

Upper Delaware Council
PROJECT REVIEW COMMITTEE MEETING MINUTES
March 22, 2016

Committee Members Present: Larry Richardson, Harold Roeder, Jr., Debra Conway, Fred Peckham, Jeff Dexter, Alan Henry, David Dean, Aaron Robinson, Susan Sullivan
Committee Members Absent: None
NPS Partner: Kris Heister, Carla Hahn
Staff: Laurie Ramie, Cindy Odell
Guests: None

The UDC's Project Review Committee held its monthly meeting on Tuesday, March 22, 2016 at the Council office in Narrowsburg, NY. Chairperson Larry Richardson called the meeting to order at 6:36 p.m.

A motion to approve the January 26th meeting minutes was made by Peckham, seconded by Sullivan and carried. The February 23rd meeting had been cancelled due to inclement weather. There was no public comment on the agenda.

Discussion Items Report

Project Review Update

Town of Hancock: Ramie reported that in order to maintain the continuity of the Discussion Items Report during the Resource Specialist vacancy, she and Odell collaborated on the report provided in members' packets. She noted that Millennium Pipeline Company applied to the Federal Energy Regulatory Commission (FERC) on January 19th for preliminary federal approval to build a second, 22,400 HP compressor on a down slope from the existing 15,000 HP facility in Hancock.

Town of Highland: Ramie stated that we were expecting Allan Schadt from the Town of Highland to be in attendance at tonight's meeting to address the committee about his concerns for the proposed compressor station in the Town of Highland. She added that the Highland Town Board adopted a "Resolution in Opposition to Millennium Compressor Station to be built in the Town of Highland" March 8, 2016 on a vote of 4 ayes, 0 nays, and 1 abstention. A copy of the resolution was provided in members' packets.

Millennium Pipeline Company will hold two public information sessions on its compressor station plans in Orange and Sullivan Counties on March 30 at Kuhl's Highland House in Middletown and on March 31 at The Sullivan in Rock Hill, both from 4 – 7 p.m. The four-part project under its Eastern System Upgrade pre-filing will allow Millennium to transport an incremental volume of approximately 200,000 dekatherms per day from Millennium's Corning Compressor Station to Algonquin Gas Transmission in Ramapo. They hope to begin construction on the additional stations by late 2017 and have them operational by the fall of 2018.

Conway stated that she had heard of a third public hearing in the Town of Hancock and believes that the hearings will be held from 6 – 8 p.m. Ramie said she had seen different times listed for the hearings and she would further investigate that.

Towns of Tusten and Highland: Ramie reported that the NYS DOT is preparing to undertake two culvert rehabilitation projects on NYS Route 97 in the Towns of Tusten and Highland. The written report contains the details of these projects. She stated she is appreciative of NYS keeping us up to date on such projects.

Shohola Township: Ramie noted that Shohola Township passed its zoning ordinance. The UDC submitted its Final Report: Shohola Township Zoning Ordinance No. 79 Substantial Conformance Review to the National Park Service for action on March 3, 2016, recommending the determination that the zoning update is in substantial conformance with the Land and Water Use Guidelines contained in the River Management Plan.

FY 2016 TAG Update:

Ramie reported that all the mid-term reports have been submitted and project completions are due by August 22, 2016. The forms are available at www.upperdelawarecouncil.org.

Enforcement Program:

Ramie noted that Travis O'Dell had sent a memo to UDC Member Municipalities Code Enforcement Officers on January 26, 2016 requesting the submission of all building permits, variances, and ordinance changes within the river corridor only for the period of January 1, 2015 to December 31, 2015. The information was requested no later than April 1, 2016 as paper or electronic copies. As of March 22nd, the UDC has received the requested information from the Towns of Deepark, Delaware, Lumberland, and Cohecton, and Damascus Township. Richardson asked members to follow up with their town or township to keep this project moving forward.

