

WATER USE/RESOURCE MANAGEMENT COMM. MEETING MINUTES

September 19, 2023

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

Committee Members Absent: Evan Padua

Staff: Laurie Ramie, Stephanie Driscoll, Kerry Engelhardt

NPS Partner: Don Hamilton- Chief of Natural and Cultural Resources

Guests: Aaron Robinson (Zoom)- Shohola Township Representative, Bill
Dudko- Deerpark Alternate, Christine Foland- The Lackawaxen
River Conservancy, Peter Becker- Tri County Independent (Zoom),
Beth Brown- DRBC (Zoom), Jamie Fosburgh- NPS (Zoom)

The UDC's Water Use/Resource Management Committee held its monthly meeting on Tuesday, September 19, 2023 at 6:30 p.m. Chairperson Dudko called the meeting to order at 6:30 pm.

Approval of August 15, 2023 meeting minutes: A motion by Boyar seconded by Henry approving the August 15, 2023 meeting minutes carried. There was no public comment on the agenda.

Presentation by Christine Foland: Lackawaxen River Wild & Scenic Rivers Designation Proposal: (A recording of this presentation is available via YouTube link.) G. Dudko welcomed Christine Foland who introduced herself and thanked the UDC for giving her the opportunity to speak on their pursuit of a Wild and Scenic River designation for the Lackawaxen River. They are trying to do this simply because they love the river. It's important that they take advantage of the opportunity to have the river protected and preserved in perpetuity, which is something the Wild and Scenic River Designation intends to do. She showed a PowerPoint presentation and hopes the committee will fill in gaps in her group's knowledge since the Upper Delaware River is one of the earliest of the Wild and Scenic Rivers.

The Lackawaxen River's beauty, unspoiled charm, and special character make it eminently worthy to be designated a Wild and Scenic River. What is a Wild and Scenic River? A free-flowing river that has no dams or other impoundments that has outstandingly remarkable values that are rare or exemplary. The values may be historic, cultural, natural or recreational. The Lackawaxen River does receive flow from the hydroelectric plant at Lake Wallenpaupack, but that does not disqualify it from designation.

How does designation happen? The first step is a study approved by Congress and conducted by a locally comprised Study Committee and NPS. They first have to get the support of their U.S. Representative, Matt Cartwright, and one of their U.S. Senators. The Lackawaxen River Conservancy must provide ample documentation of local support in order to get a request for a Study to Congress. Matt Cartwright and either Senator John Fetterman or Senator Bob Casey need to agree to sponsor a bill in Congress. In order to get a study approved, it requires an Act of Congress. The study must verify the river's free-flowing character and at least one outstanding remarkable value. In order to be eligible, the study must also include the creation of a locally comprised Study Committee and a River Management Plan (RMP). They realize this will be hard work. The PowerPoint showed a picture of the front cover and table of contents of the Musconetcong River National Wild and Scenic Rivers Study River Management Plan. The document is 78 pages, something that requires a great deal of work.

What are the benefits of being designated a Wild and Scenic River? National recognition and prestige, economic boost, and most important of all: local control of the river through locally appointed council and management plan. Other benefits are technical support from the NPS for RMP and projects, and protection from federally-assisted and other projects that adversely affect the river. That is specifically referring to dams and other impoundments on the river. There is currently something of a movement to perhaps give Wild and Scenic Rivers designation to rivers that need to have a dam removed, a Restorative Management Plan.

Is the Lackawaxen River eligible to be designated a Wild and Scenic River? The river flows freely over 31.3 miles, from south of Prompton Lake to the Delaware River with no impoundments on the river itself. Its many outstandingly remarkable values include the Delaware and Hudson Canal, the Stourbridge Railroad, Dorflinger

Glass Factory Museum, author Zane Grey's home and museum, and recreation through kayaking and canoeing. As they gain more support from the public and other organizations that are close to the river, they hope to come up with more suggestions on outstandingly remarkable values.

The Wild and Scenic Rivers designation dated back to a 1968 law. Prior to that, rivers were regarded as a means to an end or to serve others. Wild and Scenic River designations state that rivers are worthy of protection themselves. Rivers are not a means to an end; they are ends in themselves. There are two categories of Wild and Scenic Rivers: rivers that flow through federal lands and Partnership Wild and Scenic Rivers that flow through lands of mixed local public and private ownership. The Lackawaxen River will be a Partnership Wild and Scenic River.

What happens after Designation? The Study Committee grows into a River Management Council (RMC), the RMC implements the Management Plan, coordinates among the stakeholders, and they will utilize funds from NPS and local organizations to address river issues.

