

Upper Delaware Council
WATER USE/RESOURCE MANAGEMENT COMM. MEETING MINUTES
July 15, 2008

Committee Members Present: Wieland, Sundholm, Shafer, Fluhr, Bowers
Committee Members Absent: Serio, Chase, McKay, Flaherty
Partner: Hamilton
Advisory Council: None
Staff: Douglass, Coney, Ramie
Guests: C & B Fullerton

Committee Chairperson Charles Wieland called the meeting to order at 7:06 p.m. A motion by Bowers seconded by Fluhr to approve the June 17 meeting minutes was carried. There was no public comment on the agenda.

New York Regional Interconnect proposed transmission line, update on activities:

□ CARI: Douglass reported he participated in the Communities Against Regional Interconnect's teleconference meeting today. New York Regional Interconnect still hasn't submitted to the NYS Public Service Commission the documents that were deficient from their last filing as requested by the NYS PSC. Therefore, a "completed" Article VII Application still has not become a reality.

The CARI counties are asking the municipalities to file sensitive land areas inventories with the NYS PSC relative to the NYRI application proposed power line routes. CARI will have a face-to-face meeting with its members on Aug. 8 in Binghamton, NY.

Old Business

Towne Crier article July 9 "Upper Delaware River Temperature Solution": The committee was provided with copy of an article in the July 9 *Towne Crier* newspaper "Upper Delaware River Temperature Solution". The Viewpoint article was submitted by Trout Unlimited, Theodore Gordon Flyfishers and the Delaware River Foundation. The article states in part: "The Flexible Flow Management Program (FFMP) that is now being used to manage the water releases from the three New York City reservoirs on the upper Delaware River must be changed immediately to release more water into the River. The ecological crisis on the upper Delaware over the last week proves the inadequacy of the current FFMP program. A simple solution is available. The higher water release levels that were originally suggested by the conservation coalition under its 'CP 2' proposal have already been demonstrated to provide substantial benefit to the river with no increased risk to the City's water supply."

"Instead of the paltry 260 cfs release now authorized from Cannonsville under FFMP, the CP 2 release would be 350 cfs. Although this would not entirely solve the current crisis, it would greatly mitigate the situation by extending the reach of cold water down into the West Branch and main stem Delaware Rivers. And, increasing the Cannonsville reservoir release to the coalition's newer 'CP 3' proposal of 450 cfs would protect the Delaware River further downstream."

TH-Record Editorial June 26 "City ignores danger posed by reservoirs": The committee was provided with copy of an Editorial in the June 26 *Times Herald-Record* "City ignores danger posed by reservoirs". The article comments on a radio panel discussion about the Delaware River, flooding and the role of the New York City reservoirs. The article reviews the need New York City has to keep its drinking water reservoirs full, the need of those living downstream to have some sort of flood protection under full reservoirs, the fact that millions of gallons of water is leaking from the NYC system and not being fixed fast enough; and that those in the regulatory seat are not disposed to making changes. The article notes that "City DEP officials are polite, attentive and inactive when these concerns come up. Only action on the state level will ever change this balance of power. So the reservoirs will remain dangerously full, holding millions of gallons that never reach the city."

Wieland offered that nothing will change until a change is made in the Supreme Court Decree that we've been operating under for many, many years. Douglass commented that more and more people are getting educated and involved with this issue and that's a good thing.

River Reporter July 10 Editorial “Local government comes up trumps”: The committee was provided with copy of an Editorial in the July 10 *River Reporter* “Local government comes up trumps”. The article summarizes who’s doing what and how well regarding safeguards and regulatory oversight of the natural gas exploration and development in the River Valley. The editorial states “Probably the most impressive performers in our system of safeguards have been those closest to us: town government officials. Because Pennsylvania is not, like New York, a home rule state, the options of local officials there are limited. But the towns on the eastern shore of the river have more options and they are exploring them. Town officials have been asking the right questions and taking the necessary broad and long-term perspective, worrying about issues like stress on infrastructure, emergency management and transportation of toxic materials.”

