

# WATER USE/RESOURCE MANAGEMENT COMM. MEETING MINUTES

November 21, 2023

*This meeting was Zoom only due to weather.*

Committee Members Present: Ginny Dudko – Town of Deerpark, Al Henry – Berlin Township, Fred Peckham – Town of Hancock, Evan Padua – Town of Tusten  
Committee Members Absent: Andy Boyar – Town of Highland, Town of Fremont – Dennis Bernitt, Shohola Township – Pat Jeffer  
Staff: Executive Director - Laurie Ramie, Administrative Support - Stephanie Driscoll, Resources and Land Use Specialist - Kerry Engelhardt  
NPS Partner: Don Hamilton – National Park Service  
Guests: Bill Dudko - Deerpark Alternate

The UDC’s Water Use/Resource Management Committee held its monthly meeting on Tuesday, November 21, 2023 at 6:30 p.m. Chairperson Dudko called the meeting to order at 6:31 pm.

**Approval of October 17, 2023 meeting minutes:** A motion by Henry seconded by Padua approving the October 17, 2023 meeting minutes carried. There was no public comment on the agenda.

## **Old Business:**

**10/23 Upper Delaware Scenic Byway Meeting:** Ramie reported the Byway approved the donation that UDSB Treasurer Larry Richardson had made to the UDC at the last full council meeting for the use of the facilities. Traditionally the donation totaled \$1,200 but they increased the amount to \$1,500 this year. There were three selective clearing projects in the Town of Delaware the first week of November, Ramie isn’t sure if that did happen but will find out at the next meeting.

The committee opted to reserve a ¼ page ad for \$1,410 in the 2024 Sullivan Catskills Travel Guide. It has been designed and was due last Friday (11/17). The UDSB website is still a work in progress. The individual hired to revise the website, Steve Franzken from Mid-Hudson Web, took a pause and is now getting back to it. The committee did look at options to improve the long-term website on a different platform. Franzken is responsible for getting the website up and running and fixing existing functionality issues. The committee opted to pay the balance of \$1,500 due to Franzken to finish out the work he started approximately two years ago, while they reassess their options.

Walk throughs with architects at the Visitor Center at The Callicoon Depot were being arranged to see if they may be interested in bidding on the design of the renovation project. Two different grant applications were due by October 6<sup>th</sup>. One was for \$25,000 from New York State through the Office of Children and Family Services that Assemblywoman Aileen Gunther had secured. The application required a work plan stating how that will be spent and a timeframe. A second grant to the Sullivan County 2024 Discretionary Contracts Program was also submitted by October 6<sup>th</sup> requesting \$40,000 that would cover a portion of the salary for the Program Manager position.

Ramie reported the appointment requests have gone out for 2024 along with invoices for voluntary contributions by the member communities, and are already starting to come back. The Byway will send a letter to NYS DOT expressing compliments for the paving job in certain sections on Route 97.

The next meeting is scheduled for Monday, November 27<sup>nd</sup>.

**10/24-10/25 Water, Water Everywhere Conference:** Included in the packet is the agenda from the conference. Ramie commented they had diverse programming and the UDC had the opportunity to address the conference along with Kurnath from NPS and Tim Leonard from the National Parks Conservation Association. She commented it was a good crowd to talk to about the flat federal funding and lack of state funding, since they were all gathered to discuss river issues. People are always surprised to hear about the UDC funding problems and several people

approached her afterward to show their support. Ramie was only able to attend the first day of the conference; the second day she attended the D&H Transportation Heritage Council meeting.

Engelhardt said the second day included topics such as the Flexible Flow Management Program and how decisions are made. Peter Kolesar from Columbia University answered questions that he often gets about the program. There was discussion on the Delaware Aqueduct shutdown and a more scientific discussion on the Joint Fisheries Investigation Plan and Upper Delaware River Wild Trout Management Plan. There was also a discussion on the Upper Delaware River Macroinvertebrate Study that FUDR and Cornell had done, which is a study on the insect population on the river.

