

# WATER USE/RESOURCE MANAGEMENT COMM. MEETING MINUTES

## January 21, 2025

Committee Members Present: Evan Padua, Bill Dudko, Fred Peckham (Zoom), Christine Martin (Zoom), Jim Rodgers, Al Henry, Pat Jeffer, Bob Lindquist (Zoom)

Committee Members Absent: None

Staff: Laurie Ramie, Kerry Engelhardt, Stephanie Driscoll

NPS Partner: Lindsey Kurnath- Superintendent; Tom Kearns- Natural and Cultural Resources Manager

Guests: Ginny Dudko, Tom Rue, Peter Becker (Zoom), Barbara Arrindell (Zoom)

The UDC's Water Use/Resource Management Committee held its monthly meeting on Tuesday, January 21, 2025. Chairperson Padua called the meeting to order at 6:30 pm.

**A motion by B. Dudko, seconded by Henry for Evan Padua (Town of Tusten) and Bill Dudko (Town of Deerpark) to remain as Chairperson and Vice-chairperson for 2025, carried.**

**Approval of the December 17, 2024 meeting minutes:** A motion by B. Dudko seconded by Henry approving the 12/17 meeting minutes carried.

**Public Comment on Agenda:** Tom Rue handed out historical resources on the Skinners Falls-Milanville Bridge and a copy of "Tribute And Memories of Ed Wesely" from the Celebration of the Skinners Falls-Milanville Bridge on 1/12. All of this information can be found on Rue's website ([tomrue.net/sfbridge](http://tomrue.net/sfbridge)). Rue said he will wait to hear the newest updates on the Skinners Falls-Milanville Bridge later on the agenda to make any comments. He said they are not giving up hope on the bridge. Padua encouraged everyone to visit Rue's website for information on the bridge.

### **New Business:**

**1/12 Skinners Falls-Milanville Bridge Celebration and Project Updates:** Ramie reported the most recent information about the bridge. She said the UDC is reviewing the demolition proposal in tandem with the NPS to move the process along as quickly as possible. The FHWA has requested that the emergency provisions for the applicability of regulations implementing Section 106 of the National Historic Preservation Act be extended until 2/16/25 based on the Emergency Declaration that Governor Shapiro signed on 12/16/24. The extension has been granted. The Substantial Conformance Review on the Skinners Falls-Milanville Bridge will be on the 1/28 Project Review Committee agenda where Engelhardt will present her report. We are hopeful that after the Project Review meeting the recommendation we make to the NPS for their ultimate decision on issuing the Special Use Permit can be presented to the full council by e-vote so the UDC is not responsible for holding up the process.

Kurnath said multiple things still need to be done before they can start work, such as the Substantial Conformance Review and NPS issuing the Special Use Permit. NPS hopes to act in conjunction with the UDC's recommendation; they will go forward with the Special Use Permit after the Substantial Conformance Review is complete, getting an official determination letter on the books. That process will not hold up construction. Ramie said the NPS has been on top of the project since the demolition came to light. It's a lot to go over and of course there is the concern of public safety adding to the urgency.

Ramie said the 1/12 Celebration of the Skinners Falls-Milanville Bridge focused mostly on artistic interpretations of the bridge. The program from the event was passed around. It was organized and produced by Cynthia Nash and hosted by Kathy Geary. She thought the celebration was impactful in terms of people expressing their feelings about the demolition plan and imparting information. Tom Rue gave a presentation on the information he just handed out Public Comment. He also cited UDC letters on the project urging restoration, interviews by Ed Wesely, and the NPS position at this time with the bridge being an Outstandingly Remarkable Value (ORV) for culture. Barbara Arrindell with Damascus Citizens for Sustainability (DCS) also gave a presentation during the celebration. DCS has written a comment letter poking holes in PennDOT's fact finding, which is available on several websites and pages. There was a lot of media coverage at the event, as well as the entire situation. There are activists out there that favor restoration of the bridge but are mindful that it may not be possible, and therefore are looking to next steps. Would there be an opportunity for an adaptive reuse of the bridge? They are using the Walkway Over the Hudson and the

New York City Highline as examples. Nash is trying to put together a presentation on those projects, to see if there are any parallels with the Skinners Falls Bridge.

