

UPPER DELAWARE COUNCIL MEETING MINUTES March 6, 2008

The Upper Delaware Council held its monthly meeting on Thursday, March 6, 2008 at the Council office on Bridge Street in Narrowsburg, NY. Chairperson Alan Bowers called the meeting to order at 7:31 p.m. NPS Superintendent Vidal Martinez introduced his colleagues from NPS that came to the meeting—John Donahue, Superintendent of the Delaware Water Gap National Recreation Area and Joe DiBello, Planner from the NPS Northeast Regional Office in Philadelphia. Martinez explained that when there is a change in Park unit superintendents, a Transition Management Assistance Program team comes in and interviews staff and partners to ascertain where emphasis should be placed by the new Superintendent. DiBello was a familiar face as he had worked on the River Management Plan in earlier years in relation to the Upper Delaware management process.

In attendance: Town of Hancock-Jim Serio, Town of Fremont-Jack Niflot, Town of Delaware-Harold Roeder Jr., Town of Cohecton-Larry Richardson, Town of Tusten-Charles Wieland, Town of Highland-John C. Sundholm, Town of Lumberland-Jay Shafer, Town of Deerpark-Phil Chase, Westfall Township-Alan Bowers, and National Park Service-Vidal Martinez. Also present were Fred Peckham, Alternate from Town of Hancock, and Jim Rodgers, Alternate from the Town of Fremont. Members absent: Lackawaxen Township, Shohola Township, State of New York, Commonwealth of Pennsylvania, and Delaware River Basin Commission.

Meeting Minutes A motion by Roeder seconded by Wieland to approve the Feb. 7 meeting minutes was carried.

Public Comment on the Agenda None

UDC Committee Reports Wieland presented the Water Use/Resource Management Committee report from the Feb. 19 meeting. The Operations and Project Review committees had a weather cancellation for their Feb. 26 meetings.

Status Reports

Delaware River Basin Commission: The Commission's executive director could not attend the UDC meeting as planned. Douglass referenced the Delaware River Flow and Storage Data handed out dated Feb. 29. The combined NYC Delaware River Basin reservoir storage was at 99.7%. With the recent heavy rains the main stem Delaware has not flooded but the Susquehanna River has reached flood stage in some places. Serio mentioned that the upper Delaware reaches were totally ice free because of the reorganized releases. The releases have helped with flood mitigation and have changed 25-30 bg of uncontrolled spill into useful releases.

Douglass noted that the Commission's next meeting will be held March 12. This meeting is different in that there will be no morning conference session. The business meeting will start at 1:30 p.m. at the DRBC offices. On May 7, the Flood Advisory Committee will meet at 10 a.m. at DRBC. Douglass noted that the Feb. 28 NYS flooding summit held in Binghamton didn't seem to yield any new information. The NYC DEP was not part of the agenda.

NYS Dept. of Environmental Conservation: Rudge was not in attendance but handouts were provided. A DEC press release "DEC Invites Property Owners to Help Control Goose Populations" indicated that Commissioner Grannis has released information to help property owners prevent or reduce problems with Canada geese, which are becoming more widespread every year. New York's local-nesting or "resident" Canada goose population has grown to more than 200,000 birds statewide, and is expected to continue growing if individual property owners, local governments, homeowner's associations, waterfowl hunters and others do not take action to help slow population growth. For more information go to DEC's web site www.dec.ny.gov/animals/7003.html.

Another press release "Governor Spitzer Announces Rochester Institute of Technology To Host Pollution Prevention Institute" announced the selection of RIT as the host of the Pollution Prevention Institute, a cutting-edge research and development center to design and test "green" manufacturing methods

and provide technical support to businesses for pollution reduction measures that will help make them more competitive. RIT's primary mission will be to promote cost effective pollution prevention techniques so that large and small business can reduce energy costs, hazardous substances, and wastes. The Institute will assist industry in reducing its environmental impact by decreasing the use of toxic chemicals, cutting waste generation, decreasing exposure risks to workers, and promoting more efficient use of raw materials and energy. The full press release can be accessed at www.ny.gov/governor/press/0229082_print.html.

PA Dept. of Conservation and Natural Resources: No Report

National Park Service-Upper Delaware: Supt. Martinez said he has been attending partner meetings and is becoming more and more familiar with UDC and other organizations since he's arrived. NPS had a meeting with key people regarding the construction project at the Roebling Bridge which is scheduled to begin again in the spring. NPS is working on a new exhibit for the Zane Grey Museum. It's a challenge since there is such a small area to house the exhibit. The key stakeholders were included in the museum discussions.

UDC Executive Director's Report: Bill Douglass called the members attention to a mailing they received from staff that included the Nomination Form for the upcoming UDC Awards Ceremony. He requested that members review deserving individuals, organizations, municipalities, etc. that would be eligible under the nomination categories. The nomination deadline is March 21. The Council's updated map and guide brochure is being printed and should be delivered in April.

