

Upper Delaware Council
WATER USE/RESOURCE MANAGEMENT COMM. MEETING MINUTES
April 19, 2011

Committee Members Present: Chase, McKay, Shafer, Rando
Committee Members Absent: Ritter, Boyar
NPS Partner: Hamilton
Staff: Douglass, Soete, Coney, Ramie
Guests: P. Kolesar

The UDC's Water Use/Resource Management Committee held its monthly meeting on Tuesday, April 19, 2011 at the Council office in Narrowsburg, NY. Vice-Chairperson Phil Chase called the meeting to order at 7:24 p.m. A motion by Rando seconded by Shafer to approve the March 15 meeting minutes was carried. There was no public comment on the agenda. Chase requested Kolesar to provide an update on the DRBC's Regulated Flow Advisory Committee.

RFAC Update: Peter Kolesar mentioned that RFAC was meeting regularly now. The release rules expire on May 31, 2011. Up until April 7 there was a stalemate between NYC and NJ. Now there is a tentative agreement among the four states and NYC, as everyone gets something. They'll keep the reservoirs at 90% Sept. 1 to March 15; July 1 to Sept. 1 and March 15 to May 1 there'll be a 5% void in reservoirs. The fishing groups and the fisheries biologists of NY and PA will be part of continuing discussions. It's not clear yet the exact rules of releases. Basically there are seven release matrixes and one is close to the NY-PA white paper. They'll shuffle between matrixes depending on forecast at the time. At the March 8 meeting they discussed a plan but there was no support. So the committee came back on April 7 with a better one. Kolesar noted that groups should now make their comments known on the plan. He felt it was heading in the right direction, but there's cautious optimism. The next Regulated Flow Advisory Committee meeting is May 5. A *New Jersey Newsroom* article on the plan had been handed out to the WU/RM Committee.

Old Business

Upper Delaware Scenic Byway Update: Ramie reported the Byway group met on March 28. They approved six proposals from Port Jervis, Town of Delaware, Town of Tusten, Town of Highland, Town of Lumberland, and Village of Hancock for projects to be completed by August under a state grant regarding landscape and beautification efforts. Through a NYS grant the Byway will do a matching cooperative advertisement project. The work plan and budget goes to the state for approval. The group discussed getting a Facebook page.

Handed out to the committee was copy of a Byway news release announcing two free public seminars on Saturday, April 30, focused on methods to combat the invasive plant species Japanese knotweed. Repeat meetings will be held from 4-5:30 p.m. and 7-8:30 p.m. at the Tusten Town Hall in Narrowsburg, NY. Also provided to the committee was the newly produced brochure, "Spread the Word...Not the Weed!" focusing on the invasion of the invasive plant Japanese knotweed on our native plants, riverbanks, and views. The brochure includes "Do" and "Do Not" suggestions for this plant, photographs to identify the plant during the different seasons of the year, and history of the weed and why it is a problem. For copies of the brochure email info@upperdelawarescenicbyway.org or telephone Ramie at 845-252-3022.

The Byway passed a resolution to support Sullivan County Planning's applications for a NY Main Street Program grant and a Community Development Block Grant. They're doing a letter to PennDOT requesting to be part of the advisory committee on the Pond Eddy Bridge project.

The Byway group will hold their annual meeting and election of officers on April 25.

PennDOT Announces Start of Repairs to Pond Eddy Bridge: Referencing the PennDOT news release that was handed out, Rando informed the committee that PennDOT will be starting repairs to the Pond Eddy Bridge on April 18. The work will include replacing approximately 64 steel stringer beams. The bridge will be closed to traffic during the hours of 8:30 a.m. and Noon and 1 p.m. and 4:30 p.m., Monday through Friday. The bridge will be open to residents between noon and 1 p.m. and after 4:30 p.m. until

work begins the next morning. Replacement of the stringers is expected to be completed in June. An Aid to Navigation Plan will accommodate boating traffic on the Delaware River through the work area during construction. The repairs will be made to reestablish the 7-ton posting limit that had been reduced to 4-tons back in December 2010. There are 28 houses on the PA side of the bridge and the bridge is the only way in and out to those properties.

