



Upper Delaware Council

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UPPER DELAWARE COUNCIL MEETING MINUTES

February 6, 2020

The Upper Delaware Council held its monthly meeting on Thursday, February 6, 2020 at the Council office in Narrowsburg, NY. Chairperson Richardson called the meeting to order at 7:03 p.m. and roll call followed.

In attendance: Town of Cohecton- Larry Richardson, Town of Delaware- Harold G. Roeder, Jr., Town of Hancock- Fred Peckham, Town of Tusten- Susan Sullivan, Town of Deerpark- David Dean, Town of Fremont- Jim Greier, Damascus Township- Jeff Dexter, Berlin Township- Alan Henry, Lackawaxen Township- Doug Case, Town of Highland- James Gutekunst, Shohola Township- Aaron Robinson, National Park Service- Jessica Weinman, Delaware River Basin Commission- Peter Eschbach. Staff in attendance: UDC Executive Director- Laurie Ramie, Secretary- Ashley Hall-Bagdonas. Absent: Westfall Township- Michael Barth, Town of Lumberland- Nadia Rajs, State of New York- Bill Rudge, Commonwealth of Pennsylvania- Tim Dugan, Media: Linda Drollinger- River Reporter. Guests: Kristen Kavanagh- DRBC, Jennifer Claster- NPS, Sharon Davis- National Parks Conservation Association, Jane Varcoe, Dan Paparella- Town of Tusten, Ginny Dudko- Town of Deerpark, Roger Saumure- Shohola Township, Andy Boyar- Town of Highland, Peggy Richardson, Cheryl Korotky.

Swearing in of Officers by Steven Sauer, Town of Cohecton Town Justice: Richardson welcomed Town of Cohecton Town Justice Steven Sauer. The 2020 elected officers: Chairperson Larry Richardson, Vice-Chair Jeffrey Dexter, and Secretary/Treasurer Alan Henry; took their oaths during a swearing-in ceremony officiated by Sauer. Richardson presented Sauer with a UDC lapel pin as a token of appreciation.

Presentation by Peter Eschbach, Delaware River Basin Commission (DRBC) Director of External Affairs and Communications: "Our Shared Waters": Eschbach said every five years the DRBC is required to produce "The State of the Basin". Eschbach provided a copy of "The State of the Basin" to those in attendance at the meeting. Eschbach spoke with the William Penn Foundation, who originally helped fund the State of the Basin report and said he would like help funding another project that would not just be the DRBC's look at the river basin but everybody's look at the river basin. This is a project that's been underway since May and will continue through October 2020. Eschbach said research indicated that, of several brainstormed program names, Our Shared Waters (OSW) had the most positive reaction. The goals of OSW are: 1. Create a comprehensive look of the Basin's waters by including inputs from a wide range of stakeholders to include public and private water purveyors, NGOs, non-profits, and residents; and 2. Increase public awareness about the Delaware River Basin's critical role in supporting their needs for drinking water, water supply, clean water, and encourage them to get involved in water efficiency, healthy watersheds, water-based economic activities and recreational opportunities within the four-state Basin region. Program research included an online discussion group of 17 participants from DE, NJ, and PA. The objectives were to: measure familiarity with the Delaware River, as well as the Delaware River basin; analyze perceptions of the different threats to the basin's waters, gauge interest in participation in efforts to protect the basin's waters; and evaluate different communications that may guide their outreach program. They also did a phone survey of 602 respondents from DE, NJ, and PA. Each survey was around 15 minutes. Its purpose was to "dig" deeper into what people think about the basin's waters; to determine willingness to get involved in helping improve the waters, and why. The program research found that 43% think the water in the DRB is dirtier than it was 50 years ago. Major sources of pollution are: plastic trash like water bottles, industrial waste (undefined) from local factories, pesticides from local farms and residential lawns, and 70% see climate change as "very concerning".