Henry said Skinners Falls property owner Rick Lander has been in conversation with PennDOT. The plan is a causeway under the bridge. Henry asked, how can NPS issue a Special Use Permit to let people work under that bridge? They don't want anyone under the bridge or in that area since it's in danger of collapsing. A permit should not be issued to work underneath it. Kurnath said it's PennDOT's decision if they want to allow workers under the bridge, if that's their plan. NPS would issue the permit to allow PennDOT to do work over the river as a Wild and Scenic River. At some level, we have to trust PennDOT's engineers' and consultants' opinion, if they say that it is the fastest and safest way of getting the bridge down. The report states that the bridge is deteriorating and failing; NPS has to make the decision based on what the professionals are telling them. Henry asked if the river is closed under the bridge currently? Kurnath said no, but they plan to issue a river closure under the bridge. Henry said, "so you are going to close the river under the bridge, but issue a permit so people can work under it?" Kurnath said no, NPS isn't issuing a permit "for people to work under the bridge." This is the first time to her knowledge the river would be shut down in any section. If they plan to use explosives to remove the bridge, she cannot let the public near it. Padua said the ice may take the bridge away before PennDOT gets the chance to. If you've seen any ice-outs here, you'd know ice rumbles could be compared to a machine working at the bridge. We have to put our trust in PennDOT.

Padua had mentioned a crack in the Skinners Falls Bridge NY abutment during previous UDC committee meetings. Arrindell asked Padua when he made a report on the crack he saw on the abutment and if he measured it? Padua said it was a personal observation and he did not measure it when he saw it in August, but he could tell it looked bigger when he saw it in the last couple of weeks. It's not official data. PennDOT may have data on the crack.

Henry said that if PennDOT plans to bring fill and stone in for the work being done at Skinners Falls Bridge, it would be nice to improve the walkway at the DEC access when they are finished, since they will likely have leftover fill. Kurnath said she will reach out to Jessica Weinman about that. She knows Weinman has reached out to Ryan Coulter about that access and that DEC is already working on some sort of improvement plan there.

**Select Dates and Start Logistics for 5<sup>th</sup> Annual Upper Delaware Litter Sweep:** Driscoll said it's that time of year again, when we start the prep for the UDC's Annual Litter Sweep. She reminded everyone that after last year's Litter Sweep, the committee and staff agreed opening the dates up for an entire "Earth month" in April may benefit us as organizers and the towns and townships. After discussing t-shirt designs, staff agreed that holding a first ever artwork contest would be great publicity and a way to get more people involved. The committee members agreed. As always, the t-shirt will be in a safety color of orange, yellow, or pink. Henry said his concern, as it is every year, is preventing litter. Most litter comes from trucks not or improperly tarped. The law states that you need to have your load tarped while driving. We need to do something about the litter issue, not just pick it up after it's there. Padua agrees, but what does that look like? How do we educate? He's not sure if more signs would be the right option. B. Dudko said he was told by the State Police that they can't do anything unless they physically see a person litter. Henry said that isn't true; law enforcement has arrested people for littering with just an address. Whether or not they are prosecuted is another thing. If you put out a garbage can, it becomes a magnet for overflow. B. Dudko said the NYS DEC would check that vehicles have loads tarped at the transfer station. Martin suggested emphasizing that the Litter Sweep is an educational campaign instead of a single event. Making stickers, signs, buttons, and things like that just add to the trash. We need a way to get through to people. She suggested creating a theme for the Litter Sweep; "Don't Be Trashy!" that will focus on the prevention of litter before it gets there. Rodgers said he watched a person dump garbage on his neighbor's property. He ended up following the person and calling the police when they crossed into the Town of Delaware.

Henry said NYS DEC has been talking about developing a river access at the old Upper Delaware Campground site in Callicoon. It would be nice for the UDC and NPS to be included in the plans for that. It would be nice to have a boat launch installed there as well. The UDC had contacted the DEC about a possible boat launch or concrete pad at Ten Mile River in the past. The DEC said they couldn't entertain that if it wasn't in the Access Improvement Plan. Kurnath said it's a sticky situation there. Padua said the DEC doesn't have the best accesses on the river as it is, so to make improvements off the Skinners Falls Access might be a good thing. Maybe the pitch down to the river there is making it tricky for them though. There could be some signage installed that says "no parking" past a certain point. Henry said he's seen plenty of people illegally launch boats off the Skinners Falls Access. Padua said since

Lander's brought it up it would probably alleviate some of the private boaters asking him to launch off of his property at Skinners. Kurnath said maybe the UDC can invite the DEC to present on their approach to accesses and what their process is? Ramie said we had asked Coulter about the Callicoon Boat Launch and how that's being developed. He was absent for the last full council meeting, so she will reach out and remind him for the February full council meeting.