Upper DelAWARE River Roundtable Update: Soete reported on the Roundtable meeting he attended on April 7 at the Tusten Town Hall in Narrowsburg, NY. The group had a PowerPoint presentation on Health Impact Assessments: What is an HIA? How Are HIAs Useful? An HIA is a combination of procedures, methods and tools that systematically judges the potential, and sometimes unintended, effects of a policy, plan, program or project on the health of a population and the distribution of those effects within the population. An HIA identifies appropriate actions to manage those effects. HIAs have demonstrated success in a variety of issue areas ranging from land use and transportation to housing policies, labor standards, natural resource extraction, education and economic policies.

Soete noted that in the whole country only two health studies (Colorado, Alaska) were apparently done on gas extraction. The gas companies are arguing over the methodology of how the health studies are done. An area should have good baseline data in case something happens. Any studies would have to be done scientifically. It probably will be hard to show cause and effect. The Roundtable may have physicians who work in the gas area come to a meeting to review any increases in health issues with gas extraction. There have been no long-term studies done on hydrofracking impacts relative to health issues.

NYC Diversions: Chase mentioned that during the last 30 years, New York City has diverted 500 mgd out of the Delaware watershed. They are allowed to divert 800 mgd. The Catskill Aqueduct, near the Delaware Aqueduct, will be tapped for more water and NYC could easily reach that 800 mgd at some point in the future. He referenced a handout of an article in the *Times Herald-Record* of April 12, 2011 that notes the Village of Kiryas Joel is close to clearing one of the final hurdles in its lengthy quest to tap into NYC's Catskill Aqueduct. Chase mentioned that Orange County had at one time looked at setting up a loop system for tapping into the aqueducts to obtain more water for its increasing population. Soete noted that the article says the Catskill Aqueduct for Kiryas Joel, but NYC could be using Delaware water in the future. Chase noted all towns along the aqueducts can by rights tap into the water source.

NPS Report: Don Hamilton announced a new biological tech is on board at NPS-Upper Delaware, Jessica Newberg. He's been working on some funding proposals. The new labs at the Milanville office are almost completed.

New Business

Informational Handouts: The committee was provided with handouts containing information of interest. They included: DEC news releases "NY drilling regulations may take all summer"; "Emergency Rule for Outdoor Wood Boilers"; "Suspends Sales of Marine Saltwater Fishing License" including an FAQ email from Bill Rudge; Theodore Gordon Flyfishers forwarding of a NJ DEP news article announcing landmark framework agreement with Decree Parties on management of the Delaware River Basin; NYS Attorney General's news release announcing the AG pledged to sue the federal government if it doesn't commit in 30 days to conducting a full environmental review of proposed regulations that would allow natural gas drilling in the Delaware River Basin. The Basin includes the NYC watershed and portions of Broome, Chenango, Delaware, Schoharie, Greene, Ulster, Orange and Sullivan Counties.

Continuing: A Friends of the Upper Delaware news release "Conservation Groups Plan Earth Day Rally for 'Sensible' Delaware River Water Plan"; Newsroom Jersey article "New York City agrees to modify flow from reservoir system to protect Delaware River".

John McKay provided copies of an article in the April 2011 edition of the *Northeast Pennsylvania Business Journal*, "Geologist predicts 'line of death', Heat that created anthracite most likely also burned gas deposits, meaning natural gas ends at coal fields". The article stated in part: "Nationally known geologists such as Terry Engelder, Ph.D., professor of geosciences at Penn State University, are quietly acknowledging that an area from Forest City to Nanticoke is known within the natural gas industry as the 'line of death'. This designation is occurring because the same intense heat that produced anthracite coal also cooked the Marcellus Shale deep beneath it and probably burned out the vital carbon atoms. We

believe the shale east of the anthracite shelf is either dry or full of salt water. The Delaware (river) folks may be protecting nothing.” The committee was wondering what would show up when the gas companies do more testing.

Public Comment None

Adjournment A motion by McKay seconded by Shafer to adjourn the meeting at 7:59 p.m. was carried.

Carol Coney, Office Manager