

Upper Delaware Council  
**WATER USE/RESOURCE MANAGEMENT COMM. MEETING MINUTES**  
February 21, 2012

Committee Members Present: Debra Conway (for Andy Boyar), Jay Shafer, Al Henry, Brian Stuart  
(for John McKay), Pat Jeffer  
Committee Members Absent: Tony Ritter  
NPS Partner: Don Hamilton  
Staff: Laurie Ramie, Dave Soete, Cindy Odell  
Guests: None

The UDC's Water Use/Resource Management Committee held its monthly meeting on Tuesday, February 21, 2012 at the Council office in Narrowsburg, NY. Ramie noted that due to the absence of the Chairperson and the Vice-Chairperson, the committee would need to decide who to appoint as the temporary Chairperson for the evening. Conway made a motion to appoint Henry as acting Chairperson. Jeffer seconded the motion and it was carried. The meeting was called to order at 7:02 p.m.

A motion by Jeffer seconded by Shafer to approve the January 17 meeting minutes was carried. There was no public comment on the agenda.

**Old Business:**

**Delaware Riverkeeper 1/5/12 letter regarding Pennsylvania funding to DRBC:** Ramie noted this letter was tabled from last month. Ritter had suggested members read the letter before possibly considering whether to take any sort of action on it. Ramie pointed out the basis of the letter is speculation over whether Pennsylvania may withdraw from the DRBC over concerns about gas drilling regulations. She referenced the last paragraph of the letter and said that if members were interested, we could reach out to our Pennsylvania legislators to inform them of this situation or take no action at all. Henry said after reading the second page of the letter, based upon the initial Compact, Pennsylvania only has a five-year grace period between 2036 and 2041 to opt out. It appears that they are bound by the Compact for another 14 years. He feels this is speculation on the part of the Riverkeeper. After some discussion, Henry recommended bringing the letter up at the full Council and asking the Pennsylvania representative if he could give us an update. Shafer suggested that if the Pennsylvania Governor has money appropriated in his budget for the DRBC, he feels the letter is a moot point. Henry again recommended bringing the letter up at the full Council and also suggested looking into Corbett's budget to see if there is a line item in there for DRBC funding.

**Upper Delaware Scenic Byway 1/23/12 meeting Update:** Ramie reviewed highlights from the January 23<sup>rd</sup> meeting. She noted there was a lot of activity as the Byway had not met for two months, having skipped December because of the holiday schedule. A presentation of the advanced schematics that the consultants had produced for the Scenic Byway Visitors Center was given. The Byway budget for 2012 was reviewed line by line and approved. The Byway Board did make a motion to endorse the feasibility of building the UDSB Visitors Center at Sullivan County's Fort Delaware in Narrowsburg and expressed the desire to pursue the capital construction project. Ramie noted that only half of the funding for this project is in place at this time and the federal funding bill is still being held up. A very long discussion about the Pond Eddy Bridge took place at the Byway meeting. The Byway has a representative who sits on the Design Advisory Committee (DAC), Glenn Pontier, who had attended the December 7th DAC meeting. He shared his impressions about the meeting with the Byway members and after a long discussion, there was a motion approved to write a resolution that would urge that the decision to take down the existing bridge be reconsidered and that Penn DOT upgrade the existing bridge to a sufficient tonnage for safety. The motion for the resolution was passed with 4 yes, zero no, and one abstention. A letter accompanying the resolution would be directed to the New York State Historic Preservation Office specifically, with courtesy copies to state representatives from both NY and PA and others. Ramie reported that two existing insurance policies were renewed for Directors and Officers and liability, and an accountant in Hancock was retained to do the IRS and NYS Charities Bureau annual filings. The Byway received a response letter dated November 30, 2011 from Region 9 NYS DOT Director John Williams. Members were not particularly happy about it. The

