

WATER USE/RESOURCE MANAGEMENT COMM. MEETING MINUTES

May 19, 2020

Committee Members Present: Andy Boyar, Ginny Dudko, Fred Peckham, Al Henry, Evan Padua
Committee Members Absent: Pat Jeffer
Staff : Laurie Ramie, Ashley Hall-Bagdonas
NPS Partner: Jessica Weinman, Don Hamilton
Guests: Dan Paparella- Tusten Alternate

The UDC's Water Use/Resource Management Committee held its monthly meeting on Tuesday, May 19th, 2020 via teleconference. Chairperson Boyar called the meeting to order at 7:00 p.m.

A motion by Dudko, seconded by Padua approving the April 21st meeting carried with an abstention by Boyar. There was no public comment on the agenda.

New Business

Ten Mile River Access Closed to Trailered Boat Launching: Ramie said this discussion started at the May 7 full council meeting. It was referred back to WU/RM committee for further discussion. In addition to the press release from the NPS, we also have coverage from the May 7 meeting that appeared in The River Reporter. We want to acknowledge that photos were circulated today by Hamilton as well as Padua of conditions of the TMR access. Hamilton offered some talking points from the NPS point of view to help promote an understanding of their rationale. The area NPS leases from the Boy Scouts is a depositional area along the shoreline of the Delaware River influenced by the slow flowing eddy on the New York side of the river. It's soft and muddy at the site much of the time. Some years are worse than others; it varies year-to-year depending on high water events. Soft muddy shoreline and riverbottom site make it unsuitable for a trailer launch boat access and NPS doesn't believe it's appropriate to designate, advertise, and promote it as a trailer launch site. They think it's best suited as a carry-in launch and retrieval site. This is consistent with the River Management Plan which on page 89 solidifies that TMR access is a river rest stop for paddlers on the section between Narrowsburg and Lackawaxen. NPS doesn't believe it's feasible to install a hard top ramp at this location. Such a structure would need a solid foundation to be placed upon; it would likely sink into the mud after high water events requiring frequent maintenance. Wheel ruts left in the muddy shoreline can destroy vegetation cover that has established. It may contribute to the shoreline erosion and sedimentation and resuspension of sediment in the river. This could be construed as resource damage. The Upper Delaware Scenic and Recreational River management team members along with the Boy Scouts of America and Sullivan County planners have discussed the site and decided it best to designate it as a carry-in boat launch and retrieval access. Signage designating the TMR access as carry-in boat launch has been placed on RT. 97 and changes to reflect this designation will be made in the next printing of the Upper Delaware Scenic and Recreational River brochure and map. This year it has also been revised in the Superintendent's Compendium. There has been some concern raised about the safety of the site. NPS doesn't feel that it's really an unsafe site in terms of the soft muddy conditions. People may sink in a bit when they wade out, and you could possibly lose your river shoes if they are not strapped on tight. There is a possibility of someone getting stuck there. That is one reason why NPS decided to change it. There are many depositional locations like this along the river. The foul smell of the soft mud when the water is disturbed is from anaerobic bacteria breaking down organic matter and producing methane. This is a naturally occurring situation along many locations along the river. Hamilton said someone expressed concern last year that it was an unhealthy situation. That's not the case. As a designated National Wild and Scenic River segment, NPS is seeking to generally maintain natural flow conditions while minimizing bank hardening measures. Hamilton said the best-case scenario for a trailer-launch site in this vicinity is a concerted effort to find another suitable location nearby. They are not looking to re-engineer the river at this particular site. NPS plans to install an interpretive wayside exhibit at the TMR access during the summer to describe the soft muddy conditions at the site to help inform and educate the public about the processes of the river there that contribute to the conditions at the site. The Delaware is as healthy as it is because it's a free-flowing river with a variation of riffles, runs, pools, and eddies. It has good lateral connectivity with this flood plain, when during high water the river spreads out and discharges the flow, mitigates flood damage down river, and drops water-carried sediment in slow flowing areas

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along its flood plain. This diversity of habitats promotes a complex food web and a rich biodiversity of species. Floodplain soils also provide some of the most fertile agricultural soils in the region. Even a soft muddy river bottom, such as the one at TMR, is important habitat for some aquatic life. Various species of aquatic insects such as burrowing mayflies find this habitat ideal for their immature or nymph life-stages. American eels and sea lampreys also seek refuge in the soft sediments there at a time when a lot of other fish in the river are trying to eat them. They will burrow in the soft sediment to better survive a vulnerable life stage. Hamilton said lastly, NPS spends a considerable amount of funds maintaining the TMR site, clearing woody debris from the access deposited by high water events, filling ruts in the parking area, providing interpretive services and portable toilets. NPS is not especially interested in development of a vehicular boat access, which would add to this cost and be difficult to maintain. He said those are the points he wanted to make on behalf of the NPS and we're willing to listen to other people's talking points.