OSW Campaign is available online digitally. There is a web-based Crowdsourced Basin Waters Evaluation Site. It has a Facebook page. Their website is OurSharedWaters.Org. They will be doing community events around the basin as well as experiential opportunities (getting people on the water). Eschbach showed a slide of a Crowdsourced evaluation site. DRBC asks them about water quality and gives a few options to “share your observation”. Clicking on that will take you to a map of the basin and allows you to select out watersheds so you can break it down more. The evaluation is on a 5-point scale. Indicators evaluated include water supply, water quality, aquatic life, recreation on/near the water, watershed stressors/threats, climate change impact, space for comments, attach studies, reports, photos. The Crowdsourced Evaluation site provides a comprehensive and diverse perspective of the Basin’s water resources. It permits web linkages to more detailed organizational information, data, reports, etc. It provides more exposure to a wider (and growing) basin community. Eschbach said to think of it like Yelp for the basin. You can rate a creek and say why you gave it that rating. You can upload pictures and write a description of what you did there. The idea of Crowdsourcing for OSW is to get input from as many groups as possible. Eschbach said he knew there were a lot of groups in the basin but didn’t realize just how many there were. He provided a slide of some of the Crowdsourcing organizations. UDC and NPS were listed.

OSW launched its social media Facebook page @OurSharedWaters in May. It has 2,720 followers, 58% are women, 41% men. The January performance reach is 56,398 and is up 40%. Their web page OurSharedWaters.Org lists their partners and community events. William Penn is funding this and has asked them to try to include people in communities of color or social justice communities. People that live within a mile of the river and have never seen it help foster an appreciation for the river. Eschbach said Senator Haywood of Philadelphia had a block party he asked DRBC to attend. They set up a booth, along with other partners, and had an enviroscape there to talk about water runoff, horseshoe crab hats for the kids, maps, and models of macroinvertebrates. The children loved it and it was very successful. Another event was with the Lehigh Valley IronPigs baseball team. Every minor league team is required prior to the baseball game to take the game balls out and rub them with rubbing mud that comes from around Pennsauken by the Delaware River. It’s a top-secret location, every team uses it. On Little League Night for the IronPigs DRBC set up a booth and had an IronPig player come out and show the kids how to properly mud a baseball and kids were able to mud some of their baseballs as well. At the same time, DRBC was talking to the parents about the basin. All of this is supported with social media and digital advertising.

Experiential means getting people out on the water. Your whole view changes once you are out on it. The official tall water ship is the A.J. Meerwald, a 1900s restored oyster schooner that can hold 35 people. They bring it upstream as far as Trenton, NJ and are running 2-hour round-robin trips talking about freshwater mussels and how they filter water. They are going to get a water company to talk about how much easier it is to treat water when the water in the river is cleaner. They will get individuals that work at a brewery to speak about how clean water means good beer. They are planning to do this about four times in May. They did it two years ago with several politicians from Pennsylvania. Last year for the Delaware River Sojourn they had about a dozen Sojourn scholarships to get people out for a day on the Sojourn who had never been on the water before and are looking to repeat that activity this year. On the Schuylkill and Lehigh, they have done fishing lessons with NJ DEP and the Shad year of young seining in cooperation with PA Fish and Boat Commission, getting volunteers out to help count fish. Eschbach referenced the 3-D map that was gifted to UDC by DRBC at the 12/5/19 meeting by Steve Tambini and was paid for through this grant. Eschbach asked how can we work together and get the UDC involved? What is going on in the Upper Delaware? Reach out to the DRBC to publicize a local festival to get more traffic to it. Richardson thanked Eschbach and presented him with an Upper Delaware Council lapel pin.

Approval of January 2nd Meeting Minutes: A motion Peckham seconded by Dexter, to approve the January 2nd, 2020 meeting minutes was carried.

Public Comment on the Agenda: None.

Committee Reports: Committee reports were provided based on the meeting minutes. They were: Jan 21st Water Use/Resource Management by Boyar, Jan. 28th Project Review by Dean and Jan. 28th Operations by Richardson.

