

UPPER DELAWARE COUNCIL MEETING MINUTES Feb. 5, 2009

The Upper Delaware Council held its monthly meeting Thursday, Feb. 5, 2009 at the Council office on Bridge Street in Narrowsburg, NY. Chairperson George J. Fluhr called the meeting to order at 7:31 p.m. A motion by Bowers seconded by Shafer to approve the Jan. 8 meeting minutes was carried. Guests to the meeting were introduced: Bill Manner-PA DEP; Paul Henry-Berlin Township Supervisor; Roy Tedoff-Town of Delaware; Dave Jones-Kittatinny Canoes; Marian Schweighofer-Northern Wayne Property Owners Alliance; Eyewatch News 13-Milford, PA. There was no public comment on the agenda.

In attendance: Town of Hancock-Fred Peckham, Town of Fremont-Jack Niflot, Town of Delaware-Harold Roeder Jr., Damascus Township-Dolores Keesler, Town of Cochection-Larry Richardson, Town of Tusten-Charles Wieland, Berlin Township-Andy Dean, Town of Highland-John C. Sundholm, Town of Lumberland-Jay Shafer, Town of Deerpark-Phil Chase, Shohola Township-George J. Fluhr, Westfall Township-Alan Bowers, Commonwealth of Pennsylvania-Dennis DeMara, and National Park Service-Vidal Martinez. *Absent:* Lackawaxen Township, State of New York, and Delaware River Basin Commission. Also in attendance: Town of Fremont Alternate-Jim Rodgers.

Committee Reports: The committee reports were provided by the committee chairpersons based on the meeting minutes: Water Use/Resource Management Jan. 20 by Wieland; Operations Jan. 27 by Fluhr, and Project Review Jan. 27 by Roeder.

Status Reports

Delaware River Basin Commission: Douglass referenced the handouts provided. The Delaware River Flow and Storage Data as of Jan. 28 indicated that the combined NYC Delaware River Basin reservoir storage was at 87.3%. Only a month ago the reservoirs were full which is not good for this time of year with the snowpack. The reservoirs have been drawn down. Wieland asked for the snowpack report and Douglass responded we'll provide that. Douglass announced that the DRBC's Flood Advisory Committee would be meeting on Feb. 11 and that he would be attending.

NYS Dept. of Environmental Conservation: Bill Rudge was not in attendance but he provided press releases for hand out. The press releases covered Snowy Owl sighting on the increase this winter indicating a productive breeding season.

New York hunters will see a special snow goose hunting season beginning March 11 in most areas of the state. Populations of snow geese have grown to historic highs, and their feeding has negatively impacted natural vegetation found in coastal marshlands during breeding, migration and winter.

The DEC's annual sale of tree and shrub seedlings is underway and will continue through the month of May. The program provides low-cost planting material to encourage landowners to enhance New York's environment for future generations. Species should be selected based on soil type at the planting site. Seedlings can be ordered by calling the Saratoga Nursery Seedling Stock program at 518-587-1120.

PA Dept. of Conservation and Natural Resources: Dennis DeMara provided the PA township members with information on the Community Conservation Partnerships Program 2009 Grants Workshops. DCNR is committed to funding projects that implement priorities from the DCNR Action Plan, projects that help build sustainable communities and projects that promote sound land-use practices. The workshop for this area would take place at The Inn at Nichols Village in Clarks Summit on Feb. 10. Further information at www.dcnr.state.pa.us. These grants are funded in part from the Keystone Recreation, Park and

Conservation Fund and Growing Greener funds. The Keystone dollars are through the realty transfer tax and since that amount has declined, the actual funding pool will be reduced. The grant application deadline is April 22, 2009.

DCNR will be offering a new service to streamline its 2009 grant application process, DCNR e-Grants. For info www.dcnr.state.pa.us/brc/grants.