Peckham asked how long the lease with NPS and the Boy Scouts was, if the lease was specific to a landing, and how do the Boy Scouts feel about the issue? Hamilton said NPS has discussed this change of designation with them and they are fine with it. He said he believes it runs for five-years at a time and is confined to a specific area of the site. It doesn't include where Landers has an access on the downstream end of the site. Weinman said Hamilton is correct. It is a five-year lease and that lease is actually expiring this year. Weinman said she would also like to point out there was a WU/RM meeting on 8/20/2019 where this same topic was discussed. Boy Scouts representative Wayne Holmes was there, Heather Jacksy from Sullivan County, and Jennifer Claster and Hamilton were there as representatives of NPS. If you look in the meeting minutes you will see everything we are talking about here tonight was discussed then and that was the direction that NPS decided that was going to be moved forward.

Boyar questioned if that determination was made on how to proceed. Maybe NPS determined that's how to proceed. UDC is supposed to be a clearing house and he's not sure that it was fully vetted. This is supposed to be a vehicle to hear all the facets of an issue and to come up with the best practices and solutions, but the decision was made. Boyar said since the RMP has been written, TMR is not just a place to stop and rest, and take a lunch break. It's really a meaningful stop between Narrowsburg and TMR and a launching spot from TMR down to Zane Grey. Boyar said he did have a question on Hamilton's photos; it looked like there were giant ruts. He asked if that was from one boat launching or more? Hamilton said its kind of hard to tell; it may have been more than one. He doesn't know if it was a boat trailer or a vehicle that went back down there. Boyar also observed in the pictures there is a person whose footwear isn't all muddy so it looked like the mud was firmed up and hard enough to walk on, and yet that rut was obviously treacherous and deep. Padua said to add to what Boyar was saying about the importance of having this access between Narrowsburg and Lackawaxen, he thinks it's a little bit of a safety issue for him. He launches his boat at Narrowsburg at 4:00 pm on a summer night and expects to take out at TMR before the sun goes down. If there's no trailered access there he will be going to Lackawaxen and packing his overnight gear, because that's a long haul.

Henry said that Hamilton mentioned that TMR is a river rest stop. He said we all know it's not and never has been. It's always been used as a main access. He also said if you are going to read the River Management Plan (RMP); you need to start looking at the rest of it. The UDC is supposed to be coordinating the Water Use Program. UDC is supposed to have a key review and recommendation role regarding water management decisions. The council will use and rely on its member agencies, NPS, et cetera, to carry out the Water Use Management Program. He recommends NPS review it and for the next Superintendent to as well. A Motion by Padua seconded by Henry with a roll call vote to write a letter cc'ing the Boy Scouts of America requesting the Ten Mile River Access Trailered Boat Launching closure be rescinded carried unanimously.

NY-PA Joint Interstate Bridge Commission Annual Meeting Set on 5-27: Ramie participates in the Annual meeting and then issues a press release on the capital projects and maintenance reports on the ten Upper Delaware crossings. This year the meeting will be virtual. Ramie said anyone may participate.

Bouchouxville Trail State Forest Preserve Signage Request to the DEC & DOT: Ramie said Peckham had brought up that there were two missing signs of the original six. Ramie contacted both the DEC which manages the Bouchouxville trail system and the NY DOT on 5/15. Bill Rudge forwarded Ramie to Jeffrey Rider, Naturals

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Resources Supervisor of Region 4. Ramie said everyone jumped on the project. It's been referred to DEC Region 4 and DOT Region 9. She said the Catskill Watershed Corporation had originally had those signs as part of an overall wayfinding contract. The signs had been manufactured by the Eastern Correctional Facility. The individual responsible for the project happens to have extra panels, including the symbol and arrow that goes with it. He intends to drop that off to the resident engineer at the DOT. Peckham asked it would be possible to meet the contact at the trail as he has many people come to his property looking for Bouchouxville trails and he would like them to provide better directions.

