

Upper Delaware Council
WATER USE/RESOURCE MANAGEMENT COMM. MEETING MINUTES
May 19, 2015

Committee Members Present: Tony Ritter, John McKay (7:25 p.m.), Al Henry, Deb Conway, Pat Jeffer
Committee Members Absent: Andy Boyar
NPS Partner: Don Hamilton
Staff: Laurie Ramie, Cindy Odell, Travis O'Dell
Guests: None

The UDC's Water Use/Resource Management Committee held its monthly meeting on Thursday, May 19, 2015 at the Council office in Narrowsburg, NY. Chairperson Ritter called the meeting to order at 7:00 p.m.

A motion by Henry seconded by Ritter to approve the April 21 meeting minutes was carried. There was no public comment on the agenda.

Old Business:

D&H Transportation Heritage Council 4/22 Meeting Update: Ramie reported that this quarterly meeting was held in Wurtsboro, New York. She reported there are now 7 full voting members and 12 affiliated or individual members. The uptick in affiliated members was attributed to the news release that the Council had issued after the last meeting. She said that a question had come up as to whether individuals could be allowed to vote if they paid the \$40 dues for full membership as opposed to the \$20 dues for affiliated, non-voting member category. After much discussion, it was decided that the bylaws prevail and one person per full member organization can vote.

Ramie said it was reported that a representative of the NY-NJ Trails Conference who attended the Western Orange County Trails Forum on March 26 said that one vision was for urban/metropolitan people to come to the area and spend a day that does not involve a vehicle. Ramie described a train-cab-hike scenario that could be accomplished. She shared details with the Council of the pilot initiative, the Upper Delaware River Valley Eagle Express, noting that the first experimental run will take place the weekend of June 26th.

Ramie said the records and archives of the D&H THC were discussed. Currently, the individual officers keep the records. She added that Paul King, a professor from the NYC College of Technology, has offered to help with the project of consolidating, naming, and digitizing them into one source location.

Interest was expressed of compiling a list of all the hike-able sections of the canal that are accessible and currently available to explore. It was suggested that the list could be posted on the Council website and printed as a handout to distribute through the museum sites.

The next quarterly meeting is scheduled for July 22 at the D&H Canal Park at Lock 31 site in Hawley, PA.

Upper Delaware Scenic Byway 4/27 Meeting Update: Ramie reported the election of officers took place. Chairperson Nadia Rajsz; Vice-chair Ed Boyer; and Secretary-Treasurer Larry Richardson were re-elected for another term.

Ramie said that much discussion took place about coming up with a video to promote the Byway. Different ideas on how to approach this were shared. Videographer Isaac Green Diebboll attended the meeting and shared his insights. Ramie spoke of the ideas and noted that no decision had been made by the end of the discussion. The committee hopes to solicit more input.

Ramie said the Town of Tusten is planning the installation of a solar array which consists of 360 new photo-voltaic panels, 300 watts each, at the Tusten Town Barn property along NYS Route 97. An advisory opinion of the Byway committee had been requested by Tusten Planning Board Chairman Ed Jackson. Tusten Supervisor Carol Wingert was in attendance and explained the project to the members. The committee reviewed the site plans and decided to write a letter of support as an environmental benefit project and suggested the Town work with the Narrowsburg Beautification Group on landscaping.

The letter written by Westfall Township regarding noise pollution at the Hawk's Nest was discussed at this meeting, Ramie noted. The decision made was to write a letter to the Westfall Township

Board of Supervisors with copies to New York State Police and the Deerpark Police stating that motorcycles are part of the byway's tourism effort but the UDSB does not support excessive noise or speed, and that the aim is to promote a good visitor experience for everyone who travels on the Byway.

Ramie said a March 23rd letter of response from PennDOT regarding the Narrowsburg Bridge rehabilitation project was discussed. The letter stated that the Byway's March 5th letter was forwarded to the consultant designer for coordination and inclusion of the next public outreach meeting.

Ramie reported that the Byway received a letter from Assemblywoman Aileen Gunther in response to its correspondence to NYS DOT requesting 2015 construction and maintenance plans for Route 97. Gunther's letter states, in part, "Rest assured, I understand how important proper road maintenance is, particularly in such vibrant tourist areas and will do all I can to work with NYSDOT to address your concerns." A discussion took place about the patching of potholes on Route 97. It was decided another letter be written to NYS DOT requesting paving from the Orange/Sullivan County border to the Tusten/Cochecton line.

The Upper Delaware River Eagle Express was discussed. Rajsz reported that the exact pick up and drop-off location in Pond Eddy is still being confirmed. The committee will issue a news release supporting the initiative once the reservation portal at www.scva.net/eagleexpress goes live.