Status Reports

Delaware River Basin Commission: The Hydrologic Conditions Report from 2/6 was provided by Eschbach. The reservoirs in NY are at 88.5% capacity. Flows are well above the flow targets and the salt front, as of this morning,

is right about at the Delaware Memorial Bridge. Eschbach said they have the data to support that the sea-level in Philadelphia has gone up a foot in the last 100 years. Eschbach said Kristen Kavanagh joined DRBC 3 ½ months ago as Deputy Executive Director. She has spent the last 25 years in Water Resource Modelling and Engineering. Prior to joining DRBC, Kavanagh was the President and Principal Engineer at Flow Science Incorporated in Philadelphia. Kavanagh holds a B.S. degree in Civil Engineering: Environmental and Water Resources, and an M.S. degree in Civil Engineering: Environmental Fluid Mechanics and Hydrology, both from Stanford University. Eschbach said she brings a lot of experience and they are really lucky to have her. Kavanagh said she's been there since October, so there is a lot to learn. She appreciates being here and learning more about what is going on in the upper portion of the Delaware watershed. Eschbach said there is an upcoming hearing on 2/12 at the DRBC building in West Trenton with 21 dockets under consideration. One that is close is: Aqua Wells in Honesdale, PA and that is regarding renewal of an allocation of groundwater and review of a groundwater and water withdrawal project application. If you would like to make comments about any of them, the dockets are available to look at on the website. If you can't make it to the meeting on 2/12 you can go onto the Smart Comment System. The Water Management Advisory Committee meeting is on 2/20 at 10 a.m. at the DRBC office; Ramie will call-in for that. The UDC's role there comes to an end on 6/30/2020 but that doesn't mean you can't reapply. There is an opening on the Monitoring Advisory and Coordination Committee for a Watershed organization; those applications have to be in by 3/16. The 3/11 business meeting at Washington Crossing, PA is where the Commissioners rule on the dockets that were discussed at the 2/12 hearing. In December, the Commissioners unanimously agreed to pass a resolution to create an Advisory Committee on Climate Change. When you say climate change it means a lot of different things to different people. He said to call it what you will but they have the data on the sea-level rise in the estuary and the data on the lack of snowpack in the NY reservoirs over the last several years. This committee will take a hard look at the science with respect to what should the DRBC be doing in the basin with respect to adjusting to some of these changes. Kavanagh said the focus of the committee will be to get together people who focus on climate change, to help inform the modeling studies of the DRBC. For example, if they are doing a water study and trying to look at what kind of flows will be in the river in the future, it is important for them to understand what the science says in terms of how the rain flow patterns may change. We may get more rain flow patterns at certain times of the year and less at others because it changes how much snow vs. water. The idea is to get experts together to help them understand what the best state of science is and how they can interpret that information and make appropriate assumptions and positions so they can plan for the future and make sure they always have enough water and of good quality. They are accepting applications for reserve positions for states and the Federal Government as well as non-reserve positions until 2/29 from various stakeholder groups. If you are interested, you can go to the DRBC website to find Kavanagh's information and submit an application and cover letter.

Peckham asked what is the update with gas drilling rules and regulations? Eschbach said two years ago they received over 10,000 individual comments and each one of those needs to be investigated. An example he likes to use is someone will say "Hydraulic fracturing causes earthquakes". They don't have an earthquake seismologist on their staff so they have to have someone go out and find the science experts. Eschbach said the entire DRBC staff with interns, is 40 people. The answer about earthquakes response will then be sent to all four states and the Federal Government and their staffs to get their input. He said to Peckham he doesn't have a date yet, but people are working on it.

Greier asked how far downstream is the saltwater front now from the drinking water intake? Eschbach referred to the hydrological report he provided looking at the salt front map and said the star is at 102 which is the Philadelphia drinking water intakes. Right across, slightly upriver by a mile are the Delran South-Jersey intake. The closest it's gotten in the last several years was in 2016, up around Philadelphia airport. In November of 2016 if you looked out at the river from Trenton 65% of what you were seeing was augmented flow. Robinson asked how much hard data do you have for the watershed to do your modeling on climate change, saying he said he thinks you would need historical data to study and project possible outcomes? Kavanagh said she's not a Climatologist but her understanding is the best way to do it through flow print models. You can downscale them and that can give you an idea of how seasonal patterns change, how amounts of rainfall will change, the one thing that is quite challenging is how to predict short term weather events. They are tending to point to more rain in the wintertime because we are getting less snow. We have more water during certain times of the year. When we get to Spring and Summer there is not as much snow, there may be less water then. Her understanding of this region, the general science is pointing that there will be water, just the pattern is going to be different and that may be a challenge. We may be facing more flash-droughts. Different parts of the U.S. have different challenges. Out West they are looking at having less water overall, here we might have the same amount of water but it will look different than what we've seen. Robinson