letter was in response to an inquiry by the Byway about the maintenance of Route 97. Ramie read from the letter which said "NYS DOT guidelines state that conventional highways such as Route 97 shall not be mowed more than twice a year. Due to financial and environmental factors, Route 97 is mowed once a year. The DOT's focus must be on addressing safety and functionality to ensure all highways are safe for the traveling public. We appreciate the committee's hard work to convert Route 97 to a Scenic Byway, however, if we were to mow more frequently than the guidelines state, for reasons such as aesthetics, we would not progress as far as desirable in keeping all of our highways safe and functional." Ramie noted that many people on the committee could not remember Route 97 having being mowed even once. The committee ultimately decided to send a letter to Assemblywoman Aileen Gunther's office to ask if she has any influence she could bear on this state agency to perhaps consider the investment of grant dollars that has been put into Route 97 to keep up the aesthetics and encourage them to mow at least once a year as the guidelines state. Ramie reported on the four grant applications that had been submitted to the FY 2012 FHWA National Scenic Byways program by the state deadline which was December 19<sup>th</sup>, 2011. She named the applicants, their proposed projects, and the amount they applied for. The estimated date for the announcement of these grant awards is May 1<sup>st</sup>. She added that the grants require an 80% federal and 20% local match split. Ramie noted the next meeting of the Scenic Byway is Monday, February 27<sup>th</sup> at 7:00 p.m. Henry questioned what Orange County's application was for. Ramie told him the property that is the DEC access along Hook Road is up for sale and rather than see it go into private commercial development, they are interested in acquiring it for use as an emergency access and for recreation. She added that Orange County is the applicant, but they would be in partnership with the Town of Deerpark on this project. Conway asked if the property is outside the boundaries of the RMP. She was told that it is. Henry noted it is an essential access.

**D & H Transportation Heritage Council 1/25/12 meeting Update:** Ramie reported that she attended the quarterly meeting in Port Jervis at the Community Center. She said the 2012 officers were elected. Kristin Porter was elected President, Cliff Robinson, Jr. as Vice President, Sally Talaga as Secretary, and Jane Varcoe as Treasurer. Discussion about archived, historic D & H maps being held at Canadian Pacific Railroad in Montreal, Canada took place. She said that D & H groups are interested in having the maps here instead of in storage there and have started a fund raising campaign with hopes of being able to digitize them in order to distribute them among D & H organizations. She added that more importantly, they were able to convince Canadian Pacific to transfer their archives over to an accredited museum. The D & H group would like to see them transferred to the New York State Library in Albany, NY which apparently has the largest railroad collection in New York State. The D & H group is brokering the deal. Ramie said that the D & H Transportation Heritage Council (DHTHC) is interested in changing their bylaws so that they can create a new membership category for individuals. It is currently an organization of organizations that are stewards of properties along the canal route in New York and Pennsylvania. This change would enable individuals who share the same mission and goals to get involved as non-voting members. The Bylaws have a procedure that would have to be followed in order to make that change. The website [www.dhthc.org](http://www.dhthc.org) has been expanded to include videos about the canal and Gravity Railroad. She said the next meeting of the DHTHC will be on April 25<sup>th</sup> in Carbondale, PA.

**Pond Eddy Bridge 2/14/12 Design Advisory Committee (DAC) meeting update:** Ramie noted that the UDC had a letter concerning the Pond Eddy Bridge replacement project before it at the last full Council meeting that was tabled back to the Project Review Committee. At the February 14<sup>th</sup> DAC meeting, she said that the PennDOT and NYS DOT representatives announced from the beginning that they were not there to talk about anything except replacement options as they said the rehab option is off the table. They said it was not the point of these meetings, that it was the second DAC meeting and there will be one more next month by which time they hope to have the design alternative selected and proceed with the replacement. Two of the committee members, once they heard that, withdrew from the process in protest. They represented the Friends of Pond Eddy Bridge and the Upper Delaware Scenic Byway. They said they did not want to disrupt the process, therefore gracefully exited as they do not support any of the new replacement alternatives. During the course of the three-hour meeting, nine different design options were presented in a power point presentation. Ramie said there were basically three types presented. They were concrete, truss, and arch, along with some hybrids. They ranged in price from \$7.7 million to \$16.06 million. All designs presented are 40-ton capacity. Also presented was a construction comparison matrix which laid out different factors to be considered side by side for each of the designs. These included such