Foland asked if there were any questions. Engelhardt asked if the RMP needs to be developed before getting the designation. Foland said yes, if they don't have the RMP, they won't get the designation. G. Dudko said that the Lackawaxen River comes into the Delaware River corridor so if they get their designation, would it end at the boundaries of the Delaware River corridor? Foland said she believes so, since the Delaware River already has the designation. G. Dudko was questioning if the Lackawaxen River designation would come into the Delaware River boundary with overlap, to which Foland responded no. Their RMP would not reference anything with the Delaware. Henry asked if they have gotten any feedback from the public who lives along the river. Foland said no, not yet. They have been in touch with one of the Supervisors on the Lackawaxen Board of Supervisors. Henry said the Wild and Scenic Rivers Act has land use restrictions and there's a lot that the public needs to be aware of. He thinks that one of the first things they should do as a group is publicize and get landowner's opinions. If the landowners that own the majority of privately owned property don't like the idea of designation the efforts come to a halt. Foland agreed that it's a top priority to gain public support; getting support is essential for designation. Henry asked if the designation they are looking for is Recreational. Foland said that portions of the river would be considered Scenic and other portions considered Recreational, with possible portions considered Wild. Boyar asked if the Lackawaxen River Conservancy had a State, County or Town designation that created the organization. Foland said the Conservancy consists of only locally interested people, with no credentials. Boyar asked if it is a corporation, association or just common group of people. Foland said it's a good question, she's not sure. Boyar asked how long they've been in existence to which Foland answered, 22 years. Ramie asked if they are structured as a 501(c)(3)/Charitable Organization. Foland replied yes, they are. Boyar asked if they have been a Charitable Organization for 22 years? Foland said she's not exactly sure when they were designated that.

Peckham said that the Upper Delaware Scenic and Recreational River was created by the NPS and the landowners dealt with it the best they could. If you don't have the support of the landowners, he doesn't think the NPS will join. Congress will listen to the NPS, it will be harder to convince them with just an organization. They have to convince landowners that having the Lackawaxen River designated as a Wild and Scenic River is the right choice. Foland thinks the designation requires much more "buy in" from local population. At one time land acquisition was considered a right of a Wild and Scenic River designation and now they almost never have land acquisition; they try to work with local landowners. That is one of the reasons why it takes so long to get a designation. Hamilton asked who some of the founding members were of the Lackawaxen Conservancy. Foland isn't certain they are founding members, but she knows Frederica Leighton was critical in development, Gordon Wildermuth and Craig Engvaldsen. Hamilton asked if those people were still active in the LRC to which Foland wasn't sure. Winnie Olsen, who had joined at least the second year of its existence, is still involved. Bergit Pinkston is still involved, as well as Kenny Christianson as the Treasurer. Henry asked if any of the founders were property owners on the Lackawaxen River. Foland believes that Craig Engvaldsen is.

Ramie asked where the LRC stands with Congressman Cartwright and if they have approached him. Foland said members had met him informally as individuals at a fundraiser, since the 501(c)(3) prevents them from lobbying. She said he was very gracious and took some literature, and hopes the LRC is still on his radar. Foland knows that they need to meet with Congressman Cartwright to get an idea of what they would consider a good advocacy package.

Henry asked if the LRC had gone to the UDC website to see their RMP. Foland said she had not seen that but she thought it would be interesting. Henry said either the NPS website and the UDC website both have the Upper Delaware RMP with over 160 pages. He thinks if they took a look at that, it could be helpful. Foland agreed it would be helpful to see the scope of what the UDC is doing. Ramie commented that the Upper Delaware RMP took 17 drafts and approximately 10 years before it was finalized. Boyar said to make sure the funding includes a “cost of living increase” to their RMP. Beth Brown with the DRBC commented that the presentation has been very informative. She said on the DRBC website there are resources about other Wild and Scenic designated tributaries in the Delaware Basin, including the Morris River in NJ and the White Clay Creek in PA and DE in addition to the Musconetcong River in NJ Foland already mentioned. Brown added the link to the DRBC website in the Zoom chat. She told Foland and the LRC to reach out if they have any questions. Hamilton said there are NPS resources as well. Foland said the LRC had met with Sara Burksy and Jamie Fosburgh in 2021. Fosburgh confirmed he was attending this presentation via Zoom.

G. Dudko thanked Foland for coming out on behalf of the Lackawaxen River Conservancy for the presentation and gave her a UDC lapel pin as a thank you. She wished Foland and the LRC good luck.