New Business

Draft Letters to U.S. Senator Schumer & N.Y. Senator Bonacic and Assemblywoman Gunther: Requesting Assistance to Enhance Emergency Communications in River Corridor: Richardson stated that these letters had been sent out in advance. Ramie said the two letters differ slightly as they are specifically targeted to the individual or their programs. She thanked Robinson for composing much of the content of the letters. A motion to send both letters was made by Henry and seconded by Conway. Hahn spoke of a program offered by the Sullivan County Planning Department and Congressman Gibson a couple of years ago on different types of technology that could provide better cell phone coverage. She suggested that Sullivan County Planning be copied on this letter. Richardson agreed the courtesy list copy should be expanded. Members shared their ideas for adding to that list. A lengthy discussion about different types of technology, funding and equipment vandalism took place. A vote was taken and the motion carried to expand the courtesy copy list on the letters. Ramie told Richardson she will contact him to arrange obtaining his signature on the new letters.

Town of Highland Proposed Compressor Station Discussion: Ramie referred to the February 13, 2016 letter to UDC members from Allan Schadt included in members' packets. Robinson questioned if an Environmental Impact Statement is required for this project. He stated he feels that the UDC commenting on the project is beyond its technical expertise and out of its jurisdiction. He added that from his standpoint, he would want a lot more science-based information before endorsing or challenging the project. Peckham suggested that the Council remain neutral and write a letter stating that while the proposed compressor station is outside of the federally-designated corridor, it is in close proximity to the Delaware River. He noted that a similar letter was written about the compressor station in Hancock. Conway stated that the UDC does not have jurisdiction, but has commented on other issues outside the corridor such as the Cannonsville Reservoir. She said she would not dismiss the proposed compressor station simply because it is outside of the corridor. She added that the proposed project is worthy of the UDC's consideration and suggested waiting to act until after the public hearings at which more information may become available. Henry questioned if the Town of Highland is really concerned about the proposed project noting that they have not always scrutinized projects in their town that may affect the river. Conway noted that the Town of Highland has zoning in place specifically prohibiting high impact industrial uses and said it has not been challenged. She is unsure how it will play out. A brief discussion about Catskill Regional Hospital switching over to natural gas took place. After more discussion, a motion by Roeder for staff to find the UDC's previous letter on the Hancock Compressor Station and circulate it to guide a decision on how to handle the proposed Highland Compressor Station project that is also located outside of the river corridor was seconded by Henry. The motion carried. This item will be included on the April 26 agenda for further discussion.

Heister stated that the proposed compressor station project will most likely require an Environmental Assessment. She said the NPS is currently commenting on the Orion Pipeline project on the Lackawaxen River for which an Environmental Assessment is being done. She added that we live in the Delaware River watershed and by definition, all the water flows downhill to the Delaware River. Henry spoke of the river's ability to cleanse itself. Heister said that ability only lasts so long.

Response from Penn DOT: Skinners Falls Bridge Status: Ramie said a copy of the response from Penn DOT District 4 Executive George Roberts is provided in members' packets. She is dissatisfied with the response. Heister said the National Park Service has not yet received a response from Penn DOT. Dexter said that Damascus Township received a response that they considered to be inadequate as it does not address the concerns of the community or public safety. He feels there needs to be some responsibility to come up with a plan to fix the bridge. He said he learned that Penn DOT is going to be repairing 10 bridges in Lackawanna County. He stated that Damascus asks that we do not accept the answer. Hahn said that she has suggested to the NY-PA Joint Interstate Bridge Commission that they hold a meeting within the river corridor to discuss the bridges over the Delaware. Henry asked to whom the letter was sent. He was told Penn DOT District Executive George J. Roberts in Dunmore. Henry suggested sending a letter to the Penn DOT Secretary in Harrisburg, PA. After a brief discussion, a motion to send a letter to Pennsylvania Department of Transportation Secretary Leslie S. Richards in Harrisburg with courtesy copies to local, county, and state elected officials regarding the UDC's dissatisfaction with the Penn DOT District 4-0 Executive's March 16th response to the Skinners Falls-Milanville Bridge closure concerns was made by Henry, seconded by Dexter and carried. Dexter stated that the NPS Ranger station and Skinners Falls are only a few hundred yards apart, but with the bridge closure, they are 7 – 10 miles apart from responding to emergency situations. Dexter commented that the Township's letter was copied to PA State Representative Mike Peifer and State Senator Lisa Baker.