Also handed out was information on the 2009 Parks and Recreation Academy. The Academy has been designed to assist those responsible for the management of parks and recreation programs in their community. Over the course of three evening sessions, instructors will provide attendees with information on the basics of setting up and implementing successful community recreation programs, financing tools and tips, and the process involved in hiring qualified professional staff. Sessions are scheduled for March and April. For further information www.psats.org.

Also available if anyone wanted a copy was the flyer "Pike County is Growing...Naturally", a roadmap to Pike County's Planning Efforts and Future Growth Policy. It includes information relative to Vision for Pike County in the 21st Century, Pike County Comprehensive Plan, Pike County Future Development Principles, Conceptual Growth Areas, Land Use, Pike County Open Space-Greenways-and Recreation Plan, Open Space Strategies for Implementation, Scenic Rural Character Preservation Program, and Agricultural Land Preservation Program. The flyer was funded in part by a grant from the Upper Delaware Council.

DeMara noted that the PA Governor has pressed for and supported reducing the NYC reservoirs in the Upper Basin to allow for storage capacity for flood mitigation.

DeMara announced that Pennsylvania has a new national wildlife refuge in eastern Pennsylvania, Cherry Valley National Wildlife Refuge. The U.S. Fish and Wildlife Service had recently approved this refuge. The Service has established a boundary for the refuge encompassing 20,466 acres in Monroe and Northampton counties, within which it may now acquire nationally significant habitat for wildlife as part of the National Wildlife Refuge System. The Refuge harbors rare ecosystems, several plants and animals protected under the Endangered Species Act, and many more species of concern within the conservation community. Cherry Creek, at the valley bottom, flows into the Delaware River. This is the third wildlife refuge in Pennsylvania along with Erie Bluffs and John Hines.

DeMara noted that Bill Manner from PA DEP was also in attendance if anyone had any questions they'd like to ask.

National Park Service-Upper Delaware: Superintendent Martinez mentioned that a concerned citizen had contacted NPS about the Little Joseph Mine in the Town of Cochection being an incompatible use in the River Valley. The NPS reviewed the "River Management Plan" and concurred with the Upper Delaware Council to the result that it was within the Plan guidelines.

Martinez offered that he attended a D & H Transportation Heritage Council meeting for the first time that was held in Shohola, PA and was very impressed with the historical tour provided by Fluhr and the efforts being made by the group to preserve D & H Canal remnants.

As to the Mongaup Welcome Center proposal, the NPS has heard from the Vice President of Operations for Alliance Energy who wanted to discuss the sites being looked at for the Center with NPS. That meeting will be held tomorrow.

Martinez reiterated the sadness of NPS at the loss of its employee Laura Sletner, who passed away Jan. 23. Ms. Sletner was a dedicated NPS employee, and had worked tirelessly on the board of the Humane Society. She will be missed very much.

Martinez referenced the bio that was handed out on the new U.S. Secretary of the Interior, Ken Salazar. He commented that Salazar has a good law background and it will be interesting to see how this assists us.

UDC Executive Director's Report: Bill Douglass noted that the New York Regional Interconnect company surfaced in 2006 bringing up the power line proposal in the River Valley. The Communities Against Regional Interconnect (CARI) has been spending lots of money working against this proposal. They are preparing for the NYS PSC hearings on this matter. The recent news from NYRI is that it has filed a protest with the Federal Energy Regulatory Commission stating, "Unless the Commission grants the requested rehearing or clarification, it is unlikely that large-scope, technologically-innovative, congestion-reducing projects like the NYRI Project will be built because there will be no way to recover a return of and on the investment. NYRI respectfully requests that the Commission issue a decision by March 2009 so

that NYRI's investors can decide whether to continue investing in this Project." UDC is waiting to hear FERC's reply.

The NYS Public Service Commission staffer's opinion is that the NYRI project is not needed. NYRI was asking for a rate of return of 13.5% and FERC only recommended 2.5% so far. With the Energy Policy Act of 2005, Congress gave FERC new authority for oversight of these power line proposals.