asked if they incorporate any aspects of Forest Management to contribute to either more or less water displacement out of a watershed? Kavanagh said that's a great question, part of that will also be looking at how land use will change in the future if there will be a lot of development in an area and trying to account for that as well to see the effects. Eschbach said the idea of having an advisory committee is to look at members who are river scientists and climatologists. They are not looking for people to have a particular political view. They are looking for thought leaders or scientists. He added they have also hired their first meteorologist.

NYS Dept. of Environmental Conservation: Ramie said Bill Rudge gave us two press releases; one is "Anglers' Report Confirms New York's World-Class Freshwater Fishing", stating that sport fisheries generate more than \$2 billion a year and support more than 10,000 jobs. The second press release is the draft NYS Forest Action Plan is now out with public comments being accepted through 4/3.

PA Department of Conservation & Natural Resources: Absent. Ramie said the Commonwealth is working on their designation of an alternate representative since Rhonda Manning's retirement.

National Park Service-Upper Delaware: Acting Superintendent Weinman said on 4/18 and 4/19 Cornell University historic preservation students are going to work with the NPS on a few outbuildings at the Corwin Farm. They were directed to the NPS by Heather Jacksy from Sullivan County Planning. The students will do some painting and minor woodworking repairs. NPS will supply materials and they will do the labor. Law Enforcement was able to make a tentative offer on a Seasonal Law Enforcement Ranger for the summer. They are just waiting for the background checks to go through. The Natural Resource division, Don Hamilton and Jessica Newbern, are going to participate in the Federal Energy Regulatory Commission (FERC) relicensing meetings this month on 2/19 and 2/20 for the Mongaup River Hydroelectric facilities that are owned by Eagle Creek. Richardson said he and his wife, Peggy are very involved with the Cochetcon Preservation Society and they are also talking to the Cornell Preservation students about doing some work at the Cochetcon Station for them. Weinman said regarding the Inland Oil Spill Preparedness Project, the Spill Plan Work Group met on 2/3 and 2/4 and they support redoing the plan and also the larger plan with the railroad spill response has been pushed through to the Office Director's review for funding which looks very likely that it will get funded. The decision will be in about three weeks and she will give an update when they receive one. Henry asked what the staffing is right now for total Law Enforcement? Weinman said there are three full time staff and one seasonal. There are three permanent full time Law Enforcement Rangers, one of these positions is vacant and is at the Human Resource Department to be advertised. There are also two permanent subject to furlough employees and one seasonal employee.

UDC Executive Director's Report: Ramie said we welcome Weinman and included the press release about her appointment in the packets so you can read more about her background.

Ramie provided an update on the BioBlitz mentioned earlier in committee reports. She had a conference call today and the decision was made to defer it until 2021. The Monroe County Bioblitz was the originator of the whole concept and they have been doing it on an every-other-year schedule. The timing would have been exactly the same dates that they were looking at to have it in conjunction with the Delaware River Sojourn, 6/19 and 6/20. They decided they would like to hold it next year when the Delaware Highlands Conservancy has offered to take a lot of responsibility in coordinating it. Ramie said it was worth it to the partners in holding off so that the organization can step forward and provide leadership for it.

Our Technical Assistance Grants (TAGs) that were mentioned earlier have a deadline for the midterm progress reports of 2/28. We have four TAGs underway in 2020.