factors as the duration of construction which ranged from 15 to 24 months and considered 100 year life-cycle costs which are different than construction costs. Another question posed was would you need a specialty contractor to maintain this particular bridge and in most cases, other than the standard concrete design, the answer was yes. Ramie said committee members were polled about their likes and dislikes for each option. She noted they said the design of the bridge is flexible, but not the dimensions which are 30' wide and 40 tons. Ramie said the next step is for the votes to be analyzed and then focus on what seemed to be the most favorite options of the nine presented or to possibly even come up with new designs based on the feedback from the committee members. Ramie said they were told that minutes would be out within a week, but they have not seen them yet. She said that once she does receive them, she can forward them on to anyone who is interested. She said that a specific meeting date had not been set up, but that they were looking at the end of March for the 3<sup>rd</sup> DAC meeting. Shafer noted that the cost did not seem to matter as there were options that ranged in price from \$7 million to \$16 million. He wondered if everyone wanted the higher option, if it would move forward. Ramie said that ultimately the DOT's and the FHWA have the final say as to what is economically feasible as well as design. She added that this committee could pick an option that they don't agree with and their determination will prevail. Conway questioned if the costs include the demolition and removal of the old bridge or what is the future of the old bridge. Ramie said that was a good question. She said she would need to take another look at the comparison matrix. She added it is possible the costs do include demolition; she does not recall whether they specifically addressed that. Henry hoped that someone would have put that in the bid. Conway said she recalls that it had been discussed in the past about someone buying the bridge and moving it. She wondered if they thought that still might happen and as a result it would not have been figured in the cost. Ramie said the bridge had been marketed and they did have one party interested that wanted to use it as a pedestrian bridge, but that party has changed their minds. A discussion of the challenges of moving such a bridge took place. Shafer wondered if demolition had figured into the approximately \$12 million cost of the Shohola-Barryville Bridge. Henry believed it had been and a brief discussion of the construction of the Shohola-Barryville Bridge took place. Henry asked if, for the full Council meeting, the answer to the demolition cost question could be found out. Ramie said she should have the minutes from the meeting by then and will look to see if that answer is in there. Henry commented that the value voting done at the meeting was basically a feel good exercise as ultimately someone could turn around and say we're going to do it our way anyway. Henry asked if Rajsz was able to address her concern that the new bridge fit into character of the river valley. Ramie said that she was able to. The proposed 30' width of the Pond Eddy Bridge was discussed as well as other options for the Pond Eddy, PA residents to reach their homes beside a new bridge.

**DRBC RFAC 10/5/11 minutes:** Ramie noted the minutes were from back in October, but were just issued in advance of RFAC's most recent meeting which was on February 16<sup>th</sup>. She said the minutes are always provided to this committee when they are available. Stuart asked if we had received any projections about the reservoirs given the lack of snow pack. Hamilton said that New York City sends out a bi-weekly snow survey of what is on the ground around the reservoirs and what they expect to be re-filling the reservoirs. He added that is something they monitor and noted that the Delaware is low right now. Henry referenced the River Master Reservoir Operation Data report and said the reservoirs have water in them, none of them are spilling and he does not feel there is any concern currently about snow pack. Soete said the gist of the RFAC minutes is they are always trying to improve the flows for the fisheries and others and to keep NYC happy. He referenced an Equitable Appropriation Plan that presented at the Feb. 16 meeting. It says some of the releases are based on the assumption that NYC is going to take their full 800 million gallons a day, but in reality they don't always use that all and they are trying to take the difference and work with that. A brief discussion about past and future river levels and water releases took place.