Ramie noted that advertisements were placed in the *River Reporter* and *Sullivan County Democrat* to solicit applications for secretarial help for the Byway.

Ramie said the April 23 news release from NPS, "Tourism to Upper Delaware Scenic and Recreational River Creates \$11,235,700 in Economic Benefits" was provided in members' packets as well as a copy of an April 16 *River Reporter* article about Senator Schumer backing the Port Jervis White Water Park.

Ramie said Ginny Dudko shared an idea that some of the towns along the Byway should consider applying for a UDC Technical Assistance Grant jointly to put together a pamphlet of historic markers or sites along the byway.

Ramie said that Dorene Warner will be invited to the next Byway meeting to discuss a more mobile-friendly website.

Ramie concluded that the next meeting of the Byway is scheduled for Monday, June 1. This is re-scheduled from May 25 which conflicts with the Memorial Day holiday.

Ritter suggested checking with the Delaware Highlands Conservancy about the videographer who produced their Long Eddy River Access fundraising campaign video. He questioned if the Byway is associated with any social media and spoke of the local National Park Service's Facebook page. Ramie said the Byway does have a Facebook page that has not been too active in the past, but noted Deb Conway has offered to become an administrator and post more updates.

Sullivan County IDA 4/30 Hearing Report: Narrowsburg School: Ritter referred to the handout in members' packets which contains the public hearing comments. O'Dell said that he and Ritter were both in attendance at this hearing. O'Dell stated that earlier today, he received site plans for a proposed ice cream manufacturing plant in a portion of the school. The company will rent the space from the Weiden's. A public hearing will be scheduled. O'Dell noted this proposed use was not announced at the time of the IDA hearing. Discussion of the proposed project took place.

NPS Water Safety Committee & Partners 5/1 Meeting Report: Ramie noted that she and Odell both attended this meeting held at Konrad's Kitchen in Yulan. The meeting was also attended by people from NPS UPDE, National Canoe Safety Patrol, livery businesses, and Penn DOT and NYS DOT representatives. The DOT representatives provided overviews of the Pond Eddy Bridge replacement project and the Narrowsburg Bridge rehabilitation project. She reported it was learned a new rule will be enforced by the PA Fish & Boat Commission. It was stated that to launch from a PA Fish & Boat Commission access, a launch permit will be required to be affixed to each vessel. This will apply to canoes, kayaks, and rafts. Tubes may not be launched or retrieved from those PA accesses. They are allowed to be on board a boat but are classified as swim aids, not vessels. The fee involved is \$10 for a one year permit and \$18 for a two-year permit per boat. Henry was surprised this information had not been brought to the Council by either the Pennsylvania representative or Park Service. He suggested we get more information regarding this rule. Henry made a motion that a letter be sent to the Pennsylvania Fish and Boat Commission. He wants to ask them why the Upper Delaware Council was not notified so that this information could be shared with visitors to the area. Ritter suggested a grace period be put into effect. Members shared their

concern for visitors coming to the area not knowing of this new rule. Henry said that in the past, non-powered vessels in the Upper Delaware had been exempt from needing a launch permit or registration at the PA accesses. Ramie shared the launch permit application obtained from the Fish and Boat Commission website. The motion to send the letter to request more information on the rule was seconded by Conway. That motion carried.

Ramie referred to the "Pond Eddy Bridge Replacement Construction Staging Overview" handout that was provided at the 5/1 meeting and provided in members' packets. Henry referred to the question section of the 5/1 meeting report. He noted one of the questions reads "Won't the causeway constrict water and create waves during high water incidents?" The answer reads "Engineers will be able to balance the height of the causeway to avoid backwater issues. This was the best hydraulic situation of the various scenarios that were examined." He does not feel this is possible.

DRBC 5/5 Webinar: One Process/One Permit Program Report: O'Dell said he participated in this webinar. He said this is an effort to streamline the permitting process. The One Process/One Permit Program relies upon administrative agreements between the DRBC and each state agency to identify what regulatory programs and which specific projects are eligible to be managed through a single process resulting in one decision or approval. The program will continue to require that the more stringent of the DRBC or state requirements are included in the permit. Implementation will occur on a state-by-state basis when the agreement for each state goes into effect. It is anticipated that DRBC and New Jersey DEP will enter into an agreement that will allow for a New Jersey "demonstration" program. Applicants will still need to pay fees to both DRBC and NJ DEP during the demonstration program. The demonstration will end at the effective date of new DRBC rules for the One Process/One Permit Program. However, if new rules for the program have not been put into effect, the demonstration program will end on January 1, 2016 or when eight demonstration project applications have been processed under the program, whichever is later. Written comments on the draft rule will be accepted and must be received by 5 p.m. on Wednesday, July 1, 2015.

