

WATER USE/RESOURCE MANAGEMENT COMM. MEETING MINUTES
January 18, 2022

Committee Members Present: Ginny Dudko, Andy Boyar, Al Henry, Fred Peckham, Evan Padua
Committee Members Absent: Pat Jeffer
Staff: Laurie Ramie, Kerry Engelhardt
NPS Partner: Don Hamilton
Guests: Roger Saumure- Shohola Township Alternate (7:20 p.m.)

The UDC's Water Use/Resource Management Committee held its monthly meeting on Tuesday, January 18th, 2022 via Zoom. Chairperson Dudko called the meeting to order at 7:07 p.m.

Election of 2022 Committee Chair and Vice-Chair: A motion by Boyar, seconded by Padua, to elect Ginny Dudko as Committee Chairperson was carried. A motion by Boyar, seconded by Henry, to elect Evan Padua as Vice-Chairperson was carried.

Approval of December 14th, 2021 Meeting Minutes: A motion by Boyar, seconded by Henry approving the December 14th, 2021 meeting minutes carried.

New Business

April 22-30, 2022 Upper Delaware Litter Sweep Update: The Draft letter to municipalities was provided in the meeting packets. Discussion on typos and additional language was discussed. Hall-Bagdonas will finalize and send under UDC Chairperson Andy Boyar's signature the amended version of letters to the 15 river valley municipalities requesting that they identify Litter Leaders for their communities by 2/15. A draft press release by Ramie to solicit volunteers was also approved.

Proposal for Upper Delaware River Litter Bag Stations: Boyar discussed fishing in Montana and seeing litter bag stations available on several sections of river. Engelhardt will draft a letter to the National Park Service Upper Delaware S&RR, NYS Dept. of Environmental Conservation, and PA Fish and Boat Commission describing the WU/RM Committee's concept for Upper Delaware River Litter Bag Stations to request their support and/or feedback to create and install these at public river accesses as Phase 1 of this project. Phase 2 would be to explore costs and seek partners to finance and promote this initiative. A Motion by Henry seconded by Padua to support the endeavor carried. Hall-Bagdonas will send out the pictures that Boyar provided to WU/RM members. Henry noted the importance of having a mechanism of removing the litter bag stations in times of high water as we know the issue of microplastics.

Delaware River Flow & Storage Report: The 1/18 DRBC Hydrological Conditions Report noted combined storage at 83%.

Other: None.

Old Business

12/15 U.S. EPA Delaware River Emergency Tabletop Exercise Report: Ramie was invited to observe the three-hour tabletop exercise by Keith Winslow, the Upper Delaware NPS Chief Ranger. Winslow knows UDC is interested in this topic, particularly for railroad emergencies, because our interest is in seeing the Emergency Response Guide updated. It was held in-person in Stroudsburg at the Monroe County Emergency Management Office. The link that they provided was just audio. This is part of a larger project that goes by the name Inland Area Contingency Plan. These two regions of the EPA gathered Upper and Middle Delaware emergency responders and came up with this scenario of a railroad mishap with a train traveling south on the #2 Railroad Bridge that partially derails into the Delaware River at Sparrowbush carrying crude oil which also spills. Ten tanker cars derail off the bridge on the shoreline and partially in the water. Eight cars fall off the tracks and are on their side; two cars are hanging off the bridge into the water at an angle. One railcar exploded and is fully engulfed in flames. Thick black

UDC Water Use/Resource Mgmt. Comm. Meeting Minutes 1-18-2022

smoke is billowing east towards Sparrowbush. One train car is actively leaking product; there's an oily sheen on the water. Ramie said they asked everyone in the room questions. The first was how would each entity receive notification that train derailment happened? They observed in this case, there should be redundancy, and it would be desirable to hear it from every possible source.