Old Business:

8/16 NPS Water Safety Meeting: A handout was included in the meeting packet. Driscoll reported that at this meeting they discussed topics for the post-season meeting on September 9th. Peterec said there was an increase in river guests since Covid but as of late there had been less guests, presumably due to the air quality from the Canadian wildfires. Keith Winslow reported the Boy Scout property at TMR had sold and there had been some people on the property without permission and they are trying to figure out how to deal with that. There will be an increase in monitoring through secret shoppers next year and it was suggested that NPS attend new trainings for the liveries. Liveries are encouraged to post the link to the Water Safety video on their websites. The Ascalona Campground along Route 97 does not have a CUA, but guests can launch from their campsite if they’d like. Babus had given Ascalona loaner lifejackets after an almost-drowning. Ascalona Campground does plan to order lifejackets, and will have them available for the 2024 season. The access site in Sparrowbush had been getting a rowdy crowd with an excess of garbage. Loaner lifejacket return boxes are in NPS hands, they need to be assembled and signage installed for the 2024 season. Nancy Lauby and Tom Zibinski were honored at the UDC 35th Annual Awards Banquet on September 10th with the Robin M. Daniels Lifesaving Award. The next meeting is scheduled for tomorrow, September 20th. The first of its kind post-season meeting with NPS and CUA holders will be held at the UDC building on September 29th at 10am.

8/16 Regulated Flow Advisory Committee Meeting: Ramie attended this meeting via Zoom with about 30 members of the public in attendance. Jen Garigliano from NYC DEP spoke about the aqueduct shutdown and since she will be presenting at the October 5th UDC meeting, Ramie didn’t go into too much detail. The project was delayed by a year until October 2024 to begin the repairs. Garigliano provided reasons why the project was postponed and will do the same during the October 5th presentation. She said the schedule for the de-watering exercise (which is subject to change) could start on October 16th and go through November 3rd of this year. They will do this exercise after learning from the first de-watering that took place in March of this year, going further down than the 90 ft below sea-level that they had done originally. March was the first time in 70 years that this de-watering exercise has been done, which didn’t go well in all aspects. They found the rate of infiltration in ground water exceeded the expectations, which is why they are doing the exercise again to ensure the safety of the workers in the tunnels. One of the reasons for postponing is that the pumps are not pre-manufactured. It is an 18-week process to build them. They will need some additional power capacity because of what they discovered through the March exercise. Garigliano said in addition to the de-watering exercise in which they will have additional data points to study, they will also have autonomous underwater vehicle inspections take place over this winter into the spring of 2024.

The Deputy Delaware River Master, Amy McHugh, reported on a study they did as part of the 2017 FFMP evaluations that is the Balancing Adjustment Study. They are looking at what the source of the forecast errors are for when they have to direct releases and what they can do to make them more accurate. The sources of errors could be: releases from the Rio Dam and Wallenpaupack Powerplant and run off from rainfall and base-flow behavior. Some have criticized the releases as “not effective and overly complex”. They had started the study back in 2020 and are now in the process of reporting out with recommendations from the study. One recommendation is to remove the 10% distribution and rely on a maximum value for balancing the adjustment value. The cap would increase from 50

to 100 CFS of water. They will also change the reset date, previously on June 15th, to June 1st to align with the water year and will consider conservation releases at that time. They are also trying to correct loopholes they found in the algorithms they use for the adjustments of directed releases. They continue to track performance and reassess the system it goes through. There is currently a 5-year plan to look back at their data to try to learn lessons. As of 2024 they will change to the June 1st reset date. Right now, they are compiling all of the documentation into a report. McHugh said if anyone would like to see the record of releases, tables, charts or historic data go to www.usgs.gov/odrm.

Dr Fanghui Chen, Senior Resource Engineer for the DRBC, spoke about the FFMP Performance Report for 2022. The objective of the report is to manage droughts, maintain flow objectives, provide enhanced conservation releases, maintain desirable tailwater temperatures, and minimize spills using a conditional season storage objective. He mentioned the precipitation in the upper basin for 2022 was considered above average for 6 months of the year. It was actually a dry year with no drought emergencies. The DRBC is responsible for making releases to manage the salt front, whereas the River Master manages releases for flow. They used the thermal bank on 26 separate days in 2022 and that had used 113 billion gallons of water.

McHugh said on May 18, 2023 they amended the Flexible Flow Management Program to extend the study timelines. It was originally set up to do studies from 2017 onward, and they need more time.