Upper Delaware Scenic Byway Update: Ramie reviewed the recent activities of the Upper Delaware Scenic Byway, Inc. group. At their last meeting Sullivan County Planning approached the group regarding a support letter for a NYS grant that Planning was seeking concerning a River corridor waterfront revitalization that would include the counties of Sullivan, Orange and Delaware. The counties would set up a steering committee from the corridor and also local focus groups to look at where there are gaps in the existing plans that would need to be filled in regarding waterfront revitalization.

The group finalized reviewing the projects for a NYS grant and the paperwork will now be issued to the state. A recent *Sullivan County Democrat* newspaper editorial was critical of the need and expense for the proposed Byway visitors’ center in the Town of Cohecton. The chairperson of the Byway wrote a rebuttal letter to the editor which was published in the newspaper. The County of Sullivan is acting as the lead agency for the transportation funding that has been earmarked for the visitors’ center.

The Byway issued a letter to NYS Senator Bonacic and NYS Assemblywoman Gunther agreeing in concept to the legislators’ addition of the Byway group to sit on the Upper Delaware Greenway Council. The Byway model interpretive signs project to take place in Narrowsburg is backed up somewhat and the signs should be ready for placement sometime in September.

The Byway group is soliciting business memberships. They’ll probably hire someone on a commission basis to solicit the ads for the website. A decision was made to use a grant for a project to study and inventory the Byway and those areas that would be good candidates for selective clearing of the viewshed. A consultant will be hired for this project.

A report from the Superintendent of NPS-Upper Delaware was given regarding funding to use or lose through TEA-21 funds. NPS is looking at a mobile unit visitors’ center in the Town of Lumberland.

The next meeting of the Byway group is July 28 at 7 p.m. at the UDC office in Narrowsburg.

Wieland offered that he thought the UDC should issue a letter to the editor of the Democrat supporting the Upper Delaware Scenic Byway group’s attempt to get the visitors center established. A motion by Bowers seconded by Shafer approving the letter be drafted for the Operations Committee review and action was carried.

D & H Transportation Heritage Council Update: Ramie reported on the D & H meeting held today. The group toured the Wayne County Museum’s new wing. Ramie recommended it as a “must see”. The wing was constructed under the capable supervision of Museum director Sally Talaga with many volunteers. During the business session of the meeting in the afternoon, they discussed the treasurer’s report, the web page, and members’ reports. It was decided that a D & H Council-specific awards ceremony was premature as the various members of the group hold their own awards ceremonies. The next quarterly meeting is scheduled for Oct. 15 in the Town of Mamakating. There is a D & H trail cleanup being conducted in this Town.

Common Waters Update: Douglass reported on the Common Waters meeting he attended. This is a relatively new group led by the Pinchot Institute and involves three states (NY-NJ-PA) and eight downriver counties. UDC was invited to attend the meetings. This group will work together on regional projects to maintain the quality of life while also allowing smart growth. They are working on having a seminar in the future involving the three governors and other stakeholders to coordinate and cooperate on meeting their goals. They are also looking at maintaining the water quality the area enjoys at present.

NPS Mongaup Visitors’ Center Update: Douglass reported he attended a Town of Lumberland meeting on July 9 at which the NPS discussed with the Town funding from TEA-21 that needed to be earmarked or

lost. The NPS hopes to develop another site in the town for a mobile unit visitors' center for the southern terminus of the Upper Delaware River Corridor. Fluhr mentioned that 5-7 years ago, former NPS Superintendent Hite formed an advisory committee on this issue. It was a citizen's advisory group to the NPS. Fluhr felt that since there is action again regarding a visitors' center, the advisory committee should be included in the meetings. Hamilton would bring that message back to Superintendent Martinez. Douglass noted the site being considered is totally new and the funding needs to be used or it will be lost by the end of the year. The Town and NPS are still in the planning stages on the issue.

