

WATER USE/RESOURCE MANAGEMENT COMM. MEETING MINUTES
February 18, 2020

Committee Members Present: Andy Boyar, Ginny Dudko, Fred Peckham, Al Henry, Dan Paparella
Committee Members Absent: Pat Jeffer
Staff : Laurie Ramie, Ashley Hall-Bagdonas
NPS Partner: Don Hamilton
Guests: Bill Dudko, Cheryl Korotky

The UDC's Water Use/Resource Management Committee held its monthly meeting on Tuesday, February 18, 2020, at the Council office in Narrowsburg, NY. Chairperson Boyar called the meeting to order at 7:00 p.m.

A motion by Peckham, seconded by Henry, to approve January 21, 2020 amended meeting minutes was carried. There was no public comment on the agenda.

Old Business

1/22 D&H Transportation Heritage Council Report: Ramie said this group meets quarterly; this time they were in the City of Port Jervis for the 1/22 meeting. The first order of business was to elect for the 2020 to 2022 term for Chair and Vice-chair. Bill Merchant, who is with the D&H Canal Historical Society in High Falls was elected as chair. Cliff Robinson, Jr. who had been the Chair is now the Vice-chair of the group.

Most of this meeting was spent on a presentation from the NPS by two historians from Region 1. Amanda Casper is based in Philadelphia and Bethany Serafine is based in Vermont and Boston. They were there to discuss with the Council the update on the National Historic Landmark (NHL) nomination. In 1968 five areas along the D&H canal route were designated for this NHL status. There are only 2,000 of these historic landmarks in the whole country. Ramie said it's a prestigious honor to be included and you have to make your case for what the story is that you're telling with those resources. In this case, it's transportation and engineering of the canal. The Washington office of the NPS has identified that nomination as outdated. It was done under a system that they don't use any more of individual properties linked together rather than a district of properties. It's come to their attention that it should be updated. It's not an easy process. They estimate it would take three to five years to do all of the historical reviews and around \$50,000 because you need to hire a consultant to oversee that work. The process includes documentation with original historic sources, writing the nomination, peer review, and then you submit it into a queue that the National Historic Landmark Committee would consider. Ramie said the problem is there is no National Historic Landmark Committee active right now so anything that they prepare at this point is hypothetical to be presented when such a committee is in place. They are not talking about removing any components of the current landmark status but there could be consideration of adding more. That could only be done with the consent of any property owners involved as a requirement. Ramie said someone asked the logical question of: "Why bother with all of this? What incentives are there?". What it means is that when any sort of federal project is proposed properties designated as on the NHL have to be given extra consideration when that Section 106 review is triggered. They have to assess what impacts it can have on those identified resources and if it would have any then they have to mitigate it. This is how you see things develop like interpretive signage along the Casey Highway as an example of mitigation that had to take place. The area for this NHL is from Honesdale to Eddyville, specifically. It doesn't include the Gravity Railroad currently, but it could potentially. The NPS could help by writing a scope of work for this project and doing a lot of the historic documentation but they were there at this meeting to make the first presentation to see if that's what everybody wants. If so they are waiting for the final budget allocation to be made to know how much Federal funding can go into this project. Boyar said we're in a Wild and Scenic Recreational area with the NPS but the majority of the canal is outside of the NPS's jurisdiction isn't it? Ramie said the NPS nationally takes care of everything, if you will. This isn't the Upper Delaware proposing it; it's the Federal agency and they're looking for historic sites.

Ramie said the DHTHC has produced a series of DVDs 15 minutes in length or so to talk about the canal's history, significance, and how it came to be. Now they are filming Chapter 4 covering Port Jervis to Spring Glen and the final DVD, Chapter 5, will be wholly within Ulster County. There are just a few days of filming that need to be done. These are all done in-house with Bill Bollinger who is from Bollinger Rutter Video Production Services. Ramie said he's very good in taking historic photos and showing what's there currently, using music, and having local speakers who are experts in that area to discuss it. At each meeting they go over the inventory of how many of these DVDs are left in the various collections of the historical societies and order more as needed. They have been quite popular. The closest place to purchase the DVDs is the Wayne County Historical Society Museum in Honesdale at a cost of \$10.

Ramie reported the Council has regained access to the website and Dorene Warner from W Design has taken over the administration to update it.