Peckham commented he read the Upper Delaware River Tailwaters Recreation Plan by Tom Shepstone and thinks there are some errors pertaining to private property and fishing. He wrote a response to the plan, but hasn't heard anything back. He said it states you can go to the highwater mark on the river banks, but that isn't true. The only time you can do that is if you run into an obstacle in the water and couldn't go around it. The plan said you can walk up and down the banks, which you can't since that would be trespassing.

Henry asked Ramie to re-send him a link to the Upper Delaware River Tailwaters Recreation Plan.

**10/25 D&H Transportation Heritage Council Meeting:** The meeting took place in Wurtsboro at the Mamakating Public Library, starting out with an optional Canal Trail walk and lunch at Danny's Restaurant. Ramie reported the treasury account is down to \$534.16 and they decided to raise the annual dues for 2024 to \$50 for full voting member organizations and \$25 for affiliate, non-voting groups and individuals.

The elections took place at this meeting where Donna Durland was nominated as Treasurer and Laurie Ramie was nominated as Secretary, with their elections to those offices from May 1, 2024 to April 30, 2026 under the new bylaws.

A bus tour this past Spring that went from Port Jervis to Phillipsport was very popular. They plan to organize another trip for the next section which would be in Ulster County from Phillipsport to High Falls, following the same route as chapter 5 of the historic DVD series. The itinerary is being developed for that to hopefully take place next Spring.

Congressman Pat Ryan has drafted language to sponsor a bill seeking National Historic Trail designation for the D&H Canal and Gravity Railroad. The Congressman's office put that out for comment a while ago, so there needs to be an update on that.

Kerron Barnes from Mamakating arranged for Vice President of Trade and Experiences for the Sullivan Catskills Visitors Association Lori Solomon to join the meeting via speakerphone. Solomon spoke about opportunities to market the 200<sup>th</sup> anniversary of the D&H Canal. She has experience with this since she used to work for the Erie Canal and they had a similar anniversary during her time there. She said NYS has a program called "Path Through History" which provides a platform for communities to list their events and could explore partnerships throughout the whole region which includes six counties and two states. Ramie said that DHTHC President Bill Merchant decided he would be the appropriate contact to work with the Sullivan Catskills Visitors Association, and gave his contact information.

The council talked about project goals and fundraising strategies under the new 501(c)3. The top two projects are redesigning the website with a functional landing page for the 200<sup>th</sup> anniversary events and prioritizing the solicitation of donations. They are interested in revamping the brochure since publicity on all fronts is welcome but right now there are no funds to print brochures.

Ramie asked the WU/RM committee to "like" the DHTHC Facebook page. They keep it updated with events and historic information about the canal and the Gravity Railroad. The DHTHC Board of Trustees will meet next on January 24, 2024 at the UDC office or by Zoom and the full DHTHC full membership will meet on April 24, 2024 at a location to be confirmed.

**11/8 NPS Water Safety Meeting:** Driscoll said that NPS had asked her to do notes on the Water Safety meetings going forward. She reported that they discussed the “Nobody Mourns” campaign, which brings attention to lifejacket safety on the river. Corrinne Hinton will be starting soon to help with volunteer work and updating posters, etc.

There were two new kayaks NPS had gotten at the end of the season that need to be outfitted and adjusted for the upcoming season. They discussed the Challenge Coin press release. G. Dudko asked for more information about the Challenge Coin. Driscoll said it is a actual coin they give to anyone who helps with anything water safety related such as saving a life, designing posters, etc. Hamilton asked if the press release was finalized. Driscoll said not that she knew of. Hamilton said NPS had given a Challenge Coin to Frank Salt of Damascus last Winter for spending time removing a trailer frame from the river.

There was discussion about ordering a flashing road sign to display water safety messages through the season. Kurnath had given the go ahead to get pricing and Tara Harbert said she would check in to see if there was anything she could do to support it.

The Water Safety video is a large file and they are trying to figure out the best way to get it to everyone. They decided a flash drive was the best way to do it.

The next meeting is on Wednesday, December 13<sup>th</sup> at 10:30am. All meetings going forward are scheduled for the second Tuesday of every month at 10:30am.

Padua said the Cochetton-Damascus Bridge is partially finished; they are planning to come back and complete the other side.