The next question was what resources do they have available if something like this happens and who's responsible for what? Ramie said in this tabletop exercise they did specify they had not invited any participation from the railroad that goes through this area but next time, to get a real scale of proportion, they will. They discussed that there are standby contractors they have who are ready to be called out 24/7. They have booms, excavation equipment and vacuum trucks. Ramie said they specified that they handle the response first and then they figure out the cost later. Someone asked when something happens on the Delaware River who owns it per se, is it NY or PA? They said in this case, the railroad would be the responsible party because it was their vehicle. They talked about how to avoid calling the same contractors, what organizations had for their authorities and what their interest were in this scenario. Everyone agreed that one of the primary interests was to minimize the impact downstream as much as possible, to engage hazmat teams, and that local health and safety is the absolute first priority. In order to handle that they need to be in touch and have good relationships with the towns, villages, and county emergency management agencies. They had a description of the Sparrowbush area for people who weren't familiar with it. NPS said it would deploy its full staff and when asked who would be the Incident Commander; in this case it would be the Fire Chief of the fire department in that area. They discussed how to tell people who are actually out on the river or recreationists in the area. Ramie said they discussed that the first order of business is to secure the scene; the second is to get the responders there under a unified command system. They would use their Code Red System through the dispatch center which goes out by email text, and radio. They also said they would tell every canoe livery and use the reverse 9-1-1 system and Code Red is integrated into the 9-1-1 system. The message would say something to the effect of "Possible hazmat situation at Sparrowbush, NY". They would use their roving patrols to go out and notify the public and immediately notify news media. At that point the Superintendent becomes the media contact. They were also asked what stretch of the river does NPS have the authority to close. Winslow described what the boundary is and mentioned the eight-mile no man's land that exists between the Upper Delaware and the Delaware Water Gap. In the Water Gap, they have gates and can close barricades to keep the public out of the National Recreation Area. Here it's a bit more difficult because we don't have that but they would set up signage on the roads to notify that there was a hazardous situation. They also mentioned that the liveries have their own radio system they would utilize. In terms of the southern terminus of the river corridor they discussed that the Delaware River Basin Commission (DRBC) should be involved. They wanted to know what provisions they have for emergencies, such as whether they need to adjust the flows regime. The DRBC is a potential actor in any significant disaster who needs to be considered. The USGS River Master would be the ultimate contact for flows and releases. They talked about what sort of assets each agency has for this kind of situation and when they would get the environmental experts involved. They specified that the Regional Spill Response program has ability to do air monitoring and data collection but they just supply this information and are not in the business of making public health decisions. It was also asked who contacts the water intake controllers and they found there was a gap in the system. Currently there is no easy or central way to do that for the water supplies in New York City and Philadelphia. There are security issues involved in not being able to provide lists to just anybody or publicize where these water intakes are. They mentioned that the infrastructure for communications is a problem. Here in the Upper Delaware it's a poor area for cell phone coverage. They discussed satellite phones and NPS said they don't have those. They discussed setting up portable dishes; Verizon has this equipment they call "cell towers on wheels" that's a mobile hotspot for emergencies. They asked what organizations can the group bring in to assist with community outreach and public messaging.

Ramie was heartened to hear Winslow mention that UDC is the liaison between the federal government and local towns and townships. He mentioned how each municipality has a delegate to our board and that we're here to follow the River Management Plan (RMP). The liaisons stay on track with the plan and its provisions. He said that makes them more fortunate than the Delaware Water Gap since the UDC is not there and he explained the jurisdiction to the high-water mark and the private property issues which can be challenging but with the Upper Delaware's 72-miles from Hancock to Sparrowbush, at least we have as a benefit here that there is an organization which operates in that entire area. They asked whether it would be a good idea to have mile-markers on the river to show the demarcation between the upper and the middle Delaware. The Emergency Railroad Response Guide was mentioned. It was stated that the UDC does have a role in decision making through the RMP. Ramie said that the UDC in this case would be a stakeholder but not in charge. We don't have any resources, money, authority or

UDC Water Use/Resource Mgmt. Comm. Meeting Minutes 1-18-2022

regulatory powers. They discussed that each agency should make sure that there's a Public Information Officer so there's consistent messaging. They mentioned several times that there was inconsistent messaging during the train derailment we had there was false information getting out about severity of the situation. Not everybody was getting informed at the same time and mentioned the importance of sticking to the facts of what's happening on the ground so that what goes out is accurate and eliminates any confusion. Also, consider bilingual needs in every area. Ramie said at the end they announced they would be sending out an evaluation form. Ramie included the one she filled out in the meeting packet, she reiterated that UDC would like to update the Railroad Emergency Response Guide. They've planned to do a real time drill out in the field after one more table top exercise. It would be more technical and they're looking at an April timeframe. Then late summer or early fall they will do an in-field event. Ramie said that it was very interesting though a little hard as she was just listening via phone but she was very appreciative that Winslow described the role that UDC would play in this and passed it on to the EPA and others. Padua said it's nice to hear that there's research being done and hopefully some future plans so it'll be handled in a better manner than when we had the train derailment incident. Hopefully we don't have any more incidents but we'll be more prepared.