A report was given about the 11/2 D&H Canal bus tour tracing the route from Lackawaxen to Port Jervis. Cliff Robinson, Jr. had organized it. It was unfortunate that it didn't sell out because there were 32 guests and it was a 44 seat bus. That trip went well though and Ramie covered it in the newsletter with photo.

The Outdoor Club of Port Jervis was the newest member to join at this meeting. They mentioned that they started with six members and now they're up to 250 and have an email list of about 2,000 people. They are dedicated to connecting and maintaining trails in the Port Jervis vicinity and have been extremely successful. They won a \$1.7 million grant from the Pinchot Institute. They were mentioning their experience with trail for the sake of the D&H which is also trying to link existing trail sections. They feel that people are more responsive to approaching trails for their recreational value rather than historic preservation.

The next meeting will be 4/22 and the Pike County Historical Society has offered to host at the Columns Museum in Milford because they have a new exhibit that opened 1/25 focusing on the life and times of the people who operated canal boats and the effect of the canal in the small communities along the Lackawaxen River and the D&H Canal during the heydays of the canals. The meeting will consist of a tour of that exhibit at 10:30, an optional lunch gathering at the Milford Diner at 11:30, then the business meeting back at the Museum from 1-3:30. A copy of the full minutes is in the packets.

1/27 Upper Delaware Scenic Byway Meeting Report: The UDSB meeting was held on 1/27. A draft budget for 2020 was developed and reviewed. The only change made was they agreed to raise the Advertising and Marketing budget to \$15,000 because that is a core feature of the UDSB to promote the highway and the communities along it. They also retained the services of an accountant in Hancock to prepare the IRS and NYS charities bureau filings.

It was announced in Barryville that it was decided the Butterfly Ball which has been organized by the Greater Barryville Chamber of Commerce the last few years is now being taken over by the Farmers' Market Committee. They are looking to make it more educational about pollinators and schedule it around harvest time. The Butterfly Bike Ride will not be repeated due to having too many safety issues and it may be turned into a walk. Coverage of last year's Butterfly Bike Ride can be found in UDC's *Upper Delaware* newsletter.

Ramie said a big topic at this meeting was the Federal government is now accepting nominations for National Scenic Byway status and All-American Road designations. Ramie said a lot of members of the committee had participated in a conference call about the details, and the pros and cons. There was an offer to make a presentation about it but at that point, enough people had participated to feel that it is more of a symbolic designation which doesn't bring any additional funding. It actually costs money to hire a consultant to put a fairly onerous package together to apply for the status. UDSB is now designated through the NYS Legislature and there would be the option of applying to become a National Scenic Byway but there were several reasons to not proceed with that. There are still two Towns that don't participate in UDSB, the Towns of Fremont and Hancock. That's 20 miles of the road that is discontinuous. Ramie said that's a little awkward because you just represent it with a dotted line on the map where the gap is. The other consideration is they want to have a Corridor Management Plan which is up to date. The Enhancement Concept Plan for the UDSB was produced in 2002 and it hasn't been updated since. There hasn't

necessarily been a need to do so but that was thought to be too old. If any efforts take place it may be best to put energy into updating that plan rather than seeking this designation. Also, the committee would have to shoulder the expense of hiring a consultant to put this together and the nomination deadline is 5/15. Ramie said it was considered too much to take on at this time. There may be another opportunity when the nomination process opens again and it may be reconsidered.

The Sullivan County Legislature has awarded \$25,000 through the 2020 Legislative Discretionary Contract Funds for the UDSB. That is a \$5,000 increase over the last several years. That is largely through the advocacy of Nadia Rajsz who is a Legislator and has always been supportive of UDSB as a former representative, Town Supervisor, etc.

The UDSB dedicated some time to talk about the Upper Delaware Clean-up. Paparella had attended the meeting and discussed what the general plans are. UDSB wants to participate. They have funding for training and programs and they would like to be involved in a seminar or celebration at the end of the cleanup, both to recognize and express appreciation for the volunteers and to do some sort of training. The idea is to talk about what to do with recycled products and the innovative options that are out there. They have a few ideas for speakers. That would be a program on 4/25 likely in Narrowsburg. They will explore ideas further at the 2/24 meeting.