Douglass referenced the flyer handed out announcing the UDC's 20th anniversary event of a workshop that will include a review of the Land and Water Use Guidelines contained in the River Management Plan for the Upper Delaware Scenic and Recreational River. This workshop will be of interest to river valley municipal, planning, and zoning officials and is also open to the public. The workshop is free and is being provided through a grant from NYS Assemblywoman Gunther. A number of speakers are planned along with a question and answer session. The workshop will be held Wednesday, March 26 from 7 to 9 p.m. at the Tusten Town Hall, 210 Bridge Street, Narrowsburg, NY. Publicity and direct mailings are in the process regarding this activity.

On March 11, UDC staff will be attending a public hearing at Lackawaxen Township regarding the mining permit application of Holbert Brothers. The UDC has issued a comment letter to Lackawaxen Township regarding the quarry expansion. This type of use in the river district is prohibited under the River Management Plan as well as the township zoning ordinance.

UDC staff has issued the comment letter prepared through committee and viewed by the members regarding the DRBC's revised FFMP (Flexible Flow Management Plan). The extended comment deadline was March 3.

Old Business

NYC Delaware Aqueduct repair: Chase expressed his concerns regarding the New York City repairs to the Delaware Aqueduct, and in the future the Catskill Aqueduct. The Delaware Aqueduct is closed down presently. Chase said the River Master had no information on the Aqueduct closing or what's happening with the NYC repair project, nor did the DRBC. When DRBC found out about the closure, they wanted it declared an emergency closing but NYC said it was not an emergency. Chase was concerned that with the repairs to the aqueduct, NYC might vote down the FFMP. When NYC DEP works on the Delaware Aqueduct in the rainy season, as the Catskill Aqueduct will be supplying most of the water to NYC, we'll have plenty of water in the rivers. When they work on the Catskill Aqueduct the reverse will be the case, major trouble for our releases. Chase said his Town asked him to attend the Flooding Summit in Binghamton on Feb. 28. He did, but felt it covered mostly the Susquehanna watershed and apparently NYC was not invited. He said many residents and municipalities are very concerned about future Delaware River flooding impacts as well as impacts from tributaries.

New Business

TAG project Town of Cochection: Douglass noted that since the Project Review Committee did not meet, a TAG project completion needed to be addressed. Staff received a request for payment from the Town of

Cochecton that had completed its Technical Assistance Grant #2007-01 project, surveying the town hall property, and was requesting payment of \$2,000. Staff has reviewed the payment request documentation and everything is in order. A motion by Wieland seconded by Shafer approving payment of the grant was carried.

NYRI submits Art. VII supplement to NYS PSC: Douglass displayed the numerous and huge binders that comprised the packet sent by New York Regional Interconnect to the NYS Public Service Commission that would complete its Art. VII application regarding its proposed power line in the state that would intercept the Upper Delaware River Watershed. Duplicates of the binders have been provided to municipalities where the route is proposed, as well as some libraries for the general public's use. Douglass noted that there will be a heavier impact in the Hortonville area now and maps of the NYRI route in that area have been provided to the Town of Delaware's UDC member for his use and information. Roeder explained where the proposed power line route would dissect the town and noted it would have the village become a dot in the valley surrounded by huge power lines that would be placed on the ridgelines. It would be crossing streams, woods, and roads involving various private property parcels and state land. The people in town are formulating an action response against this proposed alternate route.

U.S. DOE affirms NIETC designations: Members were provided with copy of a U.S. Dept. of Energy press release dated March 6. The release stated in part: "...DOE today denied requests for rehearing of the Mid-Atlantic and the Southwest Area National Interest Electric Transmission Corridors designated by DOE in October 2007 as areas of significant electricity congestion and constraint. The designation of national corridors was made in accordance with the Energy Policy Act of 2005 (EPAAct). In affirming the National Corridor designations today, DOE dismissed as being without merit challenges raised by the applicants for rehearing, citing extensive data analysis conducted in its 2006 National Interest Electric Transmission study, ample opportunity for public review and comment, and several other key reasons. DOE also highlighted that its approach to defining the geographic boundaries of the affected areas is consistent with the statutory requirements. DOE is not required by statute to analyze non-transmission alternatives for relief of congestion prior to issuing a National Corridor designation. Lastly, Federal statues such as the National Environmental Policy Act, the Endangered Species Act, and the National Historic Preservation Act are not applicable to DOE's designation of national corridors. Rather, reviews under these statues would be conducted by the Federal Energy Regulatory Commission before Federal approval could be granted under the Federal Power Act for the construction of a transmission project." The full text of DOE's Order and additional information on NIETCs are available at www.oe.energy.gov/nietc.htm.

Public Comment Fred Peckham wondered if all the libraries will receive the NYRI packet or if it will only be going to the "Active Parties" list. It should be available to all the libraries on the route. Douglass said he thought that's what NYRI intended but will check on it.

Adjourn A motion by Roeder seconded by Chase to adjourn the meeting at 8:11 p.m. was carried.

Carol Coney, Office Manager