Sullivan County Roadside Litter Pluck May 18-June 30: Paparella relayed that Brian Scardefield sent out an email yesterday that the Litter Pluck is back on. It's open from 5/18-6/30; during that time the county will waive the waste disposal fee for roadside litter pluck bags at County operated transfer stations. Free disposal stickers are available at Town and Village Municipal Offices, County operated Transfer Stations, and the S.C. Parks and Recreation office. Please call the locations first. You can also pick stickers up at the UDC office. Please call first or contact Ramie at laurie@upperdelawarecouncil.org Boyar said he did a personal litter cleanup on the original Earth Day date and said word got out as he saw others participating as well. Boyar suggested allocating some for each Town.

Wild & Scenic Rivers Community Watershed Science Funding: Weinman had forwarded this information for a grant opportunity for non-profit organizations for citizen science activities on Wild and Scenic Rivers. The application is due by 6/8 and the grants range from \$3,000-\$10,000 for projects that would have to be completed between 7/15/2020 and 11/16/2020. They do mention there are restrictions due to COVID-19 which makes things more challenging. Ramie said if anyone knows of any watershed groups out there that may be interested in this, it's a good opportunity.

Delaware River Flow and Storage Report: A copy of the 5/18 NYC Current Reservoir Levels was provided along with the DRBC Hydrologic Conditions Report of the same date in members' packets. Total combined storage was at 99.5%.

Other: None.

Old Business

4/27 Upper Delaware Scenic Byway Meeting Report: Ramie said Upper Delaware Scenic Byway (UDSB) has been meeting virtually by teleconference. The April meeting was the annual meeting at which they conduct the Election of Officers. The new officers as of April 2020, are UDSB Chairperson John Pizzolato (Town of Highland) Vice-Chairperson Rosie DeCristofaro (Town of Delaware), and Larry Richardson (Town of Cochetton) has been renamed the Secretary-Treasurer.

Ramie said the day after UDSB, Inc. submitted the voucher to Sullivan County for the \$25,000 in funding through the 2020 Legislative Discretionary Contracts Program, the County put a freeze on all of their discretionary funding in order to direct all of their available resources to COVID-19. There was a question about whether that funding would disappear for the year or was it just being held back. Nadia Rajsz a past chair of the UDSB who also serves on the Sullivan County Legislature, was texting the County manager as this meeting was taking place to try to get clarification on that. Before the meeting ended she came back on to report that it appears that there was \$20,000 available for UDSB which obviously is slightly less than the \$25,000 approved, but nevertheless very much appreciated, so that was great news and her advocacy is very much appreciated by UDSB.

One application had been received for the Promoting Butterflies on the Byway Grant program from the Hancock Community Education Foundation, which sought a \$555 matching grant to create a kid friendly butterfly way station at the Robert W. Nichol Nature Preserve and Science Center in Hancock. That application was approved.

In response to the cancellation of the UDC litter sweep, the UDSB as partners in that project had been looking for other ways to spread the word about the need for anti-littering strategies. They came up with prototypes for signage that could be introduced in all the byway communities if they could get financial support. These would be aesthetically pleasing, round 20-inch diameter signs on a post which would have a customized logo for each

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community and say something to the effect of “Welcome to [Name]. Please Keep Our Land & Water Clean! No Littering”. This is a way to show that local people are concerned about the roadway here. They will take this idea to the beautification groups and business associations along the byway and ask if they would like to sponsor these signs and if they do, then there would be discussion of incorporating the UDSB logo and color scheme into them after a financial commitment is secured. The design was done by Eve Fischer.

In public comment it was mentioned that the *Times Herald-Record* provided nice coverage of the Hawk’s Nest drive along the scenic byway. In that same issue of their “Living Here” section they had a whole article about the preservation of Monarch butterflies and why they're important. That included an interview with Deb Conway from Highland, who was largely responsible for the Monarch Butterflies brochure that the UDSB has produced.

It was also mentioned about the naming of the Delaware as the River of the Year by American Rivers as something that the marketing committee would like to capitalize on and celebrate noting how special that is, that this route largely parallels the river. Some sort of social media campaign is being considered for that.

The Hawk’s Nest criminal activity and graffiti vandalism mentioned previously is still out there. At this meeting they discussed the concept of installing surveillance cameras to assist the Deerpark Police in their enforcement efforts there. They've already come a long way in terms of working with a local Hawk’s Nest hunting club that has allowed them to block off a popular congregating area at the end of the Hawk's Nest. Dudko met with the Deerpark Police Chief yesterday and a report on that will come up at the next meeting.

