

Upper Delaware Council
WATER USE/RESOURCE MANAGEMENT COMM. MEETING MINUTES
March 17, 2009

Committee Members Present: Wieland, Bowers, Serio, Sundholm, McKay, Fluhr, Keesler
Committee Members Absent: Chase; Shafer; Flaherty
Partner: Martinez
Advisory Members: None
Staff: Douglass, Soete, Coney, Ramie
Guests: S. Schultz, D. Hamilton, E. Cohen, H. Jacksy

The committee chairperson Charles Wieland called the meeting to order at 7:10 p.m. A motion by Bowers seconded by Sundholm to approve the Feb. 17 meeting minutes was carried. There was no public comment on the agenda.

Sullivan County Planning Presentation: “Regional Waterfront Revitalization Program for the Upper Delaware River Corridor”, Ethan Cohen-Chief Planner & Policy Specialist; Heather Jacksy, Planner

The committee was provided with handouts – Upper Delaware Local Waterfront Revitalization Program Plan; Stakeholder Questionnaire to be completed and returned to the Planning office. Jacksy reviewed that Sullivan County Planning did receive the grant that UDC had supported as a stakeholder in the fall of 2008. Given the problems with the New York State budget, Planning has not received a signed contract as yet. However, given the timeline of the grant project, they felt they should begin with the waterfront revitalization project. They asked that the Council members fill out and return the questionnaire handed out.

Cohen noted that the grant comes through the Local Waterfront Revitalization Program funded from the Environmental Protection Fund and bond money. Regarding water issues, the state likes to see specific capital projects. This project is the first level of support for the funding plan. Cohen noted that they reached out to a number of groups during the summer and fall to act as partners, such as the Upper Delaware Council. They are not trying to remove funding from the towns, but making a “family tree” of projects to leverage more funding for everyone. In 2010 the project will be completed and the towns can use the project as a base for other funding requests.

In answer to a question, Cohen indicated that the grant project involved New York State towns but that cross-river linkages will be highlighted, such as the membership of the UDC. The Upper Delaware is an approved LWRP area on file with the state and is certified for grant applications and funding. Martinez noted that relative to the questionnaire or grant tasks, activities would have to be consistent with the Wild & Scenic Rivers Act and the *River Management Plan*.

Sundholm inquired if the Planning department was telling the towns they should be using their waterfront more. Jacksy indicated Planning was offering assistance and not prohibiting the towns from doing anything. Wieland mentioned that through Planning this would enable another set of funds and we wouldn't have known about this without the County. Cohen added that they want the towns to tell them what they want. The goal would be to synthesize the larger regulatory programs with plans that come from the communities, for example, historic preservation using the River as a base.

Schultz reported that the City of Port Jervis established such a program a year ago. The NPS participates on their committee. Port Jervis selected a consultant for this work. They are finding it a valuable project. She felt it was proper that the Upper Delaware LWRP was in place as it's then easier to apply for other grant funding. She also was glad to have Sullivan County paying attention to the River corridor.

In response to a question, Cohen indicated that the grant work would be done in-house but that some money was included in the budget for consultancy assistance. The GIS mapping would be done in-house as well. The strategy for these types of projects was included in Sullivan County's 2020 master plan. There was a question if the project would include the Village or Town of Hancock in the River Corridor. Serio indicated that the Village of Hancock has received a grant for a waterfront walking tour project. Cohen noted that Planning did mention this current grant project to other government entities in the River corridor.

Sullivan County's "Conserving Open Space and Managing Growth" Plan: The committee members were provided with excerpts from the recently adopted Sullivan County Division of Planning & Environmental Management's "Conserving Open Space and Managing Growth – A Strategy for Sullivan County, New York" document. A community information session to introduce the newly adopted open space plan will be held on March 25 at 7 p.m. at the Neighborhood Facility in Monticello. The plan highlights critical resource areas that both benefit and contribute to open space protection. These areas include Agriculture, Biodiversity, Culture and Recreation and Water. Within each area challenges and opportunities have been identified and strategies created for achieving goals that lead to open space protection.

The Upper Delaware River Corridor is included with the Biodiversity Resources, and Recreational & Cultural Resources. The plan includes 'Action/Implementation' sections and the Upper Delaware Council is included as a lead agency/partner for one 2009 task; one 2012/2013 task; one Education and Outreach task; and one funding source for its Technical Assistance Grants Program. UDC staffer Dave Soete participated in the County's Open Space Summit and Technical Team meetings. The County will be working with Council staff during implementation projects. The entire Plan is available at the Division of Planning's website at www.scgnet.us.