Eastern Shale 5/11 Teleconference Update: T. O'Dell referred to the notes in members' packets. He stated that Mary Krueger, National Park Service Energy Specialist for the Northeast Region, has been working closely with the Federal Energy Regulatory Commission (FERC). She spoke of the FERC permitting process. O'Dell referred to the new legislation documented on page 2 of the handout. He said he does not feel any of it affects the Upper Delaware Region. O'Dell said this call is led monthly by Mary Kruger whom he had the opportunity to meet during the NPS Gas Summit tour in September of last year.

Sullivan County Trail Committee 5/12 Meeting Update: Ramie said she attended this meeting in Monticello. She reported that there is a deadline of July 31 to apply for both the New York State Regional Economic Development Council consolidated funding and Governor Cuomo's Upstate Revitalization Initiative, which is making \$500 million available for economic development. The mid-Hudson Region, which does include Sullivan and Orange counties, is eligible to compete. Ramie noted that trail development is part of the strategy that is being considered for those applications. It requires having a five-year plan in place. Orange County Planning Commissioner David Church has offered to pull together a database of regional trail efforts. The latest CFA round opened May 1st. Ramie reported that the NYS Office of Parks, Recreation & Historic Preservation has \$16 million available. Three upcoming workshops are scheduled, none in Sullivan County. Heather Jacksy of Sullivan County Planning is planning a local meeting for river valley interests in early June. Recreational Trail Partners, another funding source, has \$1.2 million available with awards up to \$200,000. This funding does require ownership of the sites to be developed and offers a 80/20% match.

Ramie said that in addition to an inventory chart of existing trails in the county, the committee will start a new table to identify potential new trails and connectors among current trails. It is hoped that volunteers can be found to go out and assess site conditions.

Town of Bethel Supervisor Daniel Sturm spoke of plans to develop the Forest Reserve at Smallwood. This is a 124-acre easement they hope to win grant funding for to create a recreational park.

Ramie said the committee wants to start compiling signage standards in use by other organizations to come up with a design protocol that will be complementary for county trails in order to have some uniformity and avoid a proliferation of multiple designs.

The next meeting is scheduled for June 9th. It is hoped that Orange County Planning Commissioner David Church and representatives of the NY-NJ Trail Conference will be in attendance to speak to the committee.

NY/PA Joint Interstate Bridge Commission 5/13 Annual Meeting Report: Ramie noted that the press release included in members' packets had already been emailed out in advance. The release represents a summary of this meeting which took place in Dunmore, PA. Ramie said the Commission announced that a public meeting will take place in July at a date and location to be determined to provide an update on the Narrowsburg Bridge Rehabilitation project. This comes in response to the letter writing campaign expressing concern over the wait and negative impacts of any potential bridge closures to accommodate the repair work. Much discussion about the Pond Eddy Bridge replacement took place, Ramie stated. The press release contains information regarding the other projects on the schedule. These include rehabilitation to the Cochection, NY-Damascus, PA bridge and Skinners Falls, NY-Milanville, PA bridge. The Callicoon, NY-Damascus, PA bridge is going to require major rehabilitation. A consultant is being selected to guide that planning process. Carla Hahn of the NPS suggested that NYS DOT and Penn DOT consider holding a joint public meeting in the Upper Delaware River Valley to discuss the timing of all the pending bridge work to avoid issues with overlapping closures. Ramie said they seemed receptive to this idea and said they feel it could be a good opportunity to inform people about the function of the NY/PA Joint Interstate Bridge Commission. A brief discussion about the proposed July meeting took place. Henry questioned if the Council had gone on record requesting that the proposed meeting not be held with the same open house format as the one held September 18, 2014 at the Narrowsburg Fire Department. Ramie said not recently. Henry made a motion that a letter be sent to PennDOT with the UDC's offer of assistance and format recommendations. That motion was seconded by Ritter and carried.

Other: Ritter said he received an email from staff on May 13 regarding NYS DEC's release of the Final Supplemental Generic Environmental Impact Statement (FSGEIS) for high-volume hydraulic fracturing. Ramie stated that after a required 10-day period, DEC will issue its formal Findings Statement, in accordance with the State's Environmental Quality Review Act (SEQRA). Ritter asked for confirmation that it is final. O'Dell told him yes.

