

Upper Delaware Council
PROJECT REVIEW COMMITTEE MEETING MINUTES
March 24, 2009

Committee Members Present: Roeder, Shafer, Richardson, Bowers, Fluhr, Keesler, Peckham
Partner: Martinez
Staff: Soete, Coney, Ramie
Guests: None

Committee Chairperson Harold Roeder Jr. called the meeting to order at 7:49 p.m. A motion by Fluhr seconded by Shafer to approve the Feb. 24 meeting minutes was carried. There was no public comment on the agenda.

Discussion Items Report The committee reviewed the Discussion Items Report; some highlights:

Town of Hancock – road laws: On March 3, the Hancock Town Board held public hearings regarding proposed Local Law 1 of 2009, Establishing a Road Preservation Law; and proposed Local Law 2 of 2009, Establishing a Road Occupancy Law; and Proposed Local Law 3 of 2009, Establishing a Road Law.

Peckham noted there was some resistance to the laws from the industries that use truck transport in the Hancock area. He also mentioned there was an error in the truck weight mentioned, from 10,000 weight it should be 80,000 weight. He noted that a representative from Chesapeake was at the meeting and told the Town that they wanted guidance from the Town as to any posting and bonding of the roads as pertains to the gas drilling. Since those trucks are on a tight schedule, road repairs are not made immediately but after the fact. The Town offered that they were in the early stages of the road laws and several more public hearings would be held. Peckham noted that the Town has 145 miles of road, most in Delaware County. These roads were just repaired from the flooding damages. Soete commented that the weight of the truck wasn't so much the issue but the number of times that truck weight went over the same road before causing damage.

Town of Highland - Barnes Landfill: Soete reported that he had not had a response from the NYS DEC regarding a status report on the Barnes Landfill mitigation.

New York Regional Interconnect proposed transmission line (corridor-wide): The NYS PSC began formal hearings on March 16 regarding the NYRI power line application. Soete has been watching the webcast of the hearings. NYS DEC personnel testified for impacts to endangered species. This sensitive information was not webcast. Bill Rudge of DEC entered the *River Management Plan* as evidence. NYS PSC staff rated the application a 3 in a range of from 1 to 10, as far as information provided on the project, environmental studies, etc.

NYRI published a March 2009 "NYRI Update" newsletter online and it was downloaded and copies were provided to the Project Review Committee. On March 10, the NYS PSC ruled that CARI's Thruway Underground Alternative is relevant and material to the Commission's decision to grant or deny NYRI's application. The PSC set April 30 as the date that parties are to respond to CARI's Thruway Alternative. Daily notes from the PSC Evidentiary Hearing can be found on the CARI website at <http://caricoalition.org/evidentiaryhearings.html>.

The NYS PSC is having NYRI organize a bus trip of the proposed power line routes for the "active parties".

PPL Susquehanna-Roseland proposed power line expansion: PPL has hired an engineering firm for its Roseland power line project. On March 23 a PPL news release stated, "Crews will be doing various kinds of work along the route of the Susquehanna-Roseland power line. We're conducting various studies required by Pennsylvania's power line approval process, and we wanted you to be aware that you may be seeing this activity on the route over the next several months."

Natural gas leasing/drilling in the region, update: On March 3, Douglass and Soete attended a natural gas infrastructure forum at the Wayne Conservation District. On March 7, Douglass and Soete visited the Dimock area of Susquehanna County, PA to see well drilling activities first hand. There have been news

reports (a copy handed out to committee) that the natural gas drilling operations in Dimock are violating laws to protect water and the public. Soete commented that the gas well pads are very close to residential homes and are dotted all over the landscape. There have been residential well-water problems. The PA DEP has issued a Notice of Violation to Cabot Oil & Gas holding them accountable for allowing natural gas from lower formations to contaminate fresh water supplies.

Peckham commented that the gas company resealed a gap in the drill pipe and methane gas levels are coming down. Richardson noted in general they frack with high air pressure and that proves to be very noisy. Fluhr referenced that the PA Court case said Townships can zone areas as residential and keep gas drilling out. Peckham pointed out and questioned once drilling goes horizontal, would that local ordinance apply if the gas company is not disturbing the surface land. He mentioned that NYS has setbacks from state water for drilling pads. There's also a 660 foot setback from the Delaware River on both sides of the River from the center of the River. There's a standard 330 foot setback from state boundaries as well. Soete continued that at Dimock they saw a lot of trucks with Texas license plates. They found the driveways into the well pads were wider than they expected. They could not see if there were retention ponds for the used fracking fluid.

Soete reported that Pennsylvania has increased its gas drilling permit fees for drilling operations in the Marcellus Shale. There was a resolution passed by the Manhattan Community Board 2 on March 18 calling on the NYS Legislature and other agencies to prohibit Hydraulic Fracturing drilling for natural gas within New York State due to the danger of impacts to air, water, public health, wildlife and the integrity of local communities.

Pond Eddy Bridge, update: PennDOT has scheduled a public meeting for April 2 at the Shohola Township Building to discuss the Pond Eddy Bridge replacement project. The meeting will update the public on the project and also provide the results of the Project Development Report.

Old Business None

New Business:

TAG extension requests: The committee reviewed requests for 6-month extensions to the project deadline for Technical Assistance Grant projects. On motion by Fluhr seconded by Richardson, and approved, the following TAG extensions were granted:

>>TAG 2007-06 Town of Lumberland, history of Eldred School District

>>TAG 2007-07 Town of Lumberland, comp plan & zoning law

>>TAG 2007-08 Town of Tusten, transcription local laws & ordinances to Town website

Pace University Law School, invitation only land use training: Richardson reported that he was pleased to be chosen to participate in the in-depth land use training facilitated by Pace University Law School to be held on four Fridays in April.

Public Comment None

Adjourn A motion by Bowers seconded by Peckham to adjourn the meeting at 8:55 p.m. was carried.

Carol Coney, Office Manager