Ramie submitted our Application for Federal Assistance package to release the balance of our Fiscal Year 2020 fund on 1/7. As of 1/30 when we received a reminder from the NPS that our 1st Quarter financial and progress report was due, she asked in return what the status was of that review since the last of our 12.5% funding share ran out in late November. She was told that we were 6th in the queue for the Northeast Region Contracting Officer to process our documents. Yesterday, Ramie was asked a question about our budget narrative by the Upper Delaware Administrative Officer on the Contracting Officer's behalf, so that would seem to signify some progress. When the funding is added to our online account, Ramie will be able to draw down the approximately \$60,000 in expenditures

reimbursement that we are currently owed. Yesterday we received an announcement from the Department of the Interior about the transition to a new financial management system called GrantSolutions that will take effect for the NPS on 6/30/2020. An accompanying press release explains that audits going back to 2013 uncovered more than \$110 million in grant funds that were “questionably or improperly managed.” It then reads, “Dedicated to helping its partners manage grants and cooperative agreements through the life cycle of the allocation, GrantSolutions will put in place new systems and processes to track and manage funds, standardize procedures, and increase oversight, transparency, accountability, and efficiencies in financial assistance functions across all of its bureaus – from project conception to award closeout.” It remains to be seen how this will impact the UDC as a federal funding recipient. That’s why UDC’s deadline for our Five-Year Plan is 7/1 so it coincides with that timeframe. That also includes preparing an annual work plan and budget for FY21.

In consultation with the Operations Committee, we have opted to stray from our traditional 4th Sunday of April date for our 32nd Annual Awards Banquet. It turned out that our preferred venue, Central House Family Resort in Beach Lake, PA, had another booking that day but did have availability on 5/3. We have confirmed that and invited a keynote speaker. Ramie is waiting to hear back whether that invitation is accepted. Next week, Ramie will open up the award nomination process and she asks all to please start considering any ideas you may have for our 10 categories.

Today was the deadline Hall-Bagdonas requested for the return of the annual Conflict of Interest statement from all representatives and alternates. Ramie said she won’t publicly shame those who haven’t turned them in yet, but we do have a list and you know who you are. Along with that, we’ve included an updated membership list in your packets. Please take a look at the contact information we have for you to guarantee its accuracy. We currently have vacancies in the alternate positions for the Town of Lumberland, Westfall Township, and the Commonwealth of PA. To learn more about your officers, there is also have a copy of the news release Ramie will be issuing tomorrow with a photo from the swearing-in ceremony.

Lastly, looking at the February calendar and upcoming dates 3/5 we have a presentation on the Town of Tusten Green Waste Recycling Plant Community Food Scraps Composter/Digester by Jennifer Porter; 4/2 we will have a presentation by NYS DEC Biologist Kevin Clarke on the completion of a Habitat Management Plan for the Mongaup Valley Wildlife Management Area.

Old Business

Personnel Subcommittee Report: Henry said they had scheduled three candidate interviews for the Resources and Land Use Specialist position; one withdrew. Tonight they interviewed two that had great potential. A decision should be made soon and they will be sure to provide an update when available. Dudko asked Henry when they anticipate hiring someone? He said they have to do reference checks and salary requirements and depending on Ramie’s timeframe, with a commitment, hopefully, a few weeks.

PA DCED Grant Update: Ramie provided a handout in the packets of a letter UDC sent to Representative Jonathan Fritz, who was UDC’s sponsor for the PA Department of Community and Economic Development Grant opportunity that also includes Senator Lisa Baker and Representative Mike Peifer as cosponsors. That is our appreciation in letting them know that the grant was submitted through the online portal on 1/24/2020, under the title of “Upper Delaware Council Townships, Technology, and Sustainability”. The contract turnaround time is approximately 4-6 weeks upon completion of its review. There are certainly no guarantees but Ramie provided a breakdown for what projects our application includes. All five of our Townships would be sharing in this generosity from Pennsylvania. This is all project-oriented as opposed to operational funds. This is the first time we’ve ever had a chance like this from the Commonwealth and are very grateful.

Other: None.

New Business

Draft Resolution 2020-07: Adopting Budget for the Balance of FY 2020: Motion by Roeder seconded by Henry to Adopt the Budget for the Balance of Fiscal Year 2020 carried.