Hahn asked members as they drive up and down the river corridor, to pay attention to the detour signs to ensure they are sending people in the right direction. After a brief discussion, Henry suggested that Heister direct NPS rangers to document any problems with the bridge detour signs currently in place and call DOT with that information. She said she would do that.

NY-PA Joint Interstate Bridge Commission Annual Meeting: May 18th, 10 a.m., State Office Building, Binghamton, N.Y.: Ramie said she will be attending this meeting to gather information and issue a UDC news release summarizing construction and rehabilitation plans for the 10 Upper Delaware River bridges. She said the meeting is open to the public and those who plan to attend have to go through a security check at the state office building.

Project Review Workbook Recommended Updates: Ramie said two sample letters prepared by A.J. Schwartz of Environmental Planning & Design were included in members' packets. Highland Alternate Andy Boyar had suggested at the March full Council meeting that letters could be sent annually to the participating towns and townships, counties and the states describing what types of land use, development, and zoning projects need to be submitted to the Council for review and why. The letter could also offer contact information for further information and assistance. Ramie said these letters were Schwartz's final task and she is of the opinion that his contract with us is fulfilled. Ramie said Schwartz sent the letters electronically in an editable form so any changes that may be agreed upon can be made. Richardson suggested that Schwartz's recommendations need to be reviewed by the committee and the next Resource Specialist as a group. After a brief discussion, it was decided that members should start reviewing the report in depth to formulate opinions about the recommendations it contains. Heister noted this conversation should wait until a new Resource Specialist is hired. Richardson said the committee will wait for that person and he shared his concerns about some of the recommendations. It was decided to include on the April 26th Project Review Committee agenda a motion that Environmental Planning & Design has satisfactorily fulfilled its contract to produce a Project Review Workbook Recommendations Report in order to recommend the release of the final payment to the Operations Committee on April 26th.

Other: None

Old Business

Town of Cocheton Substantial Conformance Review: Richardson noted that the draft report included in members' packets is a re-formatted version which follows the format that O'Dell used for Shohola Township's substantial conformance review. Richardson reported that the Town of Cocheton is holding a special meeting tonight to discuss if they want to allow solar farms and other issues currently not included in the Town's zoning. It was decided to defer discussion of the Town of Cocheton Substantial Conformance Review pending potential changes in the town zoning and the hiring of a new UDC Resource

Specialist. Peckham recommended addressing new technology in the River Management Plan through the minor amendment process. A brief discussion about solar farms took place. Dean reported that the Town of Deerpark currently has a moratorium on solar farms and is in the process of writing zoning for it. He commented that technology is changing so rapidly.

Follow-up on Telecommunication Services in the River Valley: Ramie referred to the handout titled, "Response to Request for Information Related to NPS Radio Towers in the Upper Delaware Valley, 2/4/16" provided in members' packets. She noted this had been shared with members via email also. Robinson thanked Heister for her response.

Other: Peckham stated that he thought the Draft Letters to Secretary Bose & U.S. Senators Schumer, Gillibrand and Congressman Gibson regarding the FERC Project No. P-13287-004 – Cannonsville Hydroelectric Project should have come through the Project Review Committee as opposed to the Water Use/Resource Management Committee as there is more representation there. He noted membership on the WU/RM Committee is low and encouraged members to consider joining that committee. Roeder shared his frustration with New York City asking the Council for its support after it has ignored the Council's requests for so long. Ramie suggested that positive relations have to start somewhere.

Public Comment: None

Adjournment: A motion by Dean, seconded by Roeder to adjourn the meeting at 7:56 p.m. was carried unanimously.

Minutes prepared by Cindy Odell, 4/1/16