New York Regional Interconnect Proposed Power Line, activities update:

♦CARI: Communities Against Regional Interconnect have been issuing numerous informational news releases leading up to the NYS PSC hearings in Albany on the NYRI project. The committee was provided with three of these releases---"NYRI Pulls Bait and Switch, Parties Cry Foul"; "NYRI Line Must Be Compared To Thruway Alternative"; "Evidentiary Hearings To Be Webcast".

♦NYS PSC: The NYS Public Service Commission announced that the Evidentiary Hearings on the New York Regional Interconnect Project would be webcast beginning Monday, March 16, at 10:30 a.m. All other hearings are scheduled to start at 9:30 a.m. NYRI submitted an application to the PSC on Aug. 8, 2008 to build a 190-mile long overhead High-Voltage Direct Current Transmission line from Edic Substation in Marcy to the Rock Tavern Substation in New Windsor, New York at a cost of \$2.1 billion. The PSC has until Aug. 8, 2009 to reach a decision on the project. To view the evidentiary hearings webcast visit www.NewYorkAdmin.com and click on New York State Public Service Commission link.

Soete briefed the committee on the hearings he has been watching online. On March 16, the NYRI experts were questioned on their visual impacts study; this afternoon the Environmental Impacts Study was discussed. The NYS Attorney General and DEC attorneys conducted in-depth questioning of NYRI. Soete felt the NYRI experts were hammered and did not seem to have the expertise and comparative knowledge they should have had for a project of this magnitude. Douglass mentioned that the NYRI attorney was also at the hearings. Soete reported that overall there was good webcast coverage of the hearing.

Old Business

Upper Delaware Scenic Byway Update: Ramie reported that NYS DOT contacted the Byway group. They are developing a maintenance project that will remove hazardous trees along the NYS Rt. 97 (Byway) corridor using federal recovery monies. DOT will be meeting with the Byway group at their March 23 meeting to discuss this project. The Byway has hired a consultant relative to its vegetation clearing/viewshed project that could dovetail with the DOT project.

The Feb. 23 meeting of the Byway did not have a quorum, but there was general discussion about some issues. There was a website report from Wdesign. The group had no response to its help wanted ads regarding someone to solicit business members and ads for the website. The current business listings on the web are due for renewal March 31 and the businesses have been notified. The nominating committee will be appointed at the March meeting. There is one Byway interpretive sign left to erect in the hamlet of Narrowsburg and that should be done this spring. The Byway Marketing Committee has been tasked with establishing a distribution plan for the 100,000 Byway brochures being produced. The bid deadline for the digital map project is March 6. The map task is due to be completed by June 1. A placemat campaign will include this Byway map. Ramie reviewed the status of the numerous grant projects the Byway is involved with.

The Byway group may support the NYS Better Bottle Bill as part of its anti-litter campaign. They may issue a comment letter to the NYS DEC on its Open Space Plan. The Marketing Committee is looking

at placing an ad in the 2009 Delaware County tourism guide. The Byway group was provided with a list of tourism market concerns that was obtained during the Jan. 29 Catskills Legislative Reception held at Bethel Woods.

Delaware River Sojourn Update: Ramie reported that the day planners for the Sojourn were working on finalizing their day plans for each River section of the Sojourn. The Upper Delaware has a 5 mile and an 11 mile section for the paddlers and they are still working on their educational programs and meals for the sojourners.

Pond Eddy Bridge public meeting April 2: Douglass reported that the Council has been notified that PennDOT will be holding a public meeting on April 2 at 7 p.m. to update the public on the developments of the Pond Eddy Bridge project and to review the results of the Project Development Report. The meeting will be held at the Shohola Township Building in Shohola, PA. It was noted that this meeting date and time was in conflict with the monthly Council meeting, but someone from the UDC staff would attend the PennDOT meeting.

NY-PA Joint Interstate Bridge Commission Meeting May 28: Douglass reported that the Council has been notified that the annual NY-PA Joint Interstate Bridge Commission meeting will be held May 28 at 10 a.m. at the PennDOT District 4-0 office in Dunmore, PA. UDC staff will attend.

Common Waters Meeting March 13: Douglass reported that he attended the March 13 meeting of the Common Waters group that met at Grey Towers. The group is changing its meeting schedule to once a month in order to focus on redefining their mission and implementing same. This stakeholder group is dealing with issues in the Tri-State area downriver and is similar to the Upper Delaware River Roundtable ad-hoc group—common goals; cooperative projects.

NYS DOT Information Meeting-conversion of Rt. 17 to I-86: Serio reported that he attended the March 10 NYS DOT information meeting regarding NYS Route 17's (Quickway) conversion to NYS Interstate 86 held in Deposit. Serio mentioned that DOT is still in discussions about how to handle the Hale Eddy and Roods Creek access. DOT indicated that design approval could come in 2010 with possible property acquisition beginning at that time. Final Design Completed is scheduled for 2012 and groundbreaking would happen after the letting of bids which is scheduled for 2015. DOT indicated they would look into a Delaware River access area but nothing was definite since there was so much private property involved.

