

Upper Delaware Council
PROJECT REVIEW COMMITTEE MEETING MINUTES
October 24, 2017

Committee Members Present: Larry Richardson, Harold Roeder, Jr., Jeff Dexter (6:47 p.m.), Alan Henry, Aaron Robinson, Fred Peckham, Jim Greier (6:36 p.m.), Debra Conway
Committee Members Absent: David Dean, Susan Sullivan
NPS Partner: Carla Hahn
Staff: Laurie Ramie, Cindy Odell, Pete Golod
Guests: None

The UDC's Project Review Committee held its monthly meeting on Tuesday, October 24, 2017 at the Council office in Narrowsburg, NY. Chairperson Richardson called the meeting to order at 6:35 p.m.

A motion to approve the September 26 meeting minutes was made by Peckham, seconded by Roeder and carried. There was no public comment on the agenda.

Discussion Items Report:

Project Review Update

New York

Town of Highland: Golod said he talked to Highland Supervisor Haas regarding the Town's zoning update. The Town is back in the re-write process with the first edition of the draft being reviewed by consultants, the Laberge Group. He added the Town is considering incorporating some of the new additions from the Draft zoning into the Town's existing zoning law. Golod said that Supervisor Haas said he will keep him informed as they move forward after they receive their review back from the Laberge Group.

Golod is compiling all relevant documentation for a site plan approval of the construction of five accessory use buildings at Camp Tel Yehudah. A brief discussion about the location of the Camp took place. Golod said his intention is to send the complete project review packet out to committee members for advance review prior to his presentation regarding the project at the next committee meeting.

Pennsylvania

Pennsylvania Turnpike Commission Emergency Call Boxes: Golod reported that he reached out to the Pennsylvania Turnpike Commission's Central and Eastern Regional offices on October 5, 19, and 23 in an attempt to garner information on the possibility of obtaining the discarded emergency call boxes. To date, he has not received any call backs with any information. Robinson suggested that Golod contact PA State Representative Mike Peifer at his office in Hawley to "rattle" someone to get an answer. Henry added that Golod could also reach out to PA State Representative Jonathan Fritz. After a brief discussion, it was decided to make some phone calls to the State Representatives initially and if no response is received, then write letters.

Millennium Pipeline Project: Golod reported last month that FERC had decided that NYS DEC could not stop Millennium pipeline construction by issuing or denying a water quality certification. NYS DEC failed to act within the allotted one-year time frame required by the Clean Water Act. This decision will allow the pipeline project to continue to proceed, with operation targeted for early 2018.

New York State DEC has asked FERC for a re-hearing on the recent decision to overrule the DEC on granting a Water Quality Certification (WQC). The DEC argued that FERC "erred in finding that the one-year time frame in which the Department must act on an application for WQC commences as of receipt of an application, regardless of the completeness of such application."

Resource Specialist's Report:

- Golod said that he and NPS Management Assistant Carla Hahn have completed a second review of the Project Review Guide and are consolidating comments and working on a final draft.
- On September 28, Golod attended the RFAC public hearing in Trenton, N.J. regarding the status of the FFMP's looming deadline. He said he was able to read into the record the September 7 letter that the UDC drafted regarding the Suspension of Voluntary Releases from Delaware System Reservoirs. He noted that an updated report was provided to the WU/RM Committee at its October 17 meeting.
- On October 11, Golod, Executive Director Ramie and Hancock Representative Peckham attended the "Water, Water Everywhere" conference in Hancock, NY where updated information regarding the FFMP was disclosed. A report was submitted to the WU/RM Committee on October 17.
- Golod attended the 5th Annual Delaware River Watershed Forum at Skytop Lodge on October 17 and 18. A report will be given to the WU/RM Committee at the November 21 meeting.
- On October 24, Golod attended the DRBC's quarterly Water Management Advisory Committee meeting via webinar. A report will be given at the November 21 meeting of the WU/RM Committee.
- Golod will attend the first of a three-session Pennsylvania Municipal Planning Education Institute course in subdivision and land development on October 25 in Jessup, PA.

Committee members welcomed Damascus Township Representative Jeff Dexter back from his 8-week stay in Texas where he was conducting FEMA inspections in the aftermath of Hurricane Harvey.