**Other:** None

### **New Business:**

**Delaware Highlands Conservancy/Eagle Institute Merger:** Ramie wanted to bring to members' attention the merger between Delaware Highlands Conservancy and the Eagle Institute as they are partners that we work with occasionally. She said the Eagle Institute is now considered a project of the Delaware Highlands Conservancy. She and Soete went to Lackawaxen on February 10<sup>th</sup> for the press conference as a

general show of support and they had asked Soete to take photographs. Ramie said the merger makes sense as they have like-minded missions at work. The whole objective with a land trust and the Eagle Institute is that you're protecting the habitat for the eagles to thrive. A flyer and copy of the press release were in members' packets. Henry referred to it as a win-win.

**Local Waterfront Revitalization Plan Request for Proposals:** Ramie said a Request for Proposals (RFP) was sent out to seek planners to help with the next phase of this project. She said Sullivan County Planning had received a grant from the Dept. of State for \$82,050 to put the Local Waterfront Revitalization Plan together for the entire Upper Delaware River from Hancock to Port Jervis. They have been working since last January to compile this plan, which started with looking at all the existing plans out there that had anything to do with riverfront development. She said the plan will be a vision of what people would like to see in the riverfront communities to capitalize on tourism and recreation. She noted that three firms have responded to the request by the deadline and the Local Waterfront Advisory Committee will be meeting Friday, February 24<sup>th</sup> at the Highland Town Hall in Eldred, NY to review the proposals. The contract is to be awarded by March 5<sup>th</sup>. Ramie said she represents the UDC on the Waterfront Advisory Committee and she wanted members to have the handout so that they could see what it involves.

**Other:** Ramie announced that the UDC is now accepting nominations for the 24<sup>th</sup> Annual Awards Ceremony. The awards banquet will be held on April 22<sup>nd</sup> at the Carriage House. The deadline for nominations is March 19<sup>th</sup>. She encouraged members to think of who might be appropriate for the nine different categories. Forms are available at the UDC office and on the UDC website.

Ramie reported that the Save-the-Date flyers have been issued for the River Management Plan workshop that is coming up on March 24<sup>th</sup> at the Tusten Town Hall from 10:00 a.m. to 3:30 p.m. The invitations will be sent to town boards, township supervisors, planning and zoning board members, UDC, National Park Service members and staff. Formal invitations will be sent out the first week of March with a reservation deadline of March 16<sup>th</sup>. Conway asked if Scenic Byway members were on the list. Ramie said no, that the target audience was local planning and zoning board members and space was limited.

Hamilton had some additional information on the Recreational Marine Fishing Registry. It is his understanding that both states have a registration process you can go through on-line and there is no fee for it. If you want to fish for sea-run migratory fish, you are supposed to register on-line. Soete asked if there is a survey involved with the registration. Hamilton believes the National Marine Fisheries Service is going to use some of the information. Hamilton passed a report around he had received recently from the first three years on the study of "Age Structure of American Shad in the Upper Delaware River". He said it is a cooperative effort between the U.S. Fish & Wildlife Service, NPS, and both New York's and Pennsylvania's fisheries agencies. It is a comprehensive report on the first three years of sampling and there are two more years of sampling to go. Hamilton said he could provide an electronic copy to anyone who would like it. Soete asked if there were any trends they are seeing. Hamilton said the 2005 year class was a strong one perhaps because conditions were just right in 2005. He noted that 2005 was the year of the fall Hurricane Ivan flooding and wondered perhaps if the young of year were washed out to sea without much predation.

**Public Comment:** None

**Adjournment:** A motion by Stuart, seconded by Conway to adjourn the meeting at 7:47 p.m. was carried.

*Minutes prepared by Cindy Odell, 2/23/12*