There is no future RFAC meeting scheduled at this time as they need an agenda to call a meeting. Anyone can sign up through the DRBC list serve to receive notices of when the next meeting will happen. G. Dudko commented she thought it was interesting that precipitation was above normal then below normal, but still drought like.

8/22 Upper Delaware River Watershed Plan: Ramie reported this is the Watershed Plan that's being put together for the Upper Delaware River and this meeting was among the first. As part of their funding that's coming through the NYS DEC, the agency is not requiring them to list advance projects before they sign a contract. The first year of funding was \$300,000 and the second year was \$350,000 with that being the budget for the creation of this plan. The Steering Committee was set up, of which the UDC is a member. They would eventually like it to include one representative from each municipality throughout the NY side of the watershed, and from each non-profit in that territory, with each of those members getting a vote on issues that come forward. They also want to set up an Advisory Committee to provide overall input with responsibilities including voting on the Action Plan agenda that's being developed and the re-grant program since that's a large amount of where this funding will go.

They currently have the map drawn up with the NYC reservoirs and the tailwater areas beneath it on the NY side. They asked if people felt that was sufficient or if it should be divided up further. Should they divide the map by criteria such as geography, recreation, tourism, demographics, population density, regulatory patterns, developmental patterns, seasonal and year-round homeowners and alternative energy, etc.? After much discussion, they decided to leave it as-is with the NYC reservoirs and tailwaters and they can add layers on top of that.

They are determining the structure for the Upper Delaware River Watershed Plan and have a good example with the Tailwaters Plan that they have previously done for the East and West Branch. The end goal is to prioritize the grant funds and what work needs to be done in the various regions of this watershed. They know there are many existing plans such as the Upper Delaware RMP that will be incorporated into this document while trying to make connections between them. The whole NYS portion of this is part of the DRBC Special Protection Waters Designation, so pristine water quality is something that is paramount to protect. There is federal and state funding available, but having this plan in place will help to develop an argument of how to use it and justify getting more funding. The action agenda is for 2024-2029 and the 2 years of funding they have received so far are making it possible. The Federal program, Delaware River Watershed Conservation grants, have the one-to-one Federal match and having funding through the State can help work toward that match. They are using the Mohawk River Plan as well as other existing plans as a model. The next step is a SWOT (strengths, weaknesses, opportunities and threats) analysis that will be coming up on Tuesday, September 26th from 1pm – 3 pm. Ramie was asked to lead one of the breakout sessions via Zoom to which she said yes, if she can be part of the recreation section. This plan has four goals: abundant in healthy wildlife population; clean water for healthy people, plants and animals; flood resilient communities; ample recreational facilities that enhance the natural environment.

Ramie also mentioned that FUDR now has a full-time staff of 6. Hamilton said he wasn't able to be on the Zoom meeting, but is planning to be on the next one. He asked what they see as the downstream boundary for the watershed plan. Ramie said the Neversink Watershed is included, so it goes down as far as Port Jervis at least and that it's the entirety of the NYS boundary.

8/28 Upper Delaware Scenic Byway Meeting: Ramie reported there were two grant applications that came before the committee. One was from Educational Innovations in Pond Eddy for a butterfly grant, which was ultimately tabled since it is not a 501(C)3 organization. In the meantime, they plan to do some trial workshops making seedpods and hold educational classes on Monarch Butterflies. The second application was from the Barryville Farmers Market and the Greater Barryville Chamber of Commerce for the 2nd Annual Halloween Harvest Festival, which replaces what was known as the Barryville Pumpkinfest. That will be held on October 28th at the Barryville Farmers Market site. They approved \$1,500 for that event which the UDSB will co-sponsor. There was a presentation by Apptegy on website services. Apptegy has created the new website and mobile app for the Town of Hancock. The representatives from Apptegy explained what they offer for services. The cost for UDSB would be a \$7,500 initial fee to set up the website and app with an annual fee of \$6,500 for maintenance. Those costs can be shared among different entities if different organizations or municipalities join together to split the cost. No conclusion was reached. Ramie commented it is important a decision is made soon since the UDSB domain is expiring at the end of October.

John Pizzolato mentioned that he worked with Assemblywoman Gunther's office to secure another \$25,000 grant for the UDSB that will happen in 2024. The Sullivan County Discretionary Contracts Program has a deadline of October 6th to submit an application.

Out of the 9 municipal members of the UDSB, 5 of them are lacking alternate appointments: Village of Hancock, Town of Cocheton, Town of Lumberland, Town of Highland, and Sullivan County all have vacancies for alternates. They will be sending out a letter to see if those boards have anyone they can name.