On 11/15 there had been a reconnaissance tour within the Town of Highland. They have funding to do selective vista clearing and there was an area there identified as in need of assistance. Since that tour took place the DOT has been looking into what the options are. They did offer that a herbicide crew can spray invasive species between the road and the river in certain sections and also kill the poison ivy there. It was asked what the NPS would think of that idea. Susie Kaspar of the NPS was in attendance and said she would check with Natural Resources Chief Don Hamilton. Ramie said the main question is what is the product they would use for these invasive species. Hamilton said they have reached out to Kris Gilbert of NYDOT and requested a copy of their Integrated Pest Management Plan to find out what herbicides they are using. He said he will be able to follow-up with that information for the next UDSB meeting. Ramie said their other offer was to do the over-the-rail mowing. DOT asked when that should be done because they have to rent the equipment. UDSB said the obvious time would be before Earth Day when this cleanup is going on. The goal is to increase the value of the scenery, make it a better experience for everybody, but also keep the natural vegetation and not create any erosion issues, they especially want to cut back on using toxic chemicals. The goal is to leave the smallest footprint possible which has been conveyed to the DOT.

The USDA has approved a grant for the Callicoon Train Depot for \$100,000. That will be used for equipment and furnishings for the interior of the train station. The lease has not been signed yet; it is still in the hands of the attorneys for Central New York Railroad. No work can proceed until that happens. Ramie said there have been productive conversations and it seems to be heading in that direction.

The website: upperdelaware scenicbyway.org now has the guidelines and application forms posted for the three UDSB grant programs.

UDSB also talked about the Skinners Falls, NY-Milanville, PA Bridge. At this time of the meeting, the Position Statement was still pending to come out from Wayne County, PA. Ramie advised UDSB she would share the final version with them when it was available so they can decide by the 2/29 deadline if they would like to sign on to it as supporting the position.

A reply came back from DOT Region 9 to the UDSB's letter about the condition of the guide rail along Route 97. They are scheduled to award a guide rail project for 18 runs of the guide rail in 2020. Ramie said the problem is the section in the Cohecton and Tusten area marked with orange barrels which seems hazardous and unsightly. To address that project, the DOT says that substantial geotechnical design effort is needed due to slope conditions. This project is scheduled to be awarded in 2021.

A reply from DOT Region 8 said that they have added the trail blazer and destination signs to the contract to be completed by the spring of 2020 for the Town of Deepark and the City of Port Jervis section. Ramie said these are the same new brown and white attraction signs you've seen in Delaware and Sullivan Counties.

Senator Jen Metzger has appointed Freda Eisenberg who is the Commissioner of Planning for Sullivan County to serve on the NYS Scenic Byways Advisory Committee. Ramie said she will represent the interests of the UDSB to that group. The next UDSB meeting is 2/24/2020.

Henry said on page five of the meeting minutes where they said: "This would presumably enhance their park" regarding the National Scenic Byway designation, he hopes that Ramie can relay back to them there is no park. Also, on page seven it says: "NPS would oppose any cuttings within scenic designations of the river corridor". Henry said the only problem is NPS doesn't own the property and there is nothing in any ordinance he's aware of that says you can't trim your trees.

1/30 NPS Water Safety Committee Report: Hall-Bagdonas attended the 1/30 NPS Water Safety Committee meeting in Barryville. Also in attendance were Kevin Reish, Susie Kaspar, Jamie Myers of the NPS, Forest Ranger Richard Franke, Jr., and Forest Ranger Griggsby Cowart. Reish reported that Ingrid Peterec is on detail at Steamtown and will provide a current status of funds shortly. NPS will be funding the two water safety interns. Reish wants to attend ACA canoe training in April. The American Red Cross discontinued its small craft safety courses so they need to come up with another alternative for training NPS employees. It's up in the air due to the travel ceiling. Kaspar will be attending the International Boating and Water Safety Summit to be held in Glendale Arizona 4/5-8. Mongaup Loaner station is separate from the other stations because it was through a grant. This year it will be stationed at Lackawaxen. Water Safety Partners meeting will be 5/1 at UDC at 10 a.m. NPS have received the results of the 2019 season of the life jacket survey and will assimilate them for the partners meeting. NPS received a \$50,000 grant from L.L. Bean and they talked about using some of that money for purchasing more life jackets. They would be able to utilize social media for NPS and the grant and replenish some of the life jackets lost from last season. 5/15 is Wear Your Life Jacket to Work Day. Reish asked Franke & Griggsby if law enforcement would be open to going to trouble spots like Mongaup re: issues like lifejackets (enforcing, etc.). They are willing to do joint patrols. The Water Safety committee formulated a reply letter re: concerns of the WU/RM committee about a WNEP Outdoor Life segment and Don Hamilton will address that tonight. The next meeting will be Thursday, March 5 at 11 a.m. at Il Castello.

