

WATER USE/RESOURCE MANAGEMENT COMM. MEETING MINUTES
March 19, 2019

Committee Members Present: Andy Boyar, Fred Peckham, Al Henry, Jim Greier, Doug Case,
Ginny Dudko, Pat Jeffer
Committee Members Absent: Evan Padua, Pete Golod
Staff : Laurie Ramie, Ashley Hall-Bagdonas
NPS Partner: Don Hamilton
Guests: Cheryl Korotky

The UDC's Water Use/Resource Management Committee held its monthly meeting on Tuesday, March 19, 2019 at the Council office in Narrowsburg, NY. Chairperson Boyar called the meeting to order at 7:02 p.m. A motion by Peckham, seconded by Case, to approve the February 19th meeting minutes was carried. There was no public comment on the agenda.

Old Business

2/21 DRBC Water Management Advisory Committee Report: Ramie said Golod participated at this meeting of the DRBC Water Management Advisory Committee on which the UDC has a seat. Golod provided a written report.

2/25 Upper Delaware Scenic Byway Meeting Report: Ramie reported that the Sullivan County Legislature has approved \$20,000 for UDSB in 2019 under the Discretionary Contracts program. UDSB submitted a request for \$30,000 and it was kicked down to \$20,000. In their conversation about requesting more funding UDSB next year they said they would like to have a specific project to dedicate that to. They were thinking either safety or communications. Dudko, who is the Town of Deerpark representative on the board, mentioned that the UDC has been discussing both of those issues and UDC has a ready-made project that would be addressing the cell service dead-zones along Route 97. UDSB was interested in pursuing a joint project. UDSB said it could be addressed by putting up WIFI repeaters in several locations along the highway to boost the signals and increase the odds of summoning help. UDSB also discussed the hardwire callboxes and they are not opposed to that idea. The UDC has concrete numbers, mapping and an engineering study has been done by Frontier. All of this is speculative, as there is no money for it as of yet. UDSB said if they could find additional funds they could potentially pass it through to the UDC to spend it. Boyar said he attended a few Town Hall meetings with Congressman Delgado and Congressman Delgado always emphasizes expanding the availability of signals. That may be a talking point at the UDC's meeting with him tomorrow. Ramie said that is on the agenda.

Two applications had come in for Promoting Butterflies on the Byway Grant. They were both from Hancock, one of them was a property owner of the former airstrip that runs along the Delaware River off Rt. 97. She wanted to hire a farmer to plant milkweed on a 30-acre vacant meadow. Ultimately the committee rejected that application because they said if you want milkweed, you really don't have to plant it. Just throw a few seeds around and it will grow. They didn't feel the \$3,000 cost was effective. The second project was the Hancock Community Education Foundation (HCEF). They have an ongoing event called "Save the Monarch Earth Day" which is held at their Robert W. Nichol Nature Preserve and Science Center. It will be April 27th. They requested \$850 and that money will be used to hire an educator to host and create five workshops with the remainder of the money being used for fliers, newspaper ads, Monarch bumper stickers, and printing for promotion. That application was approved. The Promoting Butterflies on the Byway Grant Program is on a rolling deadline every month until the funds are used up.

Ramie has been updating the committee on the Highest Elevation marker located in the Town of Hancock in past meetings. The latest discussion from the Department of Transportation is that they will support the signage both at a parking area if that can be coordinated and also signage to direct visitors ahead of time to warn them they are coming upon the highest elevation. They are looking into whether there is potential for a shoulder edge parking area along Neering Road, which is a town-owned road.

The Town Board of Hancock has been expressing concerns about the impacts of the Scenic Byway designation. They are worried about any negative repercussions; in particular, on the logging industry. The Hancock Town Board asked the Town Attorney to look into it with the DEC. There was a contact made to Bill Rudge, DEC Region 3, although Town of Hancock is in Region 4. Speaking Agencywide, Rudge did emphasize that they have no additional regulations as a result of Byway designation. The town board wasn't quite satisfied and are requesting someone from the DEC, preferably from Region 4 to come and tell them that. Glenn Pontier, the chairperson of UDSB, did point out that NYS is a sovereign state and there's more protection for the town to belong to the Scenic Byway than to be on the outside. Ultimately, the Committee passed a Resolution to express the board's support for the traditional businesses and economies along the Upper Delaware Scenic Byway, including bluestone mining, logging, fishing, hunting, trapping, and eel harvesting, with unanimous support. That is to reiterate that the Byway organization itself has no desire to impact any of those types of industries based on how important they are to our river valley and culture.