Douglass showed the February 2009 issue of *Field & Stream* magazine with Phil Chase's photo and article announcing Chase as a "Hero of Conservation" for his many years of conservation work. This honor was also reported at the Water Use/Resource Management Committee meeting.

The Council had received a Certificate of Recognition from PA State Senator Lisa Baker to mark the occasion of the UDC's 20th Anniversary in 2008. The Council is very pleased to receive this recognition and has offered its thanks to Senator Baker in a letter dated February 5, which was read aloud by Douglass.

Douglass mentioned that PennDOT is expected to issue a press release in mid-February regarding the status of the Pond Eddy Bridge project.

Old Business None

New Business

UDC FY08 Annual Report: The members were provided with the Council's printed fiscal year 2008 annual report. This report is also available online at www.upperdelawarecouncil.org.

Recreational Boating on Cannonsville Reservoir: Coney provided the members with an article from the Catskill Center for Conservation & Development's newsletter, "Coming soon...Recreational Boating on the Cannonsville Reservoir". The article reports that beginning May 22, 2009, residents and visitors will be able to partake in non-motorized boating on the Cannonsville Reservoir. Recreational boaters will be able to launch from six possibly seven access sites that would provide for use of about 60% of the reservoir. Under this three-year pilot program, boaters will be allowed on the reservoir from the Memorial Day through Columbus Day weekends. A boat tag and DEP public access permit are required. For further information go to www.nyc.gov/dep, and click on Recreational Use & Permits.

Public Comment

◇ Dave Jones, owner Kittatinny Canoes, commented he would appreciate lower reservoirs for flooding protection downstream. The liveries also need more flow during the summertime. Last summer there were many days of extremely low water in the River. He wanted to see the DRBC's Flexible Flow Management Program provide for more water for recreational use.

He suggested looking into small impoundments in the basin and taking water out during high flows for fracking fluid for the gas drilling companies.

Jones also noted that when the economy comes back, development will come back to this area. With gas drilling, we could look at the landowners' needs for reasons not to sell and develop land. We can work with the gas companies to keep this area "green". He said a well pad was more pleasing to him than seeing 100 new homes with the infrastructure needs that would entail. The gas drilling and usage will be here for 50 years so we should try and do this right now so everyone comes out a winner.

Roeder offered that the UDC came about because of conflicts to protect the River and environment and private property rights and so far that concept has worked. We all should be interested in land protection and working together.

Tedoff commented that with the new Administration in Washington, protections might be put back that were taken away with the Energy Policy Act of 2005.

◇ Marian Schweighofer of the Northern Wayne Property Owners Alliance mentioned her work in the 1980s on the River Management Plan and said she was pleased to see how successful the UDC has been. She said all are to be commended for a good job. She was sorry that the UDC has not received a line item in the NYS and PA state budgets as envisioned by the Plan.

She mentioned she attended the meeting to hear the comments of the DRBC and PA DEP on the gas drilling situation. The Northern Wayne Property Owners have about 80,000 acres and are pro-environment with any drilling leases, when they lease. The farming community has about 75% of the

wildlife on their farms and their land acts as a stream buffer. Farmers protect the environment and her group is not anti-drilling.

Wieland commented to her that the UDC is working on a position paper regarding the gas drilling situation. The UDC is concerned about protecting the water wells and watershed.

Roeder offered that both states never have put the UDC in their line item budgets since the UDC was founded, even though that was in the River Management Plan. The federal government has been good to us with funding each year. The UDC is having money difficulties right now but “when the clouds go away, the sun does come out”. Fluhr said hearing that the feds have been good to us was something you would not have heard at the very beginning of this grand experiment. Shows how far we’ve come since the conflict over 20 years ago.

Adjourn A motion by Bowers seconded by Richardson to adjourn the meeting at 8:32 p.m. was carried.

Carol Coney, Office Manager