The main reason the meeting was so long was the discussion on the UDSB Visitor Center at the Callicoon Depot. There has been an organized campaign by an anonymous group called "Concerned Citizens for the Depot Project". They have been lobbying with very pointed criticisms toward specific individuals and targeted the UDSB by saying that they are not a reliable partner in the project and are failing in the important stewardship of the Depot. They "will pursue every effort to inform the public about various shortcomings of the various partners in the Depot Project in all available outlets until their voices are heard, a legitimate CDI election is held, their questions are answered and most importantly that they see the Depot's architectural structure receives the love and care it deserves," Ramie quoted from the letter the anonymous group sent. The tactics are bullying and offensive to the volunteer groups that have been involved. There is a drafted cease and desist letter since there are issues with the information they've been sharing, such as using the byway contact list to distribute information without permission, board tampering, slander, and infringement of copyrighted names. There had been a town-hall style meeting on August 1st to answer questions related to the Depot project. The accusation that information isn't being shared is false, since the meeting was set up before the group's claims. The restoration of the Depot project will have to go through permitting reviews by the UDC, NPS and all the other town, county and state agencies involved. Chairperson Richard Lowe said he thinks they are about 6 months away from activating the state funds of \$250,000 that will pay for the restoration. Questions were also raised about the long-term maintenance and operations of the Depot, given that these are volunteer groups involved. Who will staff? Who will clean? Who will stock bathrooms? The committee has to make a decision on whether they are in the project too far to pull out, what is their fiduciary responsibility, what's ethically correct, and does the Depot still want the Visitor Center. Treasurer Larry Richardson said he does not feel it would be possible to retract the \$250,000. That funding was specifically earmarked by the legislator, Senator Bonacic (4 senators ago), for a Visitor Center for the UDSB. They settled on the Callicoon Depot since Callicoon had a site with no money, and the UDSB had money and no site.

Henry asked if any plans for the Visitor Center have been approved. B. Dudko said they haven't brought it to the Town Board yet. Henry said if there's 6 months before they're going to start using their \$250,000, some plans need to be made. Ramie said there are architectural plans that haven't been approved yet. Henry asked if the NPS have seen anything yet to which Ramie replied no. B. Dudko said that as a historian and a part of the railroad he would love to see the Callicoon Depot saved, but it needs a lot of work that's probably more than what's estimated. He thinks it will be well over the \$250,000. Ramie said that money is strictly for the Visitor Center. B. Dudko said if

they put in the \$250,000 for the Visitor Center portion what will happen to the rest of the building? Will it be a waste of \$250,000? Henry said the money has been earmarked for more than 6 years, so a plan should be made. Ramie said if the UDSB backs out and doesn't use the funding for the Callicoon Depot, all three organizations involved in the partnership could be blacklisted from applying again to the state, looking dysfunctional and irresponsible for not seeing the project through. Richardson thinks they are better off to keep going and see it through, in theory that the money can't be transferred to another project. There is currently no other site for the Visitor Center. At one point the Narrowsburg Union had offered to post the Visitor Center with a monthly rent, which the UDSB didn't want to get into a long-term rent commitment. The UDSB committee decided to give a 30-day notice to explore options, and then draw up a shared services agreement to outline the expectations on how the project will turn out in terms of operations, maintenance, programming and a lease time-frame. After the CDI and CBA are notified, there would be a request for a Joint Partners meeting. Ramie doesn't believe the 30-day notice was given, and she's not aware that a shared services agreement has been drafted yet either.

The next meeting for the UDSB is September 25th. Hamilton asked if there was any discussion on what the monthly rent would be at the Narrowsburg Union. Ramie said it depends on which space they chose and how much square footage in that space, so she's not sure the amount. B. Dudko said if you're going to be paying rent/maintenance fees at Narrowsburg Union, what's the difference of paying maintenance fees at the Callicoon Depot.

9/6 Eagle Conservancy Meeting: Engelhardt reported that the meeting was short. They arranged the bus tour schedule for next year. Paul Gamer thought they should recruit Don Hamilton for the bus tours again, since he did such a great job. Hamilton asked how many tours they plan to do. Engelhardt said eight. They may do a bus tour for just Conservancy donors since next year is Delaware Highlands Conservancy's 30th Anniversary. They plan to do eagle training in early December at the Highlights Foundation. They talked about upcoming training events happening at The Van Scott Nature Reserve that you can find more information on at the DHC website. Engelhardt encouraged everyone to volunteer for this fun wintertime activity.

