

Upper Delaware Council
PROJECT REVIEW COMM. MEETING MINUTES
March 25, 2008

Committee Members Present: Roeder, Bowers, Richardson, Shafer, Fluhr
Committee Members Absent: None
Partner: Schultz
Staff: Douglass, Soete, Coney, Ramie
Guests: None

Committee Chairperson Harold Roeder Jr. called the meeting to order at 8 p.m. A motion by Richardson seconded by Fluhr to approve the Jan. 22 meeting minutes was carried. The Feb. 26 meeting was cancelled due to the inclement weather forecast. There was no public comment on the agenda.

The committee reviewed the Discussion Items Report. Some highlights:

Columbia Gas Transmission, Millennium Pipeline project: UDC staff received an unconfirmed report of a “diesel spill” in the vicinity of the Millennium Pipeline where it crosses the East Branch of the Delaware River east of the Village of Hancock. The information was forwarded to the NYS DEC who inspected the site on March 24 and found no evidence of a fuel spill. No further action was taken. Bowers noted that the project area by Sterling Forest has signs posted “no fuel zone” so that water contamination does not happen.

Callicoon floodwater relief channel, update: Recent high water has deposited a lot of gravel into the channel blocking the road leading to the DEC fishing access in Callicoon. The channel is not working as it was intended so alternative designs will be considered. Douglass and NPS visited the site during the week of March 17. Douglass noted the water did enter the channel as expected but as it turned following the path it slowed down and gravel was dropped in quantity. This gravel buildup is now blocking the DEC access. Schultz added the dynamic of flow will determine how this goes. Roeder added that the Callicoon Creek flows in a northwesterly direction. They’re having problems now with the gravel buildup in the channel, but he had heard that this was the original path the Creek flowed years ago.

New York Regional Interconnect, proposed transmission line including River corridor: On March 24 the NYS PSC issued a letter to NYRI basically stating that the Art. 7 Supplemental Applications filed by NYRI on Feb. 21 contained a number of deficiencies. The deficiencies included in part: notice of application supplement was not served to the entire route-located municipalities; the coverage of the aerial photographs does not show at least 1200 feet on each side of the proposed ROW or identify all cultural features; the supplement does not contain certain profile information and legible architectural drawings for the switchyard/substation facilities or converter stations; the supplement does not contain a list of all local ordinances, laws, resolutions, regulations, standards, and other requirements applicable to the proposed facility, together with a statement that the location of the facility as proposed conforms to all such legal provisions; the supplement does not contain the system reliability impacts study forwarded by the Transmission Planning Advisory Subcommittee for approval by the Operations Committee of the New York Independent System Operator as required; and the supplement does not contain stipulation on supplemental visual impact assessment.

The PSC letter goes on to state the application, as submitted, is not filed or otherwise in compliance with Section 122 of the Public Service Law. The deficiencies must be remedied or otherwise cured before the application can be deemed to comply.

Douglass noted that the NYS PSC also issued on March 24 a “Notice To Parties” stating that should a Party believe that additional deficiencies exist as required by Section 122 or by the implementing regulations, such Party is invited to send a letter to NYRI with copies to the other Active Parties. In addition the Notice states that should a Party conclude that additional information is required to develop the record, such Party is encouraged to file a motion addressed to the Public Service Commission, with copies to the other Active Parties pursuant to 16 NYCRR Sec. 85-2.5 (b).

Douglass noted there is movement in NYS to have its Art. X, now expired, redone for handling transmission siting projects, and the states are looking at forming a regional coalition so the NYRI transmission line and the NIETCs are shown to be not needed.

PennDOT's former Shohola Stock Pile #6 Hazardous Materials remediation, update: UDC staff received information that the U.S. EPA is at the Shohola Stock Pile #6 old PennDOT site and that EPA will start exploration digs on March 31, 2008. For safety reasons, this work will be done by personnel wearing full HAZMAT suits.

Holbert Bros. major mining conditional use public hearing, update: The UDC has been accepted as a party to the proceedings by Lackawaxen Township relative to the Holbert Bros. major mining conditional use public hearing process. This major mining project is an incompatible use in the river corridor according to the *River Management Plan*, and also is incompatible with the township zoning. No application for the major quarry has been filed with the PA Dept. of Environmental Protection. The public hearing has been continued to April 10 at 5:30 p.m. at the Lackawaxen Township Building.

Natural gas leasing in the Region, update: It was reported that almost every day there are new developments regarding natural gas leasing. Landowner groups in Wayne and Sullivan counties are soliciting offers from prospective gas companies to obtain the best deals for leasing their properties. There are many environmental and other concerns regarding this issue. For example, the Energy Policy Act of 2005 exempts the fracking procedure from the requirements of the Safe Drinking Water Act that regulates other drilling techniques. Fracking is a method of forcing fluids under great pressure to fracture rock formations deep in the ground which may contain large quantities of natural gas. There is also the question of private property owners losing their land values given the gas withdrawal procedure and signing away their mineral rights. UDC staff and NPS have been attending various workshops relating to this issue and are assisting landowners with their questions.

Schultz noted that NPS-Upper Delaware would like to hold a comprehensive seminar on this issue in the River corridor as there is much information and statistics that landowners and municipalities need to know regarding leases, drilling, etc. They would like UDC to partner with this seminar. The committee consensus was to support this.

Town of Delaware – mass gathering on Big Island meeting: The UDC and NPS attended the Town of Delaware ZBA meeting on Feb. 28 at which there was discussion from a property owner who is proposing to hold a “family-oriented” music festival on a four-acre portion of his Big Island property area on an annual basis. The ZBA requested that the property owner submit additional information.

Old Business

TAGs due March 31, 2008: Douglass noted that the UDC has not heard from the following towns that need to request a six-month extension on their Technical Assistance Grant projects if they have not completed their projects by 3-31-2008: Town of Fremont, TAG 2006-03, develop comprehensive plan; and Town of Lumberland, TAG 2006-06, water quality monitoring 32 tributaries. The UDC representatives from these towns will notify their town officials.

New Business

TAG 2006-02, Pike County Commissioners: The UDC staff received a request from the Pike County Commissioners to extend their TAG 2006-02, print 2,000 map/brochures. The extension would run to 9-30-2008. A motion by Bowers seconded by Fluhr to approve the extension was carried.

TAG procedure review: Due to the lateness of the hour, Chairperson Roeder suggested and it was accepted that the Technical Assistance Grants Program procedure review would begin at the meeting in April. The committee members were asked to bring their file folders on this subject to the next meeting.

Public Comment None

Adjourn A motion by Bowers seconded by Fluhr to adjourn the meeting at 9:11 p.m. was carried.

Carol Coney, Office Manager