**11/13 Upper Delaware River Bioblitz:** Engelhardt said a Bioblitz is an event where you try to find as many species as possible on a particular property. She had volunteered at the 2016 and 2018 Bioblitz through the Delaware Highlands Conservancy, which she enjoyed. She is excited to be involved this year and will try to be as helpful as possible. She said this was the first meeting for the 2024 Bioblitz. They discussed the location and whether they will return to the traditional 24-hour format or do what they did in 2021 during COVID, with different teams going at different times of the year. It was beneficial for some of the teams since they won’t all have the best success at the same time of year. Ultimately, it was decided to go back to the 24-hour format.

There are two sites being discussed that they went to visit that week. Hamilton said he had gone to one of the sites, the Highlights Retreat Center and the rest of the group went to the Van Scott Nature Reserve. He commented that it’s hard to find a good site that meet the criteria with good biodiverse habitats.

Ramie asked if there were any dates selected. Hamilton said there are no dates yet. The last one in 2021 was held the last week of June, but nothing definite has been decided for 2024. He plans to volunteer at this, after his retirement in December. Henry asked if Hamilton could send the criteria for a site, as he has one in mind.

**11/14 Delaware River Sojourn Committee Meeting:** Engelhardt said they talked about the paddling stretches and moving it downstream to connect it to the next section. Peterec sent two options; the first being two 14-mile days and the second option a 10-mile and 12-mile day. She went through Gary Letcher’s book “*Paddlers’ Guide to The Delaware River*” and wrote down all the rifts and eddys that would be experienced in the two stretches. They settled on the shorter stretches since the first day would end at Pond Eddy and right after Pond Eddy there is a long rift, people may not want to do that after a long day.

The theme for 2024 is “River of Inspiration.” It is versatile theme for programming; people are inspired by the UDR in terms of art and literature as well as science. They have decided to definitely do a tidal day and some people have visited the site to check where boats will be taken out.

G. Dudko asked what the reason was for shortening the Sojourn next year. Engelhardt said it’s the same number of days overall but last year they did 3 days in the upper and middle with none in the lower at all. This year they are breaking it up and doing upper, lower and middle. Henry commented that the days are too long. Engelhardt said people have complained the days aren’t long enough, so they are purposely making them longer.

**11/15 Climate Resilience in the Upper Delaware:** Engelhardt said this was a webinar put on by FUDR. Hamilton also attended. Engelhardt said Tanya Dapkey from the Academy of Natural Science did a presentation similar to the one she did at Water, Water Everywhere on Macroinvertebrate in the river. Engelhardt said the presentation was technical and interesting.

**NPS Letter to Brookfield Renewable Energy:** Ramie said this is a follow up from last month after talking about how the public should be aware of when Brookfield is going to make releases and if there was a better way of finding out. The UDC asked NPS to send a letter and she knows Kurnath is working on it and Hamilton is providing information too. Ramie asked Hamilton if he had an update. Hamilton said he isn't sure a letter had been sent. There had been a large spike in water height recently that prompted this discussion. People thought it was due to a release in the Lackawaxen River, but they looked at the gages up-river and a lot of water was coming from above that contributed to the high water. He shared that information with Ramie and Kurnath.

**Other:** None.

**New Business:**

**11/28 Upper Delaware River Watershed Plan Committee:** Ramie reported this meeting is coming up this Tuesday, with these meetings being held every 4<sup>th</sup> Tuesday of the month. They are working to finish the Action Plan that the DEC has to approve by April 1, 2024. FUDR is leading this, being the recipients of \$650,000 in NYS funding over the two-year period. In September they had done the SWOT analysis and then took a break in October for the Water, Water Everywhere Conference. Ramie will have more to report after the next meeting.

**WU/RM Committee Meeting Combined with PR/Ops Committee Meeting 12/12:** G. Dudko announced that all three UDC committees will meet on December 12<sup>th</sup> because of the holidays.