9/21 Delaware River Sojourn Steering Committee: Engelhardt said they went through financials and have about \$18,000 in carry-over from last year, which is \$4,000 more than last year. They found out after last year's Sojourn that PPL donated a \$4,500 grant, which was more than previous year's of \$3,500. G. Dudko commented that it will start them out well for next year. The committee talked about the award the Delaware River Sojourn Committee received at the UDC 35th Annual Awards Banquet on September 10th. Kate Schmidt distributed the certificates and shared the souvenir pamphlet. They discussed different paddling stretches, and where they will be camping next year. A meeting was scheduled for the upper day planners on September 22nd to discuss what the upper days will be like. It will probably be only 2 days in the upper, since they are planning to paddle the upper, middle and lower. They also talked about adding an extra Saturday to do a paddle on the tidal section of the Delaware River. The last site of camping would be in the last campsite as usual, and they would go down to Florence, Bristol and back. Since it's tidal it would bring you all the way around. The end of that location is near the Roebbling Museum, which Engelhardt thought would be neat to be starting near the Roebbling Bridge and ending near the Roebbling Museum. Theme ideas were discussed about river inspiration in terms of art and culture and how it's inspired people. Some ideas were: Water is Life, Cultural Pathways and Women of The Watershed. That discussion will continue at the next meeting.

Other: Henry commented that under future expectations from the Water Safety meeting handout there was a question of if it could be written into the CUA agreement that lifejackets are to be worn during launching, although it's not a requirement. He said that the rule has probably never been applied since most people who drown are swimming. He thinks that it may be silly, since most people do wear the lifejacket while launching currently and as soon as they get farther away, they take them off.

New Business:

NPS Report by Don Hamilton: Hamilton reported that NPS organized a meeting between state and federal agencies last week that Engelhardt was also in attendance for (via Zoom). The objectives for the meeting were to discuss and reach consensus on management strategies and identify any viable management strategies, learn about what various state agencies are doing and efforts they are making on Snakehead, reach consensus on Snakehead messaging for public education in response to media and public and congressional inquiries. Hamilton said they have had congressional inquiries on the Northern Snakehead in this area. He reported it was a productive call with many discussions. There are unfortunately no good options for Snakehead management in a system like the

Delaware River. Control and education need to be the main focus. They are not trying to eradicate the Snakeheads since that would probably be impossible.

Sheila Eyler with Mid-Atlantic Fish and Wildlife Conservation in Annapolis told them about the congressional inquiry she had gotten saying that in other watersheds certain fish have been eradicated and asked why it couldn't be done here with the Snakehead. They don't understand the nature of an open river like the Delaware and the many diverse habitats. If there was a confined lake or pond you could use a poison to kill the fish, but you can't do that in the Delaware River. They will continue to educate the public regarding threats like the potential to negatively impact other fish and fisheries and the importance of control measures. If you catch a Snakehead, kill it and do not release it. Report catches and sightings. Hamilton says they have gotten sporadic reports of angler catches and sightings. NPS has seen them in some of the channel habitats and inlets of slow-moving water off of the river, which is what they prefer. They do come into the main channel and move about the river itself. They are reproducing in the side channel habitats in Pond Eddy, which some of the freshwater snail surveyors saw in August. They had first seen the eggs, which looked like a ball of several half inch long fish, and then saw that the adult Snakeheads were nearby guarding them. Hamilton got a report a couple weeks ago of some kayaking fisherman in an inlet above Narrowsburg seeing adults with young ones about an inch and a half long, just turning greenish gold. When Snakehead offspring get bigger, they turn orange and schools are called "fireballs". G. Dudko asked when they spawn. Hamilton replied that he's read they have a wide period of spawning and reproduce pretty prolifically. Snakehead are tolerant of temperatures and can dissolve oxygen. They are unfortunately in the Delaware and are getting established.