Hamilton followed up with contact to Sweetwater Guide Service, speaking with Mike Padua and receiving a written reply from Evan Padua. They said the segment was from two years ago and the boats were all 16 feet or longer so technically they weren't required to be wearing life jackets. They said recently they did purchase inflatable life jackets for use during that time of year. They understood the concern but they wanted to be clear that they weren't in violation of any regulations. Henry said the response back from Sweetwater is still contrary to what UDC is advocating. He said people fall out of their boat regardless of the size. Henry said the mantra is: Wear It while Swimming, Boating, Fishing, Floating. They are missing the point about the wintertime by saying their boats are 16 feet or longer. Ramie said she thinks it's a question of whether you'd advocate for mandatory life jacket wear year-round. She said UDC has not talked about that because people are very civil rights-oriented here. Henry said it is mandatory to wear in cold weather months of November through April but it's only mandatory wear for canoes, kayaks, and vessels less than 16 feet. Ramie said the Superintendent can impose that through the Compendium but nobody has opted to do that so far. Henry said the inflatable life jackets don't count as a primary device and said they would still need to have inherently buoyant devices on board for everyone because they are not certified Coast Guard life jackets in whitewater. Henry said the Coast Guard classified the Upper Delaware river as whitewater. Henry said if we are going to advocate the Life Jackets Save Lives Swimming Boating Fishing Floating Wear It! Sign with the NPS logo on it we need to make sure that is our mantra. Ramie said it would be an interesting question to raise at the 5/1 Water Safety Partners meeting to hear the liveries' positions on mandatory life vests for all.

2/10 Mongaup River Hydroelectric Project Update: Hamilton will be going to meetings 2/19 and 2/20 on this relicensing matter as will a lot of other stakeholders. It's a renewal of a 30-year license. It's a multiyear process that leads up to the renewal. This is an opportunity to influence changes. Since they get a license that is good for 30 or 40 years they don't get many opportunities to influence the operation of these reservoirs. They have been involved with this process since 2017. Boyar asked how to find if the suggestions and recommendations that were presented

to them will have any traction and will eventually make it into their license? Hamilton said there are a lot of links posted on FERC's website including their interim plan. You can review their initial studies in the Delaware River and it's an ongoing process. Hamilton said they are going to be weighing in on some of those study results in the next couple of days. NPS makes recommendations to FERC, the NPS has some leverage in that until NPS signs off on their Section 7 Evaluation of this project under the Wild and Scenic Rivers Act, FERC can't issue a license for it. NPS, Fish and Wildlife Service, and NY DEC will probably be entering into a settlement agreement with Eagle Creek Renewable Energy to influence some things beyond the conditions of the license. That's pretty common; they did that with Wallenpaupack around 10 years ago. Boyar said he had difficulty following up on a recommendation he had made on behalf of Trout Unlimited. He contended that it was one of the premier trout fisheries in NYS and when they did their survey the numbers were fantastic for brook trout. Yet, their requirement to have a minimum flow of 100 discharging is persistently disregarded. He said below Rio he's gone down to try to take photos of low water. You can see the valve is dry. He said he doesn't mind if it's slow now but when they relicense he hopes they have a requirement of minimum flow. Hamilton said there are also some recommended minimum flows between reservoirs above Rio. Hamilton said the person paying the closest attention to that is John Wiley from the Fish and Wildlife Service and he gave Boyar his contact information. Ramie said the reason why we receive all of these updates is because UDC is listed as an interested party.

