

**WATER USE/RESOURCE MANAGEMENT COMM. MEETING MINUTES**  
**October 19, 2021**

Committee Members Present: Ginny Dudko, Andy Boyar (Zoom), Fred Peckham (Zoom), Al Henry, Pat Jeffer, Evan Padua

Committee Members Absent:

Staff: Laurie Ramie, Ashley Hall-Bagdonas

NPS Partner: Don Hamilton (Zoom)

Guests: Bill Dudko

The UDC's Water Use/Resource Management Committee held its monthly meeting on Tuesday, October 19<sup>th</sup>, 2021 at the UDC office in Narrowsburg, NY. Chairperson Dudko called the meeting to order at 7:00 p.m.

**Approval of September 21<sup>st</sup>, 2021 Meeting Minutes:** A motion by Boyar, seconded by Henry approving the September 21<sup>st</sup>, 2021 meeting minutes carried.

**New Business**

**Draft Letter to Federal Railroad Administration for 11/4 UDC:** Ramie said this letter went out for advance review and will be going to the full Council. Henry said there had been some concern about whether the railroad has to be in compliance with EPA or regulations with chemicals on their tracks. Ramie asked if question number three on the letter sufficiently addresses that ("What level of creosote chemical treatment is no longer considered to be toxic or hazardous as the wooden railroad ties decompose?"). Henry said the question would be "Are railroads exempt from local, state and federal regulations for environmental regulations?" Bill Dudko said in Sparrowbush they have around 2,000 railroad ties stacked and bundled. Padua said he was just in the State Game Lands in PA and there are tons of railroad ties. Ramie said it would be good to find out if they have a regular removal schedule. Padua forwarded some photos and a GPS pin he had taken from the river regarding the original culvert in question. He's noticed a contracted company, Railroad Runners, has been doing a lot of work on the railroad. The culvert pipe was left on the river shore side and if we got two inches of rain tonight, we know where it would be. He hopes some answers will come with this letter. Ramie will do a second draft of the letter to be ready for the 11/4 full Council meeting.

**Review Proposed Flood Stages for Delaware River at USGS Lordville Gage:** Ramie provided in the meeting packets the UDC's July 1 letter of request to the National Weather Service for additions to the Delaware River Gage at Lordville, NY. Peckham had brought up at a committee that the flood stages were not provided for Lordville on the website. Service Hydrologist/Meteorologist Jim Brewster provided a 10/14 response with preliminary assessment of NWS flood states and categories for the USGS gage at Lordville on the Delaware and asked for its review to help fine tune the document. It provides preliminary flood statements and impacts for the Delaware River at Lordville noting that 23.5 feet is Moderate flood stage, for example. "Water will inundate a part of Lordville Road in Equinunk and a few properties along the lower end of Riverview Road in Manchester Twp. Backwater flooding along Humphries Brook, Factory and Equinunk Creeks may begin to affect properties." Ramie said she thinks it's terrific they were this responsive to us. Henry said if they at least had the four color-coded categories it would be much better. Peckham said it's pretty accurate. Ramie said she will send this out to all UDC members and various to coordinate the feedback as requested.

**EPA 5<sup>th</sup> Five-Year Report on Cortese Landfill Superfund Site, Town of Tusten:** Ramie said committee members received this report electronically and asked if Hamilton had any thoughts on the topic. Hamilton said they had a successful remediation at the Cortese Landfill. The contaminant levels in the groundwater have gone down dramatically. He said that EPA considers this project to be a success story. They implemented some technology there to accelerate the decrease contaminants in groundwater and it seems to be working. Henry noted they took 5,000 55-gallon drums out of the Cortese Landfill.

**11/16 WU/RM Presentation: American Rescue Plan Act Conservation Funding:** Ramie said this presentation had worked out for coming before the WU/RM committee because we were booked until January 2022 for full

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Council. Ramie said this is timely information. Steve Schwartz with the Pocono Kittatinny Cluster and Delaware Highlands Conservancy is making the rounds of various organizations and to let them know there is the American Rescue Plan Act Funding for conservation that would be going to counties and municipalities for purposes such as open-space conservation, river and trail access, public recreation, promotion of outdoor tourism, etc. They presented to the Wayne County Commissioners and will be speaking to Delaware County. They wanted to reach out to UDC since so many municipalities are involved. They don't have a specific request; they just want to let elected officials know this exists and would offer any assistance they can. Ramie will be sure to invite all UDC members to the 11/16 WU/RM meeting as well as elected officials. She will issue a press release to post also.

**Delaware River Flow & Storage Report:** A copy of the 10/18 DRBC Hydrological Conditions Report was provided in members' packets. Total combined storage was at 87.5%.

**Other:** Padua said he spoke with some people that were working on the Damascus-Cochecton Bridge and they mentioned they were stopping work on 11/19 because of the eagle's nest at that location. He was curious if Hamilton or anyone on the committee has any more information on that besides there being work restrictions around eagles' nests. Hamilton said that project worked through the breeding season summer because they got a permit from US Fish and Wildlife Services as well as the PA Fish and Game Commission. They had a periodic observer of the eagle nest and that nest fledged. The birds were acclimated to traffic and noise. Hamilton said they started the bridge project on the NY-side and wanted to cross from that side and that might have made a difference. He's not sure that would be the reason for them to stop work. He thought they had planned on pausing the project in November or December and continuing the project in 2022. The breeding season for eagles here is January to July. Ramie said we can ask our contacts at DOT for an explanation. She will send a letter.