“Conserve From Above” article, July 9 E/The Environmental Magazine: Douglass passed around an article downloaded from E/The Environmental Magazine relative to the conservation flying organization EcoFlight. Of interest in the article was information about gas drilling, an issue hitting the Upper Delaware. By viewing the gas fields dissecting Colorado's Roan Plateau from the air, you get a better vision of the impacts. EcoFlight raises awareness of the mounting threats to western public lands by taking decision-makers, stakeholders, the press, students and members of the public up for aerial tours of environmental hotspots, giving them a chance to literally see the big picture.

Reminders: The committee was reminded of the following -- Narrowsburg RiverFest on July 27 where UDC will share an exhibitors' booth with the Delaware River Basin Commission; UDC family raft trip Aug. 3 with the reservation deadline of July 28; the next Delaware River Basin Commission meeting will be July 16 and Douglass will attend; and the deadline for applications for the Council's Technical Assistance Grants Program is July 28.

New Business

FY 09 draft committee Work Plan: The committee was provided with the fiscal year 2009 draft committee work plan for review prior to the meeting. The committee reviewed the plan and made recommendations and changes. Following discussion, a motion by Bowers seconded by Sundholm to recommend approval by the full Council was carried.

TH-Record article July 9 “State offers plan to control snakehead fish”: The members were provided with copy of a July 9 article in the *Times Herald-Record* regarding the NYS Dept. of Environmental Conservation's state plan to eliminate invasive northern snakehead fish from local waters. A public meeting was held at the Wawayanda Town Hall to discuss the finding of this species in the Catlin Creek (Orange County). The article was a follow-up to information provided by DEC at the Council meeting on July 3.

NPS Report: Don Hamilton, Natural Resource Management, of NPS-Upper Delaware gave an overview of recent NPS activities. He gave an overview of the June 27 natural gas leasing/drilling seminar in Liberty he attended where local municipalities were encouraged to get bonding for roads and infrastructure; he attended the July 1 DEC meeting in Liberty on gas drilling regulations where there were many questions on how to protect water quality and containing the fracturing fluids; he reported that the Delaware River Basin Commission will require permits of drilling companies. DRBC can regulate use of pits and disposal of water and possibly have input on well-casings. DRBC has regulatory authority of water use and withdrawal in the Delaware River Basin. DRBC will work with the states. The states may have additional power to use fines for mitigating issues. The Susquehanna River Basin Commission also is involved with the gas issue in Pennsylvania. Douglass mentioned that the DRBC has the gas drilling issue on its agenda for the July 16 DRBC meeting.

Hamilton continued his report. The USGS was here last week to study dwarf wedgemussel sites. There have been a number of floods since they last looked at the sites but the species is doing okay. There is a coldwater influence where the wedgemussel is living. NPS is continuing its bi-weekly water quality sampling program. The eagle studies are still on. East Stroudsburg University students are working on documenting species in the corridor and will be meeting July 16 about the bats at the Zane Grey Museum area. The Philadelphia Academy of Natural Sciences is continuing its work on bridal shiners, which is an endangered fish species in Pennsylvania. Prior to being found in the Delaware River, it was thought the only habitat they were in was at Marshalls Creek.

PA DEP Secretary Change: It was announced that Secretary Kathleen McGinty of the PA Dept. of Environmental Protection has tendered her resignation effective July 18. Gov. Rendell has appointed an “acting” Secretary, Joseph Bowers; effective July 19.

UDC Website Available: Douglass announced that the Upper Delaware Council’s new website is up and running as of July 4. It can be accessed at www.upperdelawarecouncil.org.

Public Comment None

Adjourn A motion by Bowers seconded by Shafer to adjourn the meeting at 8:31 p.m. was carried.

Carol Coney, Office Manager