Planning for Upper Delaware Sweep 4/22-4/25: Paparella, coordinator of the event, has logged 36 hours so far working on the project. He has talked to people from Sullivan and Delaware County about trash removal. Sullivan County does a litter pluck program every year where they provide towns with free disposal stickers to be used during April for any litter collected. He said for Delaware County it's free to get rid of trash whether it's household garbage or litter. You just take it to the landfill. Peckham said in Hancock residents pay \$5 a year for garbage removal. He still needs to reach out to Orange County. Boyar said last year the Town of Highland provided bags with orange stickers and you could drop them off at the transfer station. Paparella has been drafting an email that will be inclusive of the event information and will be sending that out this week. Peckham recommended Paparella reach out to Town of Hancock Supervisor Jerry Vernold. Paparella registered the event in Wayne and Pike County through Pick Up Pennsylvania which is part of the Great American Cleanup organization and they connect with PennDOT and different landfills and waste carriers to get trash haulers. Paparella will be reaching out to Waste Management. He spoke with Dave Teper of Pig Farm Ink. They coordinate river cleanups and attract volunteers by organizing fly-fishing activities and after parties. They've worked with Keep Hawley-Honesdale Beautiful in the past. Teper is going to talk to Chris Calabrese of Pig Farm Ink as well as Dan Santoro who did the artwork for the poster for the Lackawaxen River Cleanup last year. Paparella has been researching different art projects that could be done. He spoke with Rachael Hatley of the Litter Letter Project where you assemble letters out of rebar and chicken wire and stuff them full of litter and spell out words like "CARE" or the recycle symbol and these can be art installations in town. Paparella said Hatley was excited because no one has done it in NYS yet. They have done it in Pennsylvania, in Lancaster, Columbia and Pittsburgh. He made a Facebook event for the event and 17 people have responded as going and 165 people have responded as interested. It has been shared by several organizations. He made another page to help organize people. He will make a Google site for those who cannot access Facebook. He registered it as an Earth Day event on earthday.org. Paparella also made a questionnaire that is on the Facebook page and included in the email to gather information on who they are, their location, and how they are interested in supporting the event. He's trying to target the local schools and get encourage teachers to do art projects with the children regarding pollution issues. His mother is a teacher at Sullivan West and she relayed she is excited about the idea of taking kids out on Earth Day. Boyar asked if he's considered having a coordinator from every Town/ship? Paparella said he would love to have a representative from every Town/ship and a restaurant from every Town/ship who can have a celebration event or an educational program. He said in the email he mentions our priority is to clean as close to the Upper Delaware Scenic and Recreational River Corridor as possible but we really are encouraging this to be a watershed-wide event. Paparella said there will be a meeting at the UDC on 3/4, one session at 3:00 p.m. and a second session at 6 p.m.

Upper Delaware BioBlitz update: Ramie reiterated her report from the full Council meeting that they decided to defer it until 2021. It also conflicted with Monroe County Bioblitz. They are going to have a conference call on 6/4 at 11:30 a.m. to start talking about possible sites.

Other: Ramie said we did receive a question from Evan Padua today after he reviewed the meeting agenda. He asked if the NPS had any communications with the Boy Scouts about Ten Mile River Access muddy conditions. The way that issue was left was that it would be up to the Boy Scouts to take action since it's their property.

Hamilton said he knows they are working on redoing and formalizing their lease. He hasn't heard of any plans by the Boy Scouts to harden the access. It's really the natural condition of the river. Henry said at a previous meeting Padua mentioned the NPS had advocated at one time of putting signs there that said don't use it as a boat launch. Hamilton said they aren't going to promote it as a trailer boat launch. Ramie said Padua relayed that he still very much supports a simple gravel/concrete ramp on the upstream area of the access. This will minimize spending and give us a boat ramp at other accesses used for trailers and other necessary launching. Boyar said when one of the Montana launches silted up they had the Missoula Fire Company come down, have a drill and hose the silt away.

New Business

Skidders Falls, NY-Milanville, PA Bridge Preservation Advocacy: Ramie said the Wayne County Commissioners are accepting sign-ons to that Position Statement through the end of this month. 2/12 the Cocheton Town Board was going to consider it. On Monday night the Damascus Township Board of Supervisors had it on their agenda. She has yet to hear an update on either but said of the two municipalities most affected she is curious whether they signed on. Ramie said she would forward the Position Statement to Hamilton. Ramie said Jeff Dexter had also mentioned that they are starting a Petition Drive again at the Milanville General Store for citizen sign-ons.

Delaware River Flow and Storage Report: A copy of the 2/10/2020 DRBC Hydrologic Conditions Report was provided in the meeting packet along with the 2/18 NYC Current Reservoir Levels. Total combined storage for 2/18 was 92.0 normal storage is 91.0. Precipitation for February is 2.16 inches.

Other: Henry said the Narrowsburg/Darbytown access is still called Narrowsburg. The sign hasn't been switched out yet. Also, we had asked Adam Bosch of NYC DEP for information about the early warning system study at Cannonsville Reservoir. Motion by Henry seconded by Peckham for Ramie to send Bosch an email to request an update on the early warning system carried.

Public Comment: None.

Adjournment: A motion by Peckham, seconded by Dudko, to adjourn the meeting at 8:25 p.m. was carried.

Minutes prepared by Ashley Hall-Bagdonas, 2/20/2020