**Delaware River Flow & Storage Report:** Padua commented there is a lot of snowpack going. He's looking forward to spring. The Neversink Reservoir is looking good from the drawdowns NYC DEP did for the aqueduct repairs. B. Dudko said it looks like they got more snow up that way.

**Other:** Padua let everyone know he has commemorative wood-burned ornaments featuring the Skinners Falls-Milanville Bridge available for \$10 each. His cousin, as a benefit for the Grace Johansen Foundation ([gracejohansenfoundation.org](http://gracejohansenfoundation.org)), makes and sells them. He plans to bring more of the ornaments and coasters to next month's full council meeting for purchase.

Ramie said the NY-PA Joint Interstate Bridge Commission will hold their annual meeting on Wednesday, May 28<sup>th</sup> at 10am. It will be hosted by NYS DOT in Binghamton at their State Transportation headquarters. They usually offer a Zoom or virtual platform to attend as well. UDC always attends the meeting and then issues a press release about the capital construction and maintenance plans for the currently 10 Upper Delaware River crossings.

### **Old Business:**

**Delaware Current 1/13 Article: "New York emerges from drought while dry conditions persist in other watershed states":** A copy of the article is included in the packet. Ramie wanted to follow up on the drought warning situation and let everyone know where the watersheds states are on it. Padua said the drought warning was in effect for a week. We are luckily out.

**1/8 NPS Water Safety Committee:** Driscoll said the Water Safety meetings have been a bit slower in the colder months, with a lot of prep happening. Some new people have joined the committee: Kate Croll with Pocono Television Network and National Canoe Safety Patrol's Rob Post. Pocono Television Network reported they have filmed two new Water Safety PSA's that will air from April-August on all local channels. They also expressed interest in televising the award ceremony for the Safety Challenge Coin. Driscoll also reported that the "Riverfront Adjacent Property Owner Brochure" should be ready by late winter. Once that's done, she will bring it to the committee to see.

Rodgers asked what language they are going over for the CUA Safety Orientation Message? How reviewing liveries be held accountable for the safety of their guests? Kurnath said the Water Safety Committee is reviewing the agreement liveries sign for the CUA, adding in water safety language. There has always been a water safety talk that the liveries are required to give to their guests; NPS is just making sure that gets done appropriately. Padua said there was a billboard that said something like "you may be strong, but the river is stronger". That is great messaging. Kurnath said that messaging came from the experts working in Washington. Henry asked what percentage of guests are put out on the river by CUA holders? Kurnath said she doesn't have those numbers right now, but she can get figures since they are part of UPDE's statistics. Padua said UPDE has people to count who is wearing their lifejackets (Wear it Watchers) and that it's part of UPDE's statistics. Henry said in every CUA holder agreements it states that they must wear their life jackets at all times. They sign that agreement. Some livery workers will tell guests that they can take the life jackets when they are out of sight. Has anyone ever contemplated a mandatory wear of life jackets? Kurnath said that is really hard to enforce. Henry said there is no law that requires a person to wear a life jacket; the only regulation on the river is for cold water. If we are sincere about life jacket wearing, it should be mandatory. When he took groups down with Northeast Wilderness Experience, everyone was required to wear their life jacket the entire time they were on the river. Swimmers seem to be the biggest issue. Henry said the billboard about water safety on Route 652 in Honesdale is pretty far from the Delaware River. Kurnath said there is also one along Route 97, across from the Roebling Bridge as well. Henry said we should be putting more signage up along Route 97 during the summer. Padua said yes, the electric signs for big weekends like the 4<sup>th</sup> of July would be great. Kurnath asked Driscoll to follow up on that at the next Water Safety Committee meeting. Lindquist said an officer had told him that an overwhelming number of cases involve alcohol. The biggest issue in his opinion is mixing alcohol with recreation; that's a more pressing issue. Boating and swimming should not be allowed while intoxicated. Padua said that is a good point.