A Marketing Committee had been established and their task is to come up with an advertising plan for the \$8,500 which is included in the 2019 budget. Various campaigns were discussed including 1010 WINS radio in the Metropolitan area, WJFF public radio, Time Warner Cable Channel 6, New York Magazine, and Bold Gold Media. All of these ideas were broached at this meeting and the Committee was getting together after to discuss it in further detail and return to the next meeting with specific purchases in mind.

Regarding the Upper Delaware Visitor Center at Callicoon Train Depot, the Town of Delaware has won a \$20,000 Municipal grant from Sullivan Renaissance. They've opted to provide \$2,500 of that to the Depot Project. The Depot Project intends to use that for a Structural Integrity Survey of the building to make sure that all of the systems are functional and get a baseline condition of the historic structure before construction progresses. A quote has already been received for professional services for \$850.

Dudko had followed up with the Town of Deerpark Police Chief who at the last meeting provided statistics that 257 uniform traffic tickets were issued along the Hawk's Nest in a seven-mile section during 2018. The committee was interested in seeing what type of offenses those covered. The Deerpark Police Chief was helpful in providing those statistics which were shared with the committee. These 257 traffic tickets are only the Deerpark police agency. NY State Police has jurisdiction there as well. This information is to increase UDSB's understanding of law enforcement in that vicinity. There had been a complaint lodged about an alleged lack of law enforcement in that area.

In 2002 when UDSB was first dedicated, they produced a historic souvenir booklet. It described how it was constructed in the 1930s and had photos from that era. It described the dedication that took place initially. UDSB had done an inventory to see how many of those they still have (40) and have decided to start selling them. Experimentally they're now for sale at Narrowsburg Proper shop for \$10 each. As a historic booklet, it could be of value to people. If they seem to be a popular item, they'll be put on the website in the online bookstore as a fundraiser for UDSB. The next meeting is Monday, March 25th.

3/14 Scenic Wild Delaware River Geotourism Stewardship Council Report: Ramie shared that the National Parks Conservation Association had put this group together with National Geographic backing. Generally they have phone calls; in this case they got together for an in-person Spring meeting. Ramie provided a copy of the agenda in the meeting packet. This meeting took place in Layton, New Jersey at Peter's Valley School of Craft which has a Cooperative Agreement with the Delaware Water Gap to operate there. The meeting entailed reports about "where are we now with this organization" and "what can be done in the future". It was a small turnout; Ramie was the only Upper Delaware representative. They had produced a *Making Connections* Report in the Delaware Water Gap about the economy of the region. They then started to hold a series of community round table meetings where they got people together and talked about the future of the area. They are planning on doing the same thing for the Upper Delaware, based on the economic report released in October 2018. Ramie said UDC will certainly be involved. They will go to different areas of the Upper Delaware, get people together and talking, which is a good opportunity. All these various outreach efforts have been ongoing. They have a travelling road show if there is a public event with an audience and it's an appropriate place for them to exhibit. There is a website:

<https://delawareriver.natgeotourism.com/> They also have Facebook, Twitter and Instagram. The Twitter and Instagram handle is: SWDelawareRiver. It's a tourism page to drive traffic to the unique businesses and attractions in a nine-county area of the Upper and the Middle Delaware. The whole idea was to brand this area as a special place to visit and that what unites us, of course, is that river.

They introduced the new person who's taken over the NPCA- Pennsylvania and Delaware programs, Halle Van der Gaag, previously with the National Fish and Wildlife Foundation. Van der Gaag is Amanda John's replacement. Sharon Davis continues her work for NPCA.

Ramie referenced the handout that was provided about a campaign by the National Parks Conservation Association to seek funding to address the backlog of maintenance at all 417 NPS units. There has been legislation introduced both in the Senate and the House. The fliers address each different Congressional Bill and list the sponsors. NPCA is a advocacy organization so this is the type of thing they do, while also opposing things that should not be happening in National Parks. They have calculated close to \$12 billion in deferred maintenance at the National Parks. The NPCA also has a booklet celebrating their 100th anniversary, having been founded in 1919. Ramie also passed around their regular newsletter. Hamilton said the Scenic Wild Delaware River Region was the last one the National Geographic Society actually established. Ramie said it was the 22nd one throughout the world that was established.