They are trying to get funding to work with Academy of Natural Sciences in Illinois at Drexel University. They have a lot of fisheries expertise there and are familiar with the Delaware after doing a fish inventory here a number of years ago. They have outlined a study on: what they are eating/their diet, habitat preferences, and their densities in different habitats. There is concern for impact on recreational fisheries, threatened species of fish such as the Bridal Shiner that's endangered in PA, and important mussel host fish. They are going to try to get messaging updated with more posts on social media. B. Dudko asked if all fish have the same DNA to which Hamilton replied no, they are all different. B. Dudko asked if there's something out there to put in the water to kill one specific species. Hamilton said not that he was aware of. Henry recommended reaching out to *Pennsylvania Outdoor Life* TV program being Poconos based to advertise for Snakeheads. He thinks that NPS and all other agencies need to do a better job of publicizing the dangers of Snakeheads and more needs to be done than posters and social media. He also suggested publicizing in *Pocono Mountain* magazine. Hamilton agreed that it was a good idea. They want people to understand that if you catch a Snakehead, you need to kill it. It is illegal in both NY and PA to possess live Snakehead or move them from one area to another. The problem is that people think of them as another sport fish, and that's how they got into this region of the Delaware. Someone from Region 4 DEC in Delaware that was a part of the meeting said the signage he puts up there have to be metal signs out of reach, due to people tearing them down. Anglers don't want the Snakehead removed.

Boyar said he saw a picture of a Snakehead on his Facebook feed that day with the caption "What a cool fish I just caught!" The person had no idea it was a Snakehead. The person from Region 4 DEC said he mapped with some of the guides up river recently and they inquired on how to fish for Snakeheads. Boyar said while his brother was fishing down-river he saw Snakeheads being caught and released. Hamilton asked how far down-river. Boyar said his nephew lives down in Maryland, so probably that way. Hamilton said people are reluctant to share location or let others know they have told any type of agency, because they are having a good time fishing Snakeheads. Henry asked if anyone has tried putting a bounty on Snakeheads. Hamilton said that CRISP (Catskill Region Invasive Species Partnership) has a bounty for one currently. State agencies have been approached to hold fishing contests or derbies, which they denied since it wouldn't do much in the long run. Boyar said that people need to know that it's a threat to their game fish. Hamilton said that they think of it as another game fish, not a threat. Henry said that on signs should advertise the threat to local game fish. Hamilton said they will be re-examining the messaging. G. Dudko said it's similar to the lifejacket message they put out, when people thought that was too cruel. It's a message that needs to be heard.

Ramie asked what Hamilton meant about it being illegal to possess a Snakehead. Hamilton answered you are not to have a live Snakehead or transport any. Hamilton said if you catch one, you are supposed to kill it and not just throw it on land, since they will slither back to water. The phrase is "Kill Upon Capture," which is on the posters currently.

Hamilton reported on the Young of Year Shad Sampling. They were at Milford Beach the night before and caught 980 Fingerling Shad, which are about 3 or 4 inches long now. For Shad to survive the ocean and come back to

spawn is about 1 in every 10,000. Henry asked if the Snakehead liked to eat Shad. Hamilton replied he's sure they would if they were in the same parts of the river. Last month 1,531 were caught at Milford Beach and 1,535 at Kittatinny Point last week and 1,717 in August. Hamilton said these numbers are average and G. Dudko said the numbers are consistent. They haven't been able to sample a lot of evenings due to high water, which was the case last week. This is sampling that is required by the Atlantic States Marine Fisheries Co-op to determine sustainability of Shad population and get more information on their reproduction here. Boyar asked if there had been an about 30% drop at Milford Beach and Hamilton said that was just comparing two nights, they will look at the whole seasons sampling. They have 4 hauls each night and three sampling events at each site and they will look at the totals. From what Hamilton understands, it's shaping up to be an average year.

Dr. Howard Whidden from East Stroudsburg University is going to be mist-netting bats and attaching tiny nanotag transmitter implants. There's a network of these modus wildlife tracking receivers across the country, Pennsylvania and this region. As the bats fly within 7 miles of the receivers it will register that particular bat. It's a different way to understand where they go for hibernacula during the wintertime. There are known hibernacula bats inside caves in this region, some close by, that will go a distance to get to a place like that to survive a winter. G. Dudko asked if the same bats will return to the same places. Hamilton said yes, we have an important maternity colony here that is the largest remaining maternity colony of little brown bats here. They are trying to understand where the bats go for the winter.

The Snail Sampling Program is complete. They sampled 30 sites over the length of the river last summer, and another 20 this year. Some of their Natural Resource staff is down at the Academy of Natural Sciences of Drexel University in Philadelphia this week for a couple of days to help sort and process some of the samples. The Special Protection Waters Monitoring Program collaboration with DRBC is complete, and they should have that by Monday.