Skinnners Falls Bridge- Joint Position Statement: Ramie circulated the document in advance in its draft form. This is the Position Statement that the Wayne County Commissioners have signed. They are looking for endorsements for the letter by 2/29. UDC participated in the committee that drafted it and did contribute comments that Ramie saw were incorporated. NPS did as well through Jennifer Claster. Ramie's concern is that it does offer a bridge replacement option and talks about a brand new, modern bridge while she believes UDC's focus has been maintaining the historic characteristics of the current 1901 bridge. However, does that trump having no crossing there? She said it's a difficult issue. Henry said if you read it, he believes it's the Commissioners' position they want for emergency services the potential of that structure to carry fire apparatus. It covers a wide array of concerns because you're not going to do that with a historic structure. Dexter said the firetruck at Narrowsburg will cross at Narrowsburg, Lake Huntington services all of River Rd. off of Milanville through Damascus. He said the last time there was a fire in Milanville the Lake Huntington firetrucks were there before Beach Lake arrived. Dexter said they have got their routine down. The other thing is the roads going to Milanville are terrible and to open up a big bridge to allow trucks to come through is not good because the road is barely wide enough to get two cars through. Ramie said one reason the bridge has gotten to this condition is oversized vehicles have abused it over the years and haven't respected the weight limit on it. Henry said tractor-trailers went across the bridge all the time. There was a headache bar that was damaged. It probably contributed to some of the fatigue on the structure. Sullivan said Dexter is from Damascus and that Township uses that bridge. She asked him what do the Townspeople want? Dexter said he thinks they would love to just get passenger traffic through and do whatever they have to do to fix the bridge instead of temporary Band-Aid repairs that leave it open for a year and close it for another year. He said he's spoken with people at the Callicoon Hospital and they have been heavily impacted because that is their best route. Sullivan said it is a huge recreation area and she can't see all of those people walking around on that bridge with any kind of high-speed traffic. That crossing is only good for minimal size and slow. Dexter said another thing to consider is a high casualty incident at Skinnners Falls or that campground. Discussion continued. Richardson asked if UDC wanted to amend the letter in some way? Ramie said we can express our concerns about it but this is the Position Statement that is being put out there so we either choose to endorse it or not. Ramie said she will continue to attend the meetings and represent those viewpoints. A Motion by Henry that the UDC supports the position that the bridge remains in place was seconded by Dexter and carried.

Draft Letter to NPS Superintendent Heister RE: UDC Letter of Interpretation #1: Select Utility-Scale Renewable Energy Systems: Ramie said this draft letter does not address Solar. This was the second draft that UDC is acting on. The reason for the change is she had a meeting with Weinman who was helpful in suggesting the tone of it since UDC has never done a Letter of Interpretation before. This version asserts the UDC's authority to issue the interpretation. This is the UDC's position on Utility-Scale Wind, Geothermal and Hydropower. Robinson said his recommendation is to not reference the Geothermal Steam Act of 1970, because he doesn't believe it applies. He went back to the Legislation and it basically talks about government-owned land in the National Forests. Since this area is mainly privately held property he doesn't feel it's an appropriate imposition. Weinman said she thinks a good way to address that would be to still keep the Geothermal in there because it's part of the Wild and Scenic Rivers Act. It would be really great for all of the Town/ships to put language in their zoning similar to Superintendent Heister's 1/15 letter saying that this conclusion does not apply to areas outside of the river corridor. Therefore, that 90% of what the Town/ships zone and plan for Utility-Scale Solar and Wind systems is still a possibility. Also, include that small scale renewable energy systems are defined in the Land and Water Use Guidelines (LWUG) as a customary accessory use. That is allowable for a structured use that is subordinate to and serves a principal building or a principal use including but not limited to harvesting and storage, etc. That would be allowed in residential settings. If you go back to page 5 of the letter Heister sent on 1/15, that paragraph would probably serve the UDC well to have in there. Ramie said our first draft of the letter did exclude any residential or small-scale and in the edits, Weinman had suggested taking that out. Weinman said she's thought about it and it would be good to have it clear, concise and that would spell it out. That would help the Town/ships know we're talking about the corridor. Ramie said that's why we included definitions for what Utility-Scale means because it means anything that is not that is not applicable. Weinman said she thinks definitions are something we have to steer clear of because in the LWUG the definition of Power Generating Station is in there. Maybe don't focus on that but what Utility-Scale means that's not already agreed to in the literature. Henry asked if the Geothermal Steam Act of 1970 is only applicable to Federally owned land? Robinson said it refers to Parks; if doesn't refer to areas such as this. Weinman said she would look into that. Discussion continued.