Freda Eisenburg of Sullivan County Planning offered to come up with a planning process to start considering an update to the 2000 Enhancement Concept Plan, which is the Corridor Management Plan for the UDSB. The organization doesn’t have any funding set aside for that specifically, but could look into trying to modernize that since it is pretty outdated.

A few committees were established at this meeting; one is a revitalized Marketing Committee. The first order of business will be to discuss how to get the website in good shape. They need to have that as a vehicle to promote the resources of the byway to the public once this nightmare of COVID restrictions is behind us, Ramie said.

The DOT report included information about the guide rails work along RT. 97. UDC also wrote a letter on 5/7 to the DOT complaining about the terrible condition of long stretches of guide rail where the pavement has eroded and the barrels have fallen down the banks which is quite dangerous. Ramie said enough people have contacted the DOT that she hopes that they'll consider moving up that slope stabilization project for the good of the traveling public.

Ingrid Peterec from the NPS offered an update on operations. She mentioned that all non-essential employees who are able to have been teleworking, while others who aren't able to are either on administrative or safety leave. Signage has been posted at the river accesses with the CDC guidelines for social distancing. None of the bathrooms were open at that time. Summer programming was on hold. The Delaware River Sojourn and the Zane Grey Festival have both been canceled. Seasonal staff will start on 5/26. When staff does come back, they'll be returning in phases so that they're not all in one building at the same time. It was mentioned that as of 5/1 in Pennsylvania, golf courses, marinas, private campgrounds and guided fishing trips were allowed to resume. Liveries are still not able to operate, at least at that time.

The UDC awards ceremony being rescheduled to 8/30 was discussed. UDSB had put up a nomination for its Community Service Award. Ramie informed them about the plans that we have for that rescheduled date. The next meeting of the UDSB will be 6/1 because the typical fourth Monday was conflicted with Memorial Day.

5/11 Mongaup River Hydroelectric Projects: Response to Comments Letter: A copy of the 5/11/2020 letter from Eagle Creek Renewable Energy was included in the meeting packet. It provides a link to the comment letters but when Ramie clicked the link it was broken.

5/14 Regulated Flow Advisory Committee- Rapid Flow Mitigation Evaluation: Ramie had participated on the 5/14 call as well as Hamilton. Ramie provided a copy of the Rapid Flow Change Mitigation Evaluation’s Executive

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Summary from the Subcommittee on Ecological Flows (SEF) recommendations for use of the rapid flow change bank. That was the main focus of this meeting. Sheila Eyler, who is part of SEF, made the presentation to the 41 callers that participated in this RFAC meeting. She explained that they evaluated 27 rapid flow changes that occurred between 2008-2017. They came to the conclusion that the current protocol is generally successful but the SEF alternative performed better through these tests. On page two of the handout is a description for what Cannonsville releases would be triggered at various CFS levels under the new protocol that was proposed. One impact that they mentioned was exceeding the mitigation bank that's in place. They pointed out that in the past that the mitigation bank has not been fully exhausted but it certainly should be. By the end of the discussion NYS, NYC, and the Office of the Delaware River Master had all agreed that the recommendations were appropriate and can be implemented with the appropriate training of staff. They said this could be done at the start of the Water Year on 6/1. Hearing that, the Regulated Flow Advisory Committee (RFAC) approved the recommendations and were very appreciative of SEF's efforts.

UDC Seat on DRBC's Water Management Advisory Committee- Apply by 6/30: The UDC is currently representing Watershed Organizations on that committee of the DRBC. Previously Pete Golod was the liaison to the committee. Since that position is vacant Ramie sent a letter on Monday to the Water Management Advisory Committee liaison and requested that UDC be reappointed to that seat on the committee. This is particularly relevant because they meet quarterly and the next meeting is 6/18. When the term expires everyone must reapply and submit a resume so Ramie submitted hers. Boyar asked if there was always a UDC staff member as a representative? Ramie said when Golod joined that was the first to her knowledge. She said it doesn't have to be UDC staff.

Other: Ramie said that in today's issue of the *Sullivan County Democrat* there was an article that was a follow-up to a previous discussion this committee had in which the Trust for Public Land has closed on purchasing the old Upper Delaware Campgrounds in the Town of Delaware. The intention is that it will be multipurpose; one of which is a park which is owned by Sullivan County. It will also be the site for the new wastewater treatment plant for the Town of Delaware which has been trying to move that out of the floodplain.

Public Comment: None.

Adjournment: A motion by Boyar, seconded by Dudko, to adjourn the meeting at 8:06 p.m. was carried.