Old Business

**9/27 Upper Delaware Scenic Byway Meeting Minutes:** Ramie said there were two grants that were spoken of at the 9/27 meeting. One had already been approved electronically and that was the first Cultural and History Grant for \$750 for the 160<sup>th</sup> Anniversary Celebration at Pond Eddy United Methodist Church on 10/24. The second grant approved was a \$3,100 Vista Enhancement grant request for the Eagle Observation #1 pull-off on Rt. 97 Barryville. The project is part of a larger beautification project that did not originally include funding for vista clearing. Upper Delaware Scenic Byway (UDSB) board endorsed the concept to apply for \$40,000 to hire an Executive Director. Ramie developed the application based on Chairperson Pizzolato's initial description for submission with the required supporting documentation by 10/1. UDSB is also working on 60 radio commercials to air on Bold Gold Media radio stations. They will be on the topics of fall foliage, farmers' markets, hiking and fishing opportunities, and the UDSB grant programs. Part of Kris Gilbert's DOT Region 9 report included that they do have sign management personnel who enforce sign compliance. There is not a regular schedule where they drive roads looking for violations, but they do note violations when they see them or are otherwise made aware. Contact information for the person that manages sign compliance was provided in the UDSB minutes. The City of Port Jervis Department of Public Works has set up traps for Spotted Lanternfly. It was suggested that the Spotted Lanternfly warning could be included in the UDSB's PSA radio messages. UDSB agreed to send a draft letter to DOT Region 8 regarding missing signage at Rt. 97 Hawk's Nest, Town of Deerpark. There appear to be five 15-minute parking signs that have gone missing from the overlooks. The next UDSB meeting is 10/25.

**9/28 Catskill Regional Invasive Species Partnership Virtual Meeting:** Ramie said this is one of the last meetings previous Resource and Land Use Specialist Shannon Cilento attended. The agenda for that virtual meeting is provided for review.

**9/29-10/1 Coalition for the Delaware River Watershed Forum:** Ramie said this was a four-day virtual conference that Cilento attended. Cilento had provided notes from the forum in the meeting packet.

**10/12 & 10/14 FUDR "Water, Water Everywhere" Virtual Conference:** Ramie provided her notes from the virtual conference that Friends of the Upper Delaware River hosted. She, Peckham and Hamilton attended the "Water, Water Everywhere" Conference. She said they provided a lot of great topics and excellent speakers with 48 participants on the first day. Dr. Peter Kolesar spoke about the Upper Delaware River Thermal Relief Protocol. Paul Rush, NYC DEP deputy commissioner, spoke on the 2022 Delaware Aqueduct Closing and Impacts on the UDR Watershed. Peckham said he appreciated the Upper Delaware River Fisheries updates. Ramie said they also had a panel on Perspective on River Pressures that featured a fishing guide, business owner, recreational boater,

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streamside landowner, and NYC DEC Conservation Officer. That was interesting to hear their feedback. Dudko asked Padua's opinion on river pressures since he is a fishing guide. Padua said he's someone who thinks outside of the box a little more than some of the anglers on the West Branch. He said the West Branch is the reason these conversations are happening. It's a small river and it has the most trout per mile and that's why we get so much pressure. The Main Stem and the East Branch are very different. He thinks our river system can handle the pressure if people spread out more and cared about other fish than trout. His argument would be for anglers to fish for other species. Padua said he appreciated the update on the creel survey counts. Hamilton asked Padua if he thought there would be a need to establish a carrying capacity on certain sections of the river or possibly have a limit on the number of licensed guides that have permits here? Padua said he attended a meeting in Wyoming a few years ago and they counted 1,200 single boats that put in on one stretch of river on 7/4. Since then, they have developed a Commercial Use Limit because a lot of those boats were rafts. He feels that this river gets a lot less pressure than others. He doesn't feel that there is a need right now. Henry said it would be beneficial for all to look at the River Management Plan regarding carrying capacities. He said it's pretty specific in there about concessions and carrying capacity. Hamilton agreed there were a lot of great speakers and networking opportunities, and he enjoyed Rush's presentation. Ramie said we appreciate that FUDR puts on this conference for its educational value.

**Lackawaxen River Federal Designation Update:** Ramie brought this topic up last month because it was mentioned by a representative of the Lackawaxen River Conservancy at a D&H Canal meeting. That was the first inkling we heard that there is an interest in designating the Lackawaxen River as a Wild and Scenic River. Ramie inquired about it to the Lackawaxen River Conservancy (LRC). She heard back today and they confirmed that LRC is taking the lead and working with Grant Genzlinger, a prominent business owner in northeast PA. LRC said they need to contact their federal politicians to get this through an Act of Congress. They are working with the National Park Service to figure out particulars and have recently met with PA Representative Matt Cartwright, who said he thought it would be a great idea. Their next stage is to get local businesses and organizations to sign letters to support a study to determine if the Lackawaxen is eligible. They would love UDC's support and are still in the infancy stage of this designation bid.

**Ten Mile River Access Update:** Ramie and Hamilton had no new updates on the topic. Padua asked how long the lease with the Boy Scouts organization runs for with the NPS? Hamilton said he believes it's until July 2022. It was renewed for a one-year term this time.

**Other:** None.

**Public Comment:** None.

**Adjournment:** A Motion by Jeffer seconded by Henry, to adjourn the meeting at 7:58 p.m. was carried.