New Business

Delaware River Basin Commission meeting March 11: Martinez briefed the committee on the DRBC meeting him and Douglass attended on March 11 at West Trenton, NJ. The conference among the Commissioners in the morning session included a presentation by representatives of the U.S. Army Corps of Engineers and the National Weather Service on a project due to be completed later this year that will make digital, interactive flood inundation maps available via the Internet for the main stem Delaware River from Trenton to Port Jervis, excluding the Delaware Water Gap. The question of mapping the Upper Delaware was brought up. That mapping may be done, but at a later time. It was announced that one of the Federal alternates to the DRBC will be leaving shortly, Lt. Col. Thomas Tickner.

The afternoon session included a resolution formally declaring DRBC's intention to review natural gas drilling projects in shale formations in the Delaware Basin; that was put on hold. There was an opportunity for public dialog at the meeting and there were many anti-gas drilling organizations and individuals that offered numerous comments. Of all the public comments, only one person was in favor of drilling.

Susquehanna River Basin Commission meeting March 12: Douglass noted he attended the March 12 Susquehanna River Basin Commission meeting. He said that the Susquehanna River Basin Commission has more streamlined rules and regulations for gas drillers and have had more experience with gas well drilling issues. The agenda for the meeting included natural gas consumptive use modifications. Douglass and Soete did make a field trip to Dimock, PA to review the gas drilling in that area that is seeing problems.

River Reporter article “Trout Unlimited raises drilling concerns-Stone Energy seeks 21 million gallons from Lackawaxen River”: The committee received copy of the Trout Unlimited centered article from the *River Reporter*. In the Winter 2009 edition of *Trout* magazine, there is an article “Drilling the Marcellus Shale”. The Pennsylvania Council of Trout Unlimited is concerned about the potential impacts on rainbow and brown trout spawning tributaries to the Upper Delaware River system from natural gas drilling operations. TU members will likely be keeping an eye on the Lackawaxen River following a recent announcement from the Delaware River Basin Commission that Stone Energy has applied for a permit to withdraw 21 million gallons of water over a 30-day period from the West Branch of the Lackawaxen River. PATU is calling for close monitoring as such permits are sought. The Lackawaxen River is listed by the PA DEP as a high-quality trout-stocked fishery and the West Branch and its tributaries are listed as high-quality coldwater fisheries. Bowers commented it depends on what time of year Stone Energy takes the water; if in August, the river level will be too low.

TH-Record articles March 13 & 14 “NYC’s plan to close river gauges worries local officials, businesses” & “DEP in for fight on stream gauges”: The committee received copies of two *Times Herald-Record* articles. The NYC DEP has announced that several stream gauges in the Delaware and Hudson River basins will be dropped from funding support. The USGS gauges help measure the volume, height, temperature in some cases and cleanliness of local waters. There are gauges on the Upper Delaware River that will be impacted if the gauges are dropped from operation. NYS Senator John Bonacic has vowed to preserve the gauges that perform a critical need relative to flooding, public safety and recreational activities.

Hamilton remarked that most gauges are a cost share operation with the host carrying 60% and the cooperator 40% of operating expenses; expenses run about \$18,000 per gauge. Hamilton noted that the drop list has not been finalized as yet according to the River Master at a meeting Hamilton attended. Serio noted that NYC wants to cut its budget and the gauges would be one choice.

Following discussion, a motion by Bowers seconded by Keesler and carried that the UDC issue a letter protesting the removal of any gauges from the River with copies to all the pertinent state and federal agencies. Hamilton noted NYC might want to prioritize the gauges as to removal, but the committee felt all the gauges were necessary at this point and are extremely important for flood prediction.

NPS Report: Martinez noted that the NPS was grateful for the cooperation it’s been getting from the Town of Lumberland by passing a resolution supporting NPS acquisition of the old Tri-State Diesel property for an Upper Delaware River Welcome Center.

NPS and NYS DOT Region 9 staff did a tour of the River corridor before discussing the project on the towpath trail and its concrete walking bridge. DOT had no issues with the NPS project concept plans. Representatives from the Upper Delaware Scenic Byway were invited to the tour but could not attend on that date.

Hamilton announced that there was a meeting last week with NPS, U.S. Fish & Wildlife Service, River Master, and DRBC to begin a dialog regarding the flow target at Callicoon relative to the dwarf wedgemussel habitat monitoring.

Public Comment None

Adjourn A motion by Bowers seconded by Sundholm to adjourn the meeting at 9:23 p.m. was carried.

Carol Coney, Office Manager