1/11 Delaware River Sojourn Steering Committee Report: Engelhardt attended the Delaware River Sojourn Steering Committee Zoom meeting. The bulk of the meeting was planning the middle Delaware days. On 1/20, she is meeting with members from NPS, Delaware Highlands Conservancy, and Friends of the Upper Delaware River to discuss details of the Upper Delaware days.

Skinnners Falls-Milanville Bridge Study Update: Ramie said PennDOT acknowledged the UDC comments as received on the draft Purpose and Need Document and will be putting together a Summary Document. Included in the meeting packets are NPS's comments that were submitted by Lauren Hauptman, their Cultural Resources Technician who pointed out some more technical concerns about the document and that her comments were also acknowledged by PennDOT. After Ramie submitted UDC's comments under Dexter's suggestion she sent into the historic booklet that Ed Wesley prepared about how the Skinnners Falls-Milanville bridge fits into the historic and cultural context in the area and she agreed that providing those visuals could have quite an impact.

Ramie also included a copy of the press release by PennDOT with Governor Wolf highlighting the transportation benefits of the bipartisan infrastructure law for Pennsylvania bridges. On 1/14 President Biden held press conference introducing a program that the Department of Transportation through the Federal Highway Administration is launching called the Bridge Replacement, Rehabilitation, Preservation, Protection, and Construction Program. That will provide \$26.5 billion to states, the District of Columbia, and Puerto Rico over five years. Some highlights of that are that they expect the program to help repair approximately 15,000 highway bridges and will be allocated to each state according to a needs-based formula, though the choice of which projects are undertaken are up to the states. It mentions that funding for Fiscal Year 2022 is being released immediately and the Federal Highway Administration will be distributing 5.3 billion dollars to the states for the current fiscal year. Some of the states to receive the most funding includes Pennsylvania, Illinois, California and New York. Ramie said she wondered if a little bridge like Skinnners Falls-Milanville would be eligible. But it says the program has dedicated funding for "off-system bridges" which are often locally owned and not yet part or not part of the Federal Highway System and this bipartisan infrastructure law uses federal funds to pay for 100% of the costs, no matching funds are required. The Department encourages governors and states to take advantage of this incentive to make their federal dollars go further by focusing on local bridges.

Ramie will contact the PA and NY governors, and state and federal representatives for the river valley to nominate the Skinnners Falls-Milanville Bridge for consideration under the U.S. DOT's \$26.5 billion (over five years) Bridge Replacement, Rehabilitation, Preservation, Protection & Construction Program, copying the NY-PA Joint Interstate Bridge Commission and AECOM. She will also invite elected officials to visit the historic bridge, accompanied by the UDC as host.

Letter of Appreciation to Federal Railroad Administration: Padua suggested that UDC should applaud the Federal Railroad Administration's (FRA) responsiveness and Ramie provided that letter she sent in the meeting packet. She also copied April Niver who is Congressman Cartwright's aide. Niver brought to the attention to the FRA that UDC had concerns and wanted an answer. Niver was happy they were able to help the UDC with this matter and thanked us for keeping her in the loop. Dudko said the letter by Ramie was very well-written.

UDC Water Use/Resource Mgmt. Comm. Meeting Minutes 1-18-2022

NYS DEC Update on Long Eddy River Access: Henry had requested that Rudge look into this at the 1/6 full Council meeting. Rudge responded back to Henry saying, “Al we have drafted a site plan for development of the Long Eddy River Access which I’ve shared with the town supervisor. We intend to meet with him to discuss hopefully later this month. Once we get input from the town, we will provide an opportunity for public review.” Rudge added “I’ve since gotten feedback from Fremont Supervisor Brustman that the town is ok with our draft site plan.” They are still working on the public presentation aspect.

Ten Mile River Access Update: Hamilton said there’s not much of an update on this matter. With the Continuing Resolution there’s nothing new on any funding for NPS’s acquisition of Ten Miler River (TMR) Access. There are conservation organizations interested in purchasing it and some progress being made.

Other: Engelhardt said she doesn’t have a report from the Upper Delaware Recreation Plan because they didn’t meet this month. However, we are expected to get the draft report from Tom Shepstone in the second week of February. When she receives that she will circulate that to committee members. Members can discuss any questions at the next WU/RM meeting and Engelhardt will take those back to the next meeting.

Hamilton said he went cross-country skiing behind the NPS Milanville office yesterday and there’s already winter stone flies out on the snow. He’s never seen them this early.

Public Comment: None.

Adjournment: A Motion by Peckham seconded by Henry, to adjourn the meeting at 7:59 p.m. was carried.