

Upper Delaware Council  
PROJECT REVIEW COMMITTEE MEETING MINUTES  
July 27, 2010

Committee Members Present: Peckham, Keesler, Roeder, Richardson, Rando, Rajsz  
NPS Partner: C. Hahn  
Staff: Douglass, Soete, Coney, Ramie  
Guests: None

The UDC's Project Review Committee held its monthly meeting on Tuesday, July 27, 2010 at the Council office in Narrowsburg, NY. Committee chairperson Fred Peckham called the meeting to order at 8:14 p.m. A motion by Rando seconded by Roeder to approve the June 22 meeting minutes was carried. There was no public comment on the agenda.

**Discussion Items Report:** Soete reviewed his discussion items report with the committee; some highlights follow.

**Tennessee Gas Pipeline 300 Line Expansion Project:** The Conservation Districts of Wayne and also Pike County are still reviewing the 300 Line pipeline expansion project for Tennessee Gas. FERC has approved this expansion of the Rights-of-Way on the existing line. The new line will be laid next to the existing pipeline.

**Natural Gas Leasing/Drilling in the Region Update:**

~U.S. Environmental Protection Agency Public Meetings on Hydraulic Fracturing Research Study - Soete announced the U.S. EPA will be holding four public information meetings nationwide on its proposed study of the relationship between hydraulic fracturing and its potential impacts on drinking water. The closest meeting to the river corridor will be in Binghamton, NY on Aug. 12, 2010. The meetings will provide public information about the proposed study scope and design. EPA will solicit public comments on the draft study plan. It is anticipated that UDC staff will be attending this meeting.

~Sullivan County gas forums – Soete and Douglass attended the July 15 gas forum hosted by the Sullivan County Planning Division in Monticello. The topic of this second in a series of three forums was Environmental and Health Concerns.

~The UDC received an email copy on July 1 of NPS-Upper Delaware Superintendent McGuinness' letter of May 26 to the Delaware River Basin Commission regarding exercising its project review jurisdiction over all natural gas wells, including exploratory wells, in the area draining to Special Protection Waters in the Delaware River Basin. Peckham offered his comment that in the River Management Plan the Superintendent is encouraged to consult with the UDC to get input on letters such as this. He said he was upset this was not done in this case. Although he's not required to do so, in this case he felt it would have been a courtesy to the UDC. Richardson said he does not recall the NPS ever presenting a letter to the Council for approval. However, a representative of the NPS should tell us a letter is being done and the gist of the letter as a courtesy. Rajsz agreed. Hahn explained that she had gone to a meeting with the Superintendent and then had time off from the office so the copy of the letter didn't get to UDC sooner.

~The UDC received a copy of the June 25 NPS regional office and U.S. Fish and Wildlife Service's letter to DRBC supporting the June 14, 2010 Supplemental to the Executive Director's Determination expanding approval to all natural gas wells, including exploratory wells, in the area draining to Special Protection Waters in the Delaware River Basin.

~The PA Environmental Quality Board proposes to amend Chapter 78 (relating to oil and gas wells). The proposed rulemaking updates existing requirements regarding the drilling, casing, cementing, testing, monitoring and plugging of oil and gas wells, and the protection of water supplies. The proposed ruling was adopted by the EQB. The rulemaking will go into effect upon final-form publication in the *Pennsylvania Bulletin*. Public comment is also being accepted until Aug. 9, 2010.

~The Delaware River Basin Commission has approved the Stone Energy water withdrawal on the West Branch of the Lackawaxen River.

~On July 15 Soete participated in a Penn State Extension webinar entitled "Natural Gas Development Land Use Controls in Lycoming County. On July 16 Soete attended a meeting of the Outreach Subcommittee of

the Wayne County Oil and Gas Task Force. A public meeting with natural gas companies is being planned, as is a forum to discuss natural gas pipelines.

~On July 22 Soete attended the Common Waters/Upper Delaware River Roundtable meeting at which representatives from Hess/Newfield and Chesapeake Energy natural gas companies discussed the well development process. Soete displayed the well locations in Wayne County and parts of the Susquehanna River Basin. Peckham asked Soete if he could provide the committee with a summary of that meeting.

~Congressman Joe Sestak (D-PA), along with Maurice Hinchey (D-NY), and Rush Holt (D-NJ) announced on July 23 they have secured approval from a key House panel of \$1 million for the U.S. Geological Survey to conduct a cumulative impact study on water withdrawals for hydraulic fracturing of Marcellus Shale natural gas wells in the Delaware River Basin. Peckham noted that this is only one committee and it will take time to go through the process of getting final approvals for the funding from all involved.

~PA Senator Lisa Baker has put out a statement this week saying she will “vigorously oppose” efforts by the natural gas industry to gain the power referred to as “forced pooling”.

~Media reports indicate that U.S. Senator Bob Casey (D-PA) is planning to introduce legislation aimed at increasing safety at drilling sites. Mr. Casey’s proposed Faster Action Safety Team Emergency Response (FASTER) Act would grant the federal OSHA the ability to define the term “emergency situation”. It would cause the drafting of regulations for emergency response procedures at oil and gas well sites.

### **Old Business**

**Draft Comment Letter Town of Cochection, zoning law amendments:** The committee reviewed the draft comment letter to the Town of Cochection regarding its proposed zoning law amendments that was tabled from the last committee meeting. The committee discussed the letter and provided input. There was concern over the language of cumulative affect that Roeder and Peckham said would be construed as an “anti-gas” sentiment, the Council has not taken a position on the natural gas issue, there’s nothing in the letter about landowners’ rights, and the Council needs to be sensitive on this issue. Other members felt differently since the language used was the lexicon for comments on this subject. Richardson and Rajszt put forth that the UDC is addressing this as affecting the River corridor and cumulative affect is not taking a position on the matter. Ramie noted that cumulative just means over time. Rando offered “overall affect”. Further discussion came to a compromise to use “environmental” affects. Richardson made the motion to send the amended letter to the Council for action; it was seconded by Keesler and carried. Soete said he would send a draft letter out for review prior to the Council meeting.

### **New Business**

**2011 Technical Assistance Grants Program Special Meeting Aug. 10:** The members were reminded that the committee would be interviewing TAG applicants at the special meeting on Aug. 10 starting at 6:30 p.m. Coney would mail the meeting packets with the applications prior to the meeting.

**Informational Handouts:** Peckham commented that the May 26 NPS-Upper Delaware letter to DRBC regarding their exercise of project review jurisdiction over all natural gas wells, including exploratory wells, was provided to the committee.

**Staff Members Travel/Time:** Richardson reported that the Personnel Subcommittee has decided that if any staff member is traveling to meetings, they will need the approval of the Operations Committee to spend that travel money and extra time. Staff will provide their schedules to Douglass and Douglass will send to the Operations Committee for review. Peckham noted that if it was a meeting or something that needed to be attended at the last minute, Douglass would have discretion to approve. (The Personnel Subcommittee had a meeting in-between the Operations and Project Review meetings on July 27.)

**Public Comment