Roeder said he has not been able to talk to his Town about this as they are meeting on Wednesday. He needs guidance on this before he can vote. He said we started this four years ago, and it was about Solar. We developed a Position Paper about Solar in the corridor and we came to the conclusion that you can utilize small-scale solar providing that it doesn't threaten the water in any way and it has to be placed where it doesn't harm the viewshed. Roeder said the way we agreed we could do that was certain parts are scenic and others are recreational in the corridor. He said then it was brought to our attention by the NPS Superintendent that Geothermal and Wind power should be incorporated. He said now we're not even talking about Solar and that's the reason why we need to have it done because we have to opine on regulations that Town/ships want to put in if they would like have these in the corridor. He asked why do we have to do utility-scale wind and utility-scale geothermal first? He said we can't even put up a tower for our cellphones for safety let alone wind power. Weinman said she thinks the intent was to try to take care of the easier portion of this because the next step is to define what is small-scale solar and where it's acceptable. Richardson said we agreed that Utility-scale wind and geothermal are not appropriate in the corridor. That is all we're trying to talk about in this Letter of Interpretation. Small-scale solar is appropriate in the corridor. When you're talking about small-scale you are talking about residential use. Roeder said NPS has their regulations on this and we have positions too, and one of them is to protect private rights in the corridor. Discussion continued. Weinman said NPS is encouraging the UDC to move forward, for when a resident comes to their Town/ship and proposes they want to do that the Town/ship can clearly say they can do that. Richardson said the last paragraph on the first page reads: "Recognizing that power generating stations are listed as incompatible in the LWUG, the UDC interprets that utility-scale wind energy systems and utility-scale geothermal energy systems are therefore incompatible land uses in the river corridor. Hydropower is already addressed as an incompatible land use throughout the river corridor through its direct citation in the 'power generating stations' definition." Those are the two items this letter addresses and we agreed to this in the Project Review Committee. Claster said at the last Project Review meeting there was a decision to draft a Letter of Interpretation that addressed Utility-Scale Geothermal and Utility-Scale Wind and the reason for that is for the UDC to make some progress regarding its position on Renewable Energy using a Letter of Interpretation and work towards addressing Solar in some other fashion. Robinson said if he recalls correctly, one of the reasons it was segregated was because it was the position that Solar was not a Use envisioned or defined in the River Management Plan (RMP). However, Generating Stations are defined. If he remembers right Heister was averse to using the Letter of Interpretation method with that because of that reason and had legal counsel to back her position. However, if you look at the definition objectively, Power Generating Stations with baseload in them are defined as Utility Solar Power. If you go into the literature of NYS, PA, and nationally, solar power is defined as power generating stations that add to a baseload of a power grid. Robinson doesn't see the distinction of saying that the three that we're precluding under this letter are any different than using the same logic for Solar with a Letter of Interpretation. Richardson said this draft letter was agreed upon at the Project Review Committee. A Motion by Dexter seconded by Henry to support the draft letter to NPS Superintendent Heister after the letter is amended to remove the Geothermal Steam Act reference carried with abstentions by Roeder and Gutekunst. Henry asked if a draft Letter of Interpretation for Utility-scale Solar can be ready by the next Project Review and Operations meetings.

Other: None.

Public Comment: None.

Adjournment: A motion by Robinson, seconded by Peckham, to adjourn the meeting at 9:10 p.m. was carried.