

Upper Delaware Council
PROJECT REVIEW COMMITTEE MEETING MINUTES
Dec. 16, 2008

Committee Members Present: Roeder, Shafer, Fluhr, Keesler
Committee Members Absent: Richardson, Bowers
Partner: Martinez
Staff: Douglass, Soete, Coney, Ramie
Guests: D. Hamilton, J. Serio, F. Peckham, P. Chase, J. Niflot, J. Sundholm

Committee Chairperson Harold Roeder Jr. called the meeting to order at 7:10 p.m. A motion by Shafer seconded by Fluhr to approve the Nov. 25 meeting minutes was carried. There was no public comment on the agenda.

The Discussion Items Report was reviewed by Soete; some highlights:

Millennium Pipeline (various NY Towns): The Millennium Pipeline Company has posted on its web an Open Season Notice seeking shippers to use its pipeline. The Open Season closed on Dec. 10. The pipeline was to be completed by Dec. 15. Peckham noted they've crossed and finished the East Branch section, and Roeder noted they're still working on NYS Rt. 17B locations.

Tennessee Gas Pipeline TGP 300 Line Expansion (various Pike and Wayne County PA Townships): The Tennessee Gas Pipeline open house meeting scheduled for Dec. 11 at Wallenpaupack High School was postponed because of inclement weather, and will be rescheduled. Staff will attend the next meeting.

New York Regional Interconnect proposed power line (corridor-wide and beyond):

The NYS Public Service Commission (PSC) issued a Notice of Pre-Hearing Conference for Dec. 16 in Albany. The PSC staff has refined a route based on NYRI's Marcy South alternative that they believe would be superior to both options that NYRI has offered. The PSC staff alternate route would deviate less from Marcy South than the company's alternative, and might allow more private property owners to sell residences than if the project were built along the company's alternative route. The deviations away from and then back to the Marcy South right-of-way proposed by NYRI result in "islanding" these residences just to avoid taking them, possibly by eminent domain, according to the PSC staff. Their proposal allows the option for affected property owners to sell their property to NYRI, and only if property owners decline, then NYRI's proposed deviations could be used.

Communities Against Regional Interconnect (CARI) has asked the PSC to consider an alternative of running the proposed power line underground through Otsego and Delaware counties.

The PSC pre-hearing conference is to allow oral argument regarding these proposals.

Natural Gas Leasing/Drilling in the Region, update: Soete attended the workshop, "How to Participate in the Gas Drilling Scoping Hearings" held Dec. 1 in Narrowsburg. He also attended the NYS DEC public hearing on Dec. 4 in Loch Sheldrake regarding the draft scope for the Draft Supplemental Generic Environmental Impact Statement (dSGEIS) being prepared by DEC for release in Spring 2009. The PA DEP is seeking increases to its permit application fees for natural gas drilling to cover the cost of meeting the rapidly growing demands of new gas exploration in the Marcellus Shale.

The committee was provided with copy of comment letters issued to the NYS DEC on the draft scope from the Upper Delaware Council, the National Park Service-Upper Delaware, and U.S. Representative Maurice Hinchey. The comment deadline was Dec. 15. The Council's comments were in keeping with the River Management Plan guidelines. The Council's Position Paper on the natural gas drilling/exploration is being drafted.

Pond Eddy Bridge update: The PennDOT held a teleconference on Dec. 10 regarding the Pond Eddy Bridge project. Ramie reported that a rehab of the bridge would not bring the bridge up to standards. The cost to take down the existing bridge would be one-half million dollars. The construction period for a new bridge would be nine to ten months over two construction seasons. PennDOT will be discussing this with NPS-Upper Delaware since the bridge crosses the Delaware River. The contract let date for a new bridge

would be February 2012. In February 2009 PennDOT hopes to do a project update with the towns involved as it would be six-months since the last update. The next meeting of the PennDOT project committee will be Feb. 3 at 1 p.m. at the PennDOT office in Dunmore.

Town of Cocheton – Little Joseph Sand & Gravel Mine: The committee was provided with copy of a letter dated Dec. 12 from Ross Winglovitz, PC addressed to the Town of Cocheton Planning Board regarding the Little Joseph Realty application to the Town for a Mine Site Plan and Special Use Permit. Mr. Winglovitz contends that even though the NYS DEC issued a mining permit, the proposed mine does not comply with the Town's Zoning Law in regard to setbacks from homes, disturbance of steep slopes, and buffers along Route 97. He also contends that the mine should be considered a Major Surface Mine which is an incompatible use according to the River Management Plan.

The UDC has traditionally considered mining operations of greater than 5 acres in size to be Major Surface Mining Operations, which is also the state threshold. The definition of Minor Surface Mining Operations in the River Management Plan provides for a 2-acre working face with an additional 2-acre ancillary use area. The 5 acre state threshold is considered to be in substantial conformance with the 4 acre total for a Minor Surface Mining Operation. By mining in phases and reclaiming the site, it appears that the mine will be in substantial conformance with the Land and Water Use Guidelines in the River Management Plan. It appears the NYS DEC did address UDC's concerns.

Old Business

Technical Assistance Grants, extension requests: The committee allowed for two extension requests that were due Sept. 30 an extension to Dec. 16 to get the request into the committee or their TAGs would be terminated. The requests were received. A motion by Shafer seconded by Keesler to approve the extensions was carried. The TAGs were Town of Fremont, TAG 2007-03 – print comp plan; Town of Hancock, TAG 2007-05 – revise subdivision law, driveway/roads.

NPS Report: Martinez reported that NPS has a design and perform work project going forward regarding repairs to the flood-damaged tow path trail at the Roebing Bridge. The work should start early spring 2009. The NPS is working with the NYS DEC regarding an alternate site for the Mongaup Visitors Center mobile units to DEC River access property across from the Tri-State Diesel site in the Town of Lumberland. The mobile unit delivery is on hold for now as provided for in the purchase contract.

New Business None

Public Comment None

Adjourn A motion by Shafer seconded by Fluhr to adjourn the meeting at 7:37 p.m. was carried.

Carol Coney, Office Manager