Old Business

Status of FY2018 Technical Assistance Grants: Ramie noted that after the Council made its decision about the Grant awards at the October 5 full Council meeting, we needed to submit it to the Park Service for approval of the use of the federal funds for those particular projects. Copies of the budget addendum for FY 2018 regarding the TAG awards submitted on October 10th and Superintendent Heister's October 10th response were provided in members' packets. Ramie reported that we still don't have any determination on the proposed projects and added she is hesitant to give the municipalities the "go ahead" as they are on their own to fund the projects then seek reimbursement from the Council upon completion. Ramie shared her concern of the limited timeframe to complete the projects under our current schedule. Conway asked if it is just Berlin Township's proposed project that is in question. Ramie said no, she would say it was all of them, but she would count on Berlin not receiving any funding from the NPS. Hahn stated that many UDC funding issues are being reviewed by the NPS Regional Agreements staff. Henry questioned if the NPS has ever rebuked, refused or commented on any TAG programs in the past. Richardson stated that he has never seen a letter like Heister's. A brief discussion of past TAG projects took place. Richardson stated that the UDC has guidelines and if in our minds we can justify that a project is supporting our mission, we should be able to fund it. Hahn said that funding is coming under scrutiny because of an Inspector General investigation of the National Park Service in which the Northeast Region of the NPS failed on many levels. Roeder said it is important for the Council to retain control over the funding of TAG projects. The management style of past NPS superintendents was discussed. Robinson stated that townships don't have a "voice" directly to the federal government other than through the UDC. He said he interprets the funding the UDC receives to be utilized the best way the towns and townships determine, not how the federal government sees it best utilized. He questioned, "What is the point of the UDC if we don't have control of these funds or can't use our best judgment for utilizing the funds?" Roeder feels the partnership between the UDC and the NPS is slipping away and that is really "very sad."

Emergency Phones Update: This subject was addressed during Golod's Discussion Items Report. Golod said he will follow up with the Pennsylvania State Representatives. Robinson stated that the GoTenna Mesh technology is now being marketed. Henry suggested ensuring the technology is FCC approved if the Council decides to pursue it.

Ramie said that the Upper Delaware Scenic Byway (UDSB) had been discussing the deficit of cell phone service along NYS Route 97. Town of Lumberland UDSB Representative Noah Kalina had approached the Lumberland Town Board with the idea of the emergency call boxes to see how it would be

received. The Town Board said that for budgetary reasons, they are not interested at this time in being part of it in terms of funding. Ramie said it was never the intent that Lumberland would have to bear the brunt of the operational funding or the installation of the phones. She said we would certainly like to have their cooperation and agreement of the initiative. Robinson suggested that the Town could advocate to Sullivan County for the emergency phones. Ramie agreed that could be a good role for the Town to play.

Project Review Guides Update: Golod said this issue was addressed during his Discussion Items Report.

Other: Ramie referred to the draft copy of the October 24 letter to NPS Upper Delaware Scenic and Recreational River Superintendent Kristina Heister regarding a UDC Letter of Interpretation (1): Utility-Scale Renewable Energy Systems provided in members' packets for their consideration. Ramie reviewed the letter paragraph by paragraph with members. Hahn asked Ramie if she specifically requested a solicitor's opinion. Ramie said no, she did not feel it was the UDC's position to do that. Ramie read an excerpt from the September 26 Project Review Committee meeting which stated, "Heister said she would want to run this Letter of Interpretation process through the Department of the Interior Solicitor to find out whether what is being proposed has the same standing as doing a minor amendment to the Plan. Richardson stated that by Heister checking we will determine if the Park Service is comfortable with the procedure of using Letters of Interpretation for projects that are not specifically listed in the River Management Plan. Henry asked that Heister wait for a letter to be drafted before sending the idea to the solicitor. Henry asked if the solicitor's response can be provided in writing before anything is finalized." Richardson asked members if they would be comfortable voting on the draft letter as presented or if they wanted to take more time to review it. A motion to send the letter as presented to Superintendent Heister was made by Conway, seconded by Robinson and carried with Peckham abstaining. Committee members commended Ramie on a letter well done.

New Business

Public Comment: None

Adjournment: A motion by Robinson, seconded by Greier to adjourn the meeting at 7:16 p.m. was carried unanimously.

Minutes prepared by Cindy Odell, 10/31/17