Hamilton was excited to report on the fossil rock that the Kraus family had dropped off at the UDC and had made its way to NPS. He said some paleontologists had looked at the fossil. The local rock formations in our region are mostly late Devonian, which are 383 and 359 million years old. Some date back to the middle Devonian at 375 to 349 million years old, according to paleontologists. The fossil that the Kraus family shared with the UDC and NPS was from gastropods (snails) that have a particular pointed or high spire in the order of Palaeozygopleura found in Devonian rock formations. This is a preliminary determination and other paleontologists are going to look at the fossil. It is not particularly rare, but the fossil is being looked at with interest. Hamilton joked that the lesson is: if something is stored in your garage for 30+ years, don't just throw it away. Ramie added that a reporter from *The River Reporter* had contacted the UDC after noticing the subject on the fossil in our meeting minutes, and wanted to do an article. Ramie gave her Hamilton's information and the article will appear in this week's edition. Hamilton said that Peter Becker from the *Tri-County Independent* had reached out to him for more information on the fossil and he pointed Becker to NPS and the paleontologists. Hamilton hadn't heard if they had connected or not, and Becker was in the meeting via Zoom but not available at that moment to answer. G. Dudko said the fossil story has been a bit of a saga and Hamilton said Doug Kraus was happy to hear about it. Hamilton asked how old Doug Kraus was when he found the fossil. Ramie said his father had said he was probably around 15 or 16 years old.

Ramie asked what area the largest population of Little Brown Bats was in that Hamilton had mentioned earlier. Hamilton said it is the largest known remaining maternity colony of Little Brown Bats in Pennsylvania. They are a species that was hit hard by White Nose Syndrome, and have been reduced in population in PA by about 90%. Some of the smaller bats have been heavily affected by White Nose Syndrome. G. Dudko asked if White Nose Syndrome is still prevalent. Hamilton said he had worked with Dr. Whidden 2 years ago to look at the bats; they look at them for the syndrome through wing membranes in the light and tell from that. White Nose Syndrome will impact their skin and wing membranes will tear easily.

Hamilton said he would send Driscoll his notes for the report, to help with scientific spellings. Hamilton said there is a link with good information listed in his notes: <https://www.digitalatlasofancientlife.org/vc/devonian/> in regards to fossils.

River Reporter Article on Fishing Rights: Engelhardt had seen the column in *The River Reporter* and knew that it had been a topic of discussion previously. The author is an angler and says it's inconclusive, but Engelhardt thinks that in the article it seems like the property owners do have rights to the river bottom. The author has reached out to

people at the DEC and hasn't received a response. The Hardenbergh Patent supports that theory. Jeffer said that on her land deed it shows that they own to the middle of the river. Engelhardt said on the graph at the bottom of the article showing the precipitation in the NYC Watershed the numbers indicate that the bars are supposed to be shooting out of the graphs, that's how much rain we have gotten. Henry encouraged anyone to look at the Submerged Lands Act of 1953 and that it's part of the information in the Wild and Scenic Rivers Act with questions and answers on who owns the submerged lands. On the main-stem you'd have to own both banks of the river, the land underneath it and all the way back to keep someone from fishing. Peckham said that's not true, since some of the islands in the middle of the river are owned by NY or PA depending on where the main channel is. Henry said he only told everyone to read the Submerged Land Act of 1953. Peckham said any navigable water can be fished, the premise is whether you can anchor or wade in the water but you can't stop anyone from floating down and fishing. G. Dudko thanked Peckham.

9/23 Local History Festival, White Mills: Ramie said that this handout was included since we normally attend the Local History Roundtable meetings and this is a big annual event that they do. The event is open to the public with all of the information listed on the handout. Ramie mentioned some other activities taking place over the weekend: The Narrowsburg Honeybee Festival is this Saturday (September 23) in Narrowsburg and the Cochection Preservation Society on Sunday (September 24) is holding Coffee, Tea and History at 1pm that Dennis Bernitt will be doing a Civil War reenactment at with Jim Richardson. Bernitt gave a brief description of the event. G. Dudko thanked Bernitt for everything he does in the reenactment community. Ramie mentioned that B. Dudko has also done presentations for the Coffee, Tea and History Program on the railroad. Engelhardt said the Festival of Wood is this weekend and the Honesdale Beer & Winefest. Driscoll said there is also Von Stueben Day at Yulan Ballfield in the Town of Highland on Saturday.

Delaware River Flow & Storage Report: G. Dudko commented that we've had a good amount of rain.

Other: Committee member Evan Padua and his wife Cherene posted on Facebook they are expecting a baby, due February.

Public Comment: None.

Adjourn: A Motion by Henry seconded by Bernitt to adjourn the meeting at 8:13 p.m. was carried.

Meeting minutes prepared by Stephanie Driscoll, 9/26/2023