**Delaware River Flow & Storage Report:** G. Dudko said the report was included in the packet and that it's been a dry month. Padua said he drove over the West Branch today and that it looks very low and that the whole river is low and clear. He's seen a higher amount of algae below Narrowsburg. He told Hamilton he may have seen some Didymo recently between Narrowsburg and Ten Mile River. Hamilton asked if he sees it again if he could grab a rock sample of it. Padua said he would. Hamilton asked if the algae he'd been seeing was similar to what he sees in the Spring. Padua said he noticed on hooks coming in were feeling similar to Rock Snot he's felt in the past. He thinks it thrives when the water is low and clear. G. Dudko thanked Padua for being the eyes on the water.

**Other:** Henry said there were people concerned with Brookfield not letting the public know about any releases. The letter from NPS was to ask Brookfield to let the public know and to post upcoming releases so people are aware. Hamilton asked if the concern was changing water levels or the impacts on the Delaware? He was aware of an event where there was high water on the Delaware below the Lackawaxen that was attributed to Brookfield, but after looking at the gages they decided it wasn't much on Brookfield. Padua said there is a 5-day prediction chart on safewaters.com, so there is some data available as far as future releases go. There are scheduled boater releases every year on the Lackawaxen as well. Hamilton asked who maintains safewaters.com and Padua said he's not sure. G. Dudko said it is frustrating if the letter was sent and there was no response. Ramie said Kurnath was planning to share it when it was done, so it has not been completed. Hamilton said the incident was not all on Brookfield. Padua said there is an email address for Brookfield on their website. G. Dudko said maybe the question is "should releases be posted?" Padua said if you want to know about releases, you do have to look for them. The really big releases are what people are concerned about, but since homeowners aren't directly affected by it, he doesn't think it's too big of a deal. Hamilton quoted his email he sent to Ramie and Kurnath about the letter on October 23<sup>rd</sup>: "If I can be of any help regarding context for this issue, let me know. Brookfield does have signs on accesses on the Lackwaxen below their powerplant discharge and down to the mouth of the river warning fishers and recreationists about sudden changes in water height and flow. Andy Boyar fishes the Lackawaxen regularly and would also be a good source of information on this issue. I could call in to learn to see how unusual this kind of release might be if you'd like. There license allows the varied releases like this for power generation." He included some graphs from USGS gages at Rowland on the Lackawaxen showing a release for the timeframe in question. The Lackawaxen River went from 800 CFS to 2,100 CFS during the course of a day and less than 5ft to 6ft during that time. He referred them to a graph for August when they are typically releasing hydro-energy generation. He said they have varied releases on the Lackawaxen and bounce that river around with their generation. He also said in his email, "It looks like there are

some compounding circumstances when one looks at the Barryville gage above the Lackawaxen. If you scroll down from that timeframe there was a large increase in flow coming from upriver as well. This is not all on Brookfield. USGS River Master's office may be able to provide some insight or context for this as well." His email included clips of different USGS gages showing clips of the sequence of events. There was a significant slug of water coming down the Delaware at that time that contributed to the high water. Henry said he doesn't think that was the major concern; it was the fact that Brookfield doesn't have to report their releases at all. Ramie said she thinks it came up during a Water Safety meeting. Driscoll said yes, it came up during the NPS Water Safety meeting with CUA holders. She couldn't remember who said it, but someone said they thought that Brookfield doesn't have to report releases and the CUA holders were concerned. Hamilton said Rocco Baldassari from Kittatinny Canoes brought up having 4ft water levels on August 14<sup>th</sup> that suddenly increased to 9ft on August 15<sup>th</sup> without warning, along with other drastic increases that have occurred without notice. Henry said it would be difficult to raise the water level from 4ft to 9ft unless there was a dam break. Hamilton said he's sure there was a combination of factors that contributed to the increase. Henry said maybe the letter doesn't need to be sent at all. He was concerned about safety. Hamilton isn't sure what Brookfield is required to provide in terms of release notification, but it may be a good thing to look into.

Hamilton let everyone know the venue for his retirement party has changed to Rohman's Pub in Shohola, PA on the evening of December 9<sup>th</sup> from 6pm -10pm. No reservations are required.

**Public Comment:** None.

**Adjourn:** A Motion by Henry seconded by Padua to adjourn the meeting at 7:30 p.m. was carried.

*Meeting minutes prepared by Stephanie Driscoll, 11/28/2023*