meeting, then sent to the Operations Committee, and was now being returned to the full Council for further discussion. An excerpt from the Operations Committee minutes had been circulated earlier in the day to help frame the discussion and clarify where things had been left. One of the ideas raised at Operations was whether the Council might want to conduct a straw poll to gauge interest in moving forward with a formal amendment, requiring a majority vote. Another question was whether the Council should consider retaining professional assistance (legal, or financial) if we decide to proceed. She asked for direction on next steps. Roeder said that he would like to consult with his town before taking a formal position, but feels positive about moving forward. Rodgers said he wasn't at the Operations Committee meeting and asked whether the intent was essentially to "put more teeth" into existing obligations regarding state responsibilities, and questioned what real leverage the amendment would create. He isn't sure how adding language to the plan would translate into meaningful change, beyond restating that obligations are not being met. Robinson said that the RMP is a binding contract among the participating parties, and that the Council has the authority to amend the plan where necessary to ensure it can be properly implemented. The proposal is aimed at addressing a longstanding structural funding deficiency, which has been developing over roughly the past decade. The core issue is straightforward: the Council is obligated under the RMP to carry out specific tasks but does not currently have the financial resources required to fulfill those obligations. The amendment is a way to formally acknowledge that reality and bring all funding partners to the table in a structured and collective process, rather than continuing the current approach of seeking funding piecemeal from various sources. The intent is for the Council to determine what level of funding is actually required to operate effectively, based on current conditions, and then present that as a unified, rational basis for funding discussions with partner agencies and governments. The proposal was framed as a way to move away from an inefficient and fragmented approach and instead establish a clear, plan-based funding framework. Robinson said failure to move forward with the amendment would mean accepting the Council's inability to function as intended. He pointed out recent examples, such as relying on donated funds for basic operational needs like computers and newsletters, as evidence that the current funding structure is unsustainable. Rodgers said he is not opposed to the goal of securing funding but is still struggling to understand how the amendment itself would actually compel action from funding partners. What would happen if those partners simply ignored the amended plan, asking where the real leverage would come

from. Robinson said that the amendment process itself is significant because it is explicitly provided for within the RMP and therefore carries more weight than informal advocacy efforts. Using this formal mechanism would require partner entities to acknowledge and respond to the issue, as it would be raised within the agreed-upon governance structure of the plan. While partners could choose not to act, doing so would undermine the integrity of the entire RMP. If funding partners fail to respond, the logical outcome would be the dissolution of the current cooperative framework, with municipalities potentially reconsidering their participation, particularly if they are being asked to maintain zoning and land use restrictions without corresponding support. Rodgers said that while the Shohola proposal was well-prepared and thoughtfully presented, he remained skeptical that adding language to the plan would result in increased funding. He said his town supervisor asked how does this resolution move the ball forward? Robinson said that the Council is approaching a critical point where inaction is no longer a viable option, and that even if the amendment does not immediately produce results, it represents a necessary step. The alternative is continued decline leading to the eventual collapse of the organization due to lack of funding. If the Council were to fail, the consequences would extend beyond the organization itself, potentially affecting environmental protection, land use coordination, and the balance between conservation and private property rights within the river corridor. The issue is not only administrative or financial but tied to the long-term viability of the entire management framework. This approach differs from past efforts because it relies on a formal process embedded within the RMP, rather than external advocacy. This distinction is critical, as it creates a structured obligation for partner entities to engage with the issue. Richardson questioned whether that process would realistically translate into action at the state or federal level. Adding words to the plan won't change the lack of funding. We have the power to change the plan but not the power to make them pay. Concerns were expressed that, despite good intentions, there may still be no mechanism to compel budgetary decisions by those entities. Members acknowledged both the strength of the argument for action and the uncertainty of the outcome. Robinson said he's going by the phrase "fund or die" to characterize the situation. Kurnath asked for clarification to better understand exactly what portion of the RMP the Council would be amending. She referenced the appendix section related to "Cost and Phasing of the Proposed Plan"; that it includes the original funding and staffing assumptions and asked whether the intent was to revisit and update that entire section. She emphasized the importance of clarity on this point; amending that section would have broader implications, including revisiting assumptions not only about UDC funding but also about NPS staffing levels and overall program expectations. The NPS has been operating with significantly fewer staff than originally envisioned in the plan, yet core goals, such as maintaining water quality and supporting municipal zoning, have still been achieved. We have 13 towns and townships partnering, and the river is cleaner. Kurnath added that the zero-based funding idea is excellent. She just needs to know the specifics. Robinson said that the intent of the amendment is not to selectively adjust obligations, but rather to maintain the original proportional funding structure while updating the dollar amounts to reflect current needs. The existing figures date back to the 1980s and are no longer realistic due to inflation and changing conditions. Kurnath asked again for clarity on exactly which sections of the plan would be amended; this level of detail would be important for understanding the full implications of the proposal. Henry said this would require a long process. We need NPS to handle a lot of these steps for revising the plan, including an Environmental Impact Statement, contacting the Secretary of the Interior, a 90-day review in Congress, and a publication in the Federal Register. We can do the legwork but they must be involved. However, if we don't have majority buy-in from the towns, we are wasting our time.