Mongaup Hydroelectric Projects FERC license renewal: Regarding Eagle Creek Renewable Energy, Ramie said the handout provided is the next step in this relicensing process. They had public meetings that Boyar told us about. This is the follow-up to the release of that Initial Study Report. One letter is about the Initial Study Report and the second is about the final Whitewater Boating Assessment Study. Hamilton said they are evaluating whitewater boating on the lower three-miles of the Mongaup where they make releases. Something to keep in mind is anytime they put out 850 cfs to entertain those whitewater boaters it's that much less that comes out of NYC Reservoirs because it counts towards the Montague target. He said NPS will be evaluating this project under Section 7 of the Wild & Scenic River Act for projects above, below or on tributaries on the Delaware or designations. They will be looking at recreational, fish and wildlife, and scenic values and potential impacts. This is a project that influences the Delaware river upstream from the confluence because of the way water is managed in this system and it counts toward the Montague gauge. Hamilton said that's one of our questions for the River Master's presentation. He doesn't understand the history of decision where Lake Wallenpaupack and Mongaup releases got counted toward the Montague gauge. The River Master's Office has a dual responsibility of meeting the Montague flow target and conserving water in the basin. They don't want to go over the Montague target and if they are releasing from those Reservoirs they are going to cut back on what's coming out of the NYC reservoirs all the way down the river. Henry referred to a print-out he had from USGS Delaware River at Montague. It states that the flow is regulated by Lake Wallenpaupack, Cliff Lake, and by Pepacton, Cannonsville, Swinging Bridge, Toronto and Neversink Reservoirs. It's not just the Mongaup drainage, there's quite a few and this includes Lake Wallenpaupack. Hamilton said Cliff Lake, Swinging Bridge and Toronto all feed into the Mongaup system and are drained into and discharged from the Rio Reservoir. Henry said on their website it actually says they are counting Lake Wallenpaupack. Hamilton said it's a big balancing act and we need to weigh in on the what we think of how that's operated. This is the chance to have influence over how that license is managed. The license will probably be a 30 or 40-year license for the Hydroelectric in Mongaup System. Regarding the Whitewater Boating Assessment Study Report it is very focused on whitewater boating on the lower Mongaup for recreation that the Canoe and Kayak Club of New York City and others lobby and advocate for. They always have representatives at these meetings. Hamilton said he thinks we're going to have a hard time agreeing with that kind of release when it has the effect on the river as it does. There are lots of stakeholders. It's more than a waterpark. Boyar said an artificial waterpark that didn't exist 20 years ago has been created. Boyar said you go through the population from Sparrowbush to Hancock and he doesn't think you see a lot of whitewater people running down there to participate. Hamilton said the rules for water management in this basin are in place and dictating the decisions that the River Master's office has to make. NPS is going to have a hard time agreeing to that kind of release continuing because it takes that amount of water out of 69 miles of our river above the Mongaup, so it's not something NPS can support. Ramie asked what the comment period is, as the license expires March 31, 2022. Hamilton said FERC cannot issue a license for this project until NPS signs off on the Section 7 Evaluation and their concerns are met. Ramie asked him to keep the UDC updated. Hamilton said he thinks it's great that the River Master's office is coming to give a presentation at the full Council meeting on April

4th. Ramie said they are prepared for your challenging questions because it was this committee's letter that prompted them to come talk to us. Boyar said when he had brought up an issue on their use of the waters of the Mongaup System he received many emails from Trout Unlimited (TU) chapters around the state asking for an update and it's very hard to detect if there's any reaction or response. Hamilton said the U.S. Fish & Wildlife Service has someone involved in these meetings and he's a very good person to have at the table. His contact is John Wiley, Jr., Fish & Wildlife Biologist, U.S. Fish & Wildlife Service New York Field Office (Region 5), 3817 Luker Rd. Cortland, NY 13045, phone: 607-753-9334 email: john_wiley@fws.gov

Other: Henry asked what the status was of the Long Eddy access. Ramie said the Delaware Highlands Conservancy did a GoFundMe Campaign to help offset the cost of the property purchase and that's the last that UDC heard. Hamilton said the road that goes down to the river belongs to the town. His understanding is Delaware Highlands Conservancy purchased a piece of land next to the town access. DEC was going to purchase that from them and proceed to develop some kind of access there. Henry said it would be worthwhile to ask someone from NYS DEC what the status is. Henry said Greier told him there are three public accesses in the Town of Fremont. One of them is at Kellams-Stalker Bridge. It has a DEC parking lot but you have to drop down and it doesn't have the easiest accessibility for fisherman or boaters. Greier said there is one on the lower end of Long Eddy that is upstream, above the town. You drive across the train tracks to get to it. Everybody uses it because the Town access during fishing season is busy. Henry asked if it was public. Greier said yes, but it's a little rough, whereas the town access is paved all the way to the water. Henry said people have asked him about this and he's been on the river with groups and he has seen groups chased away from that particular area. Henry doesn't remember there being any markings telling the public that it is town or public property. He said the public needs to know there is limited access. Ramie said she knows there are still signs up in Long Eddy that say "DEC Access" with a red line through it. There was community opposition to the proposal to improve that site. Hamilton mentioned there is an access in Basket Creek. None of the accesses in Long Eddy are easy to access the river. Henry said the access Greier mentioned; the town road that's next to the DEC's proposed purchase area, that is an ideal one but as was said that gets stacked up with an awful lot of fisherman. Greier said it's the only paved access on the whole river. The only thing is it gets congested and all around it is owned private property. People feel like they are being taken advantage of when others leave their trailers there. That's why Steve Adler from the factory closed his parking lot off. Hamilton asked if the businesses benefit from the people using the river? Referencing Adler, Greier said Adler would have to send a crew out on Monday morning to clean the parking lot from all the garbage. Regarding the Town of Fremont's position on the access on Ferry Street, the town has maintained it and it will always be a town access. because they want the local people to have an access. It gets congested enough without it being advertised as a DEC access. The property the Conservancy bought is not big enough to make it on its own. Greier said Don Downs has just put his property up for sale and that's adjoining the Conservancy's property. Greier said that would make six or seven acres and perhaps conform to an access site RMP. He said if the DEC is really focused on building an access, that would be the place to do it. Hamilton said he doesn't think he knows of any river accesses that are six or seven acres. Greier said that's what it calls for in the RMP, at least 5 acres. Discussion ensued. Ramie asked if there was a dilapidated building they were going to tear down on that Ferry St. property the Conservancy bought? Greier said it's still there and hasn't been demolished.

Henry was reviewing old notes and some of the worst droughts were in 1981, 1984, 1985, 1988, 1989, 1991 and 1992. Henry read notes from information by Russ Fieldhouse who was the Region 4 Fisheries Manager. The 1985 drought was worst. Fieldhouse estimated one-third of the West Branch trout population died. The committee has talked about fish-kills and Henry asked Jim Serio and Dr. Peter Kolesar if they had ever documented a fish-kill. Henry felt this was noteworthy information. It may be worthwhile contacting them for records because they should have some information about 1985. Peckham asked when the valves were changed in Cannonsville. Hamilton said in the mid 90's. Henry said the first drought of record since NYC started record keeping was 1930-1931. Serio previously said the mid-1960's were some of the worst years. Hamilton asked if there was information about air temperature at that time? In the mid-80's there were some pretty hot summers. Henry he was referring to his WU/RM notes from January 15th, 2002.

New Business

Grant Support for Sullivan County Highland River Access Improvement Project: Ramie said that this matter came up at the 3/7 full Council meeting when Heather Jacksy from Sullivan County Planning was asked for a letter expressing support for the Highland River Access Improvement Project. Ramie wanted to bring the draft support letter for the National Fish and Wildlife Foundation grant application through the committee in consideration of passing it on to full council for a vote. Henry asked if they had gotten funds? Ramie said no, this is their attempt for funds through this grant. Last time it got rejected by the NYS Consolidated Funding Application process; it didn't score high enough. Motion by Henry seconded by Dudko to send draft letter for grant support for Sullivan County Highland River Access Improvement Project to full Council carried. Dudko said this is dear to her heart; her father, Lew Schmalzle, advocated for this years ago. Boyar said this is an existing access in Highland, yes it's going to bring more people but if there were more of these accesses it wouldn't be so concentrated. Dudko said her father said years ago it's a shame that people, particularly local people, can't get on the river in many of our towns. Local people shouldn't have to go to a livery to get in the river or throw in a fish line.

Delaware River Flow and Storage Report: A copy of March 18th NYC Current Reservoir Levels was provided in members' packets. Total combined storage was at 92.8%. Normal storage for the same date is 92.7%.

Other: Ramie provided the agenda for the Subcommittee on Ecological Flows (SEF) meeting at Lake Wallenpaupack Environmental Learning Center on March 25, 2019 starting at 10:00 a.m. ending at 3:30 p.m. Kolesar and Serio will be discussing Thermal Modeling. If anyone would like to attend they have a chance to with the local meeting. Boyar said he had dinner with Kolesar this evening and he said he spent all day on these models. He doesn't get paid for this work and it's incredible the amount of time he donates. Ramie said which is why UDC has previously awarded Kolesar and Serio with our Distinguished Service Award.

Henry was reviewing old notes and said you often hear about water going into the reservoirs. 1" of rain in the Pepacton reservoir is about 6.45 billion gallons and to release that 1" of rain would take about 13 days, wide open if they are running at 486 million gallons a day (mgd). There are attenuation qualities to the reservoirs but many people wonder why they can't release water quicker. The fact is when they get that much water going in, even in Hurricane Ida there was a huge amount coming in and only half going out. These huge reservoirs when filled, the spillway can hold back a lot of water from upstream but you can't dump it from the valves quickly. Henry said in 1955 during Hurricanes Diane and Connie Barryville was 130,000 cfs for 26.40 feet and Port Jervis was 233,000 cfs. In June 2006 it was 151,140 cfs for 29 feet. They surpassed the 1955 flood.

Henry brought up State River designations, which Peckham had mentioned it at the last full council meeting. He had asked do NYS and Commonwealth of Pennsylvania have Upper Delaware Scenic and Recreational River listed as a State River? The answer is no. Both states recognize it in the fact that they'll say it has Federal designation but it's not listed in the State's Wild and Scenic Rivers listing. Ramie said when this came up at the full council meeting we discussed that it is not on any NYS registry. Ramie did recall when Marian Hrubovcak was the Pennsylvania DEP representative to UDC, she worked on a petition to get the Upper Delaware recognized. She remembered there was a plaque presented for it which was hanging on the wall and it reads "The Pennsylvania Rivers Conservation Registry" from March 15, 2003. Ramie looked back at the press release that we issued stating that the PA DCNR Secretary had approved a petition submitted by the UDC to add the Pike County portion of the Upper Delaware Scenic and Recreational River to the Pennsylvania Rivers Conservation Registry. Registry status brings state-wide recognition to rivers or river segments in communities which have completed river conservation plans. Ramie said it was essentially a way for Lackawaxen, Westfall and Shohola Townships to qualify for grants because they have this status. It mentioned in the 2003 press release that DCNR's Rivers Conservation Program offers \$1.3 million in priority grant funding annually. That was a petition drive, each Township passed a Resolution in support of doing this and UDC submitted it on their behalf using the RMP as a guide. Secretary Oliver is quoted from his Jan. 10, 2003 letter stating, "It is my understanding that the Final River Management Plan developed for the Upper Delaware Scenic and Recreational River has served the Upper Delaware Valley well and over the years has fostered a river stewardship commitment of many townships, towns, the states of New York and Pennsylvania, and the Delaware River Basin Commission to work in partnership with the National Park Service and the Upper Delaware Council." In the Summer 2003 issue of the newsletter, it reported the announcement appeared in the *Pennsylvania Bulletin* on March 15th and that meant it was officially added to the Rivers Conservation Registry. Ramie wonders if UDC can do that for the Wayne County Townships as well which joined the UDC in 2008. Henry said it may be in the registry

but when you type in Delaware River, none of the Delaware is listed as being in the Commonwealth Scenic and Recreational water system. The Federal designation is not under the State listing. Henry asked if UDC could ask Rhonda Manning, the UDC's Representative from PA DEP, who is the River Basin Program Coordinator. Hamilton said he thinks they recognize it as a Federally designated river but it's not part of their state system. Henry said because it's a border river it seems that NYS and the Commonwealth of Pennsylvania were hesitant to say "We will accept that in our state system, because this part belongs in NYS...". Ramie said it was also designated a "Delaware River Water Trail" at one time as well as a Geotourism site.

Public Comment: None

Adjournment: A motion by Dudko, seconded by Peckham, to adjourn the meeting at 8:13 p.m. was carried.

Minutes prepared by Ashley Hall-Bagdonas, 3/28/19