**1/10 & 1/14 Delaware River Sojourn Upper Day Planners Meeting & Steering Committee Meeting:**

Engelhardt said the planning is going well. The Upper Day Plan team got together via Zoom to meet recently. Dan Corrigan with Northeast Wilderness Experience (NEWE) has been very helpful in Chief of Interpretation Ingrid Peterec's absence from the committee. They plan to use two of NEWE's spots at Stockport and their campground. Padua asked if they are planning to launch at Stockport? He would not recommend a group launch from Stockport. Engelhardt said they plan to launch at Balls Eddy. Corrigan had said there is a pull out at Stockport and said you could get three buses in there. Henry said Corrigan owns his own property at Stockport. They aren't talking about the public access. Padua said he thought they'd be using the public access, so if they are using NEWE's then it's fine.

Engelhardt said the Steering Committee meeting went well. The Day Planners shared what they had there. No major updates. Everything seems to be moving along. The Sojourn dates are June 14-20.

**1/15 Navigating Change: Insights into the Finalized NYS Freshwater Wetlands Regulations:** Engelhardt said this was a webinar that she attended. She checked and at one point during the session there were over 2,000 attendees. Jurisdiction is no longer tied to official maps. From now on the maps are only to be used for informational purposes. If you are doing a project and because of the mapping think there are wetlands on or near your property you can submit a request for NYS DEC to come out and determine your jurisdiction. It will require more people looking at these. G. Dudko asked if they are talking over 12 acres? Engelhardt said anything over 12.4 acres, yes. They have a formula for it. The DEC has 90-days to provide a parcel jurisdiction determination. If they don't respond within that 90-days you have to provide in writing that they didn't get the jurisdiction and the DEC has ten days to figure it out. They are generating four general permits, as long as you have the correct criteria then you don't need to go through certain processes. Rodgers asked if they do this with satellite imagery? Engelhardt said no, if a person refers to the old mapping. If they need, DEC will come out into the field to look at it. They are not adding to the mapping unless you request a determination.

**1/16 USGS National Water Availability Assessment Report Release:** Engelhardt attended this webinar from USGS with over 480 participants. In the Northeast, compared to the rest of the country, we get a decent amount of precipitation and we don't have as much water withdrawals. Generally speaking, we are in good shape. The Mississippi has the most water withdrawals. Public use is overall consistent but per capita is decreasing. Crop irrigation is the largest use by volume. It is difficult to measure water availability rather than estimate total volume storage in aquifers. This is a report on general water available throughout the U.S. There are some GIS maps you can look at as well.

**Other:** None.

**Public Comment:** Rue said the crack that Padua had mentioned earlier in the NY abutment was discovered in 1991 during an inspection. There was an article about it in both the *Scranton Times* and the *Scranton Tribune*. In 1994 there was another article by the same reporter titled "PennDOT Will Continue to Monitor Crack on Skinners Falls Bridge." PennDOT has said they continued to monitor the crack and have found no changes. They've known about it since 1991, have been monitoring it, and said there is no change in all their inspection reports. Rue asked Henry if they had closed traffic under the bridge when they sandblasted lead-based paint off the bridge? Henry said no, they had supposedly encapsulated it. The river has never been fully closed; it's virtually impossible. Padua said he didn't know they've been monitoring that specific crack since 1991. Maybe it would last another 20 years, but it doesn't matter. The bridge is a safety concern.

Arrindell asked Padua if the crack has gotten bigger since his report in August? Where is the crack? Who did he report it to? When did he first observe the crack? Padua said he's not even sure if it's the same crack Rue is referring to. There is a visible crack on the NY side abutment. Henry and Rue both have photos of the crack. He could be wrong; it's just a personal observation. Arrindell asked who he reported the crack to? Padua said it wasn't reported to anyone. The initial report he made to the UDC was about metal falling into the river. Henry said two other people have pointed out the crack, one being a landowner who has agreed that the crack is getting larger.

**Adjourn:** A Motion by B. Dudko seconded by Henry to adjourn the meeting at 7:49 p.m. was carried.

*Meeting minutes prepared by Stephanie Driscoll, 1/24/2025*