Richardson said the Council is made up of representatives of the towns. It would be critical to the level of support from those municipalities before advancing. They would need to return to their supervisors for guidance on a matter of this magnitude. He added that moving forward with an amendment could draw attention to the Council's federal funding situation and opening the plan to formal amendment could trigger a broader review process involving multiple levels of government, including the NPS and even Congress. Rodgers agreed and said that reopening the plan could unintentionally invite scrutiny of the entire governance structure. If higher-level entities became involved, someone might question the need for the existing cooperative structure altogether and consider bringing the corridor more directly under federal control. Henry said the Council must be willing to act, even if there are risks. The RMP itself has already been altered in the past. The NPS has made changes to the plan without going through any formal process. Ramie said, rather than moving directly toward an amendment, the Council could first seek an advisory opinion on the proposal. The Council could request input from the NPS since they would need to play a

role in the amendment process. Richardson said we have the support of our more local state officials. We will need the higher-ups also, and to know if NPS will advocate for us. Henry suggested reaching out to Tom Shepstone, who has deep historical knowledge of the RMP and its development, to provide an analysis of the rationale, potential benefits, and possible risks associated with the proposed amendment. A motion by Henry, seconded by Roeder to seek Tom Shepstone's professional opinion on amending the River Management Plan, carried. During discussion Ramie said we first have to find out if Shepstone is still working and if he would be interested in the task. Richardson said the UDC has limited funds but emphasized that this type of analysis could be a worthwhile investment if it helps clarify a path forward. Richardson moved to reach out to Shepstone, seconded by Henry, to request his comment.

Martin asked if the UDC could seek advisory opinion from the NPS as Ramie had suggested. The NPS is already a partner in the RMP and employs staff with relevant expertise. Their perspective could provide additional valuable context. Martin moved to request an advisory opinion from NPS, seconded by Breen. She said they may give us some great advice, then we wouldn't have to pay for one. Breen moved to request what the fee would be before proceeding. Rodgers said he feels the best sequence is to ask the members first then go to NPS. The motion did not carry. Roeder said he's not against asking NPS but feels that should happen after we get Shepstone's opinion or if he says he can't do it. A motion was made by Rajsz to approach planning consultant Tom Shepstone to seek an advisory opinion on Shohola Township Board of Supervisors' resolution proposing to amend the River Management Plan, seconded by Rodgers, carried.

- b. **Final Comments on Upper Delaware Scenic and Recreational 2026 Annual Workplan:** Ramie said she had sent the Upper Delaware Scenic and Recreational 2026 Annual Workplan via email after it was introduced at the March 5 meeting and asked for comments by March 23. She had received the document prior to that and made some comments but didn't hear anything back from members. This is the last chance to give any comments on the plan. G. Dudko said she looked over the plan and it seemed fine. Henry objected to the wording of the NPS role regarding Technical Assistance Grants. It says NPS funds them, while it's actually Congress funding the UDC through the NPS budget. Kurnath acknowledged the point but said the reality is that Congress appropriates the funding the NPS, which transfers \$300,000 to the UDC and that's the source of TAG funding. She will look into how prior workplans addressed this. No corrective action was proposed. A motion by Rajsz to send a letter to the NPS accepting the Upper Delaware Scenic and Recreational 2026 Annual Workplan, seconded by Henry, carried.
- c. **NPS Determination: Summer Recreation for Children (UDC 2026-02), Lackawaxen Township:** Engelhardt said the NPS determination letter is included in tonight's packet, concurring with the UDC's decision that the Summer Recreation for Children in Lackawaxen Township substantially conforms to the River Management Plan.
- d. **Other:** None.

**Public Comment:** None.

**Adjournment:** A motion by Roeder seconded by Richardson to adjourn the meeting at 8:53 p.m. carried.

*Minutes prepared by Stephanie Driscoll, 4/10/2026*