Ritter referred to the copy of the *Sullivan County Democrat* editorial titled "Water, water..." from the May 19th edition in members' packets and referenced an article in the May 14-20 edition of *The River Reporter* titled "Low Flows in Upper River System Impact Tourism." Both articles speak of the low flows and warm temperatures and their effects on the local economy. Ritter said he heard that many guide businesses that target cold water species had to turn away customers for as long as four days last week. He reported that the current release out of the Cannonsville Reservoir is 160 cfs. Ritter noted that the month of May is the peak time for commercial fly fishing resorts and outfitters and to turn away trips when the reservoirs are almost at 100% capacity, he does not understand. A very lengthy discussion about reservoir capacity, releases and temperatures took place. O'Dell noted that by June 1st, New York City wants to have the reservoirs full and they are not there yet. Conway asked if the liveries have an organized voice to request releases. McKay said he has not observed much traffic on the river. Ramie stated we have not heard anything regarding the FFMP renewal which is in effect through May 31, 2015. Hamilton said he has not heard much movement on it.

New Business:

DRBC Response: Mast Hope Mountain Community & Berlin Township Wastewater Treatment Plants: Ritter referred to the DRBC response letter provided in members' packets. Ramie noted that Henry posed the question regarding the DRBC compliance review differences between the Masthope and Beach Lake Municipal Authority Wastewater Treatment Plants at the April 2 full Council meeting. Henry said he read the response and intends to share it with the Berlin Township supervisors. Henry spoke of the fine imposed on the Beach Lake Municipal Authority for failure to monitor for three parameters required in the docket but not included in its NPDES permit. He explained that a municipal authority employee hired to conduct monitoring for Berlin Township failed to monitor for the three parameters as it is not a requirement of Pennsylvania. Ramie expressed appreciation for Najjar's response.

NRCS Regional Conservation Partnership Program (RCPP) Funding Coverage Area: Ramie said this topic came up at last month's committee meeting during the Common Waters Meeting update. She noted the question was raised about the NRCS Regional conservation Partnership Program, specifically who will be eligible for that funding. Ramie said she reached out to Stephanie Dalke of the Pinchot Institute. Her email response read, "I'm preparing a summary/overview to share ASAP. We have not yet gotten confirmation from NRCS that the final agreement has been approved, so we are still waiting to begin any real outreach about the opportunity. What I can say right now is that the entire Common Waters Fund area is included in the program, so that pulls in much of Wayne and Sullivan counties and a bit of Delaware Co. that are not in the cluster. Also, landowners applying for financial assistance will need to meet the eligibility requirements for EQIP and be registered with their local FSA office. We have not yet finalized the application ranking criteria with NRCS, but hope to incorporate the Common Waters Fund priority layers into what NRCS already uses." Ramie said when we receive the summary Dalke refers to, it will be shared with members.

Delaware River Flow and Storage Report: Ritter reported that total storage for the New York City Supply System as of May 18 was 97.8% while normal is 98.1%. He noted that average precipitation has been below normal for the last six months. Ritter spoke of the drought of 2002. He noted that in April of that year, the reservoir level was at 50% and got down to less than 10% by September of the same year. Ritter feels that New York City never wants to repeat that scenario again. Henry recalled that the river was "pea green" during that time as they had dumped all the contents out of the Cannonsville Reservoir.

Other: Henry said he received a phone call at home from Fred Reber. He stated that he does not conduct UDC business out of his house. O'Dell said he spoke with him. He called in response to the Town of Highland's receipt of the UDC letter requesting more information about how the livery business was permitted. O'Dell said it appeared there was some confusion about the request. O'Dell informed Mr. Reber that it is the UDC's role to review projects within the corridor and we had not received any information regarding this project. O'Dell said he has received via fax earlier today the building permit and minutes from the 2013 planning board meeting when it was approved. Discussion about the business operating on state owned property took place.

McKay suggested finding out if the Upper Delaware River is exempt from the requirement for non-motorized boats needing launch permits to launch from the PA Fish and Boat Commission accesses as this was the rule in the past. Ramie said we are definitely following up on this. She said the letter will address this exemption.

McKay told Hamilton that he was pulling in the road to his cottages earlier in the week and came across a DRBC truck. He said the occupants told him they were sampling water. McKay questioned the redundancy of the sampling. Hamilton said they are sampling for some different constituents up here. McKay asked Hamilton to provide him with the contact information of the DRBC employees.

Ramie referred to the Watershed Stewards Training handout in members' packets. The training will take place on June 12 from 9 a.m. until 4 p.m. at the PPL Environmental Learning Center in Hawley, PA. Interested persons can call Ginny Fiero at (570) 685-4871 by June 5th to register.

Ramie displayed a copy of the DVD of the PA Cable Network's "PA Books" interview with S. Robert Powell from the Carbondale Historical Society about the D&H Canal Company Gravity Railroad. She said it is very interesting and lasts one hour. If anyone would like to borrow it, they are welcome to. Henry said he would like to borrow it. Conway said she would be interested in borrowing it after Henry.

Public Comment: None

Adjournment: A motion by Henry seconded by Jeffer to adjourn the meeting at 8:43 p.m. was carried.

Minutes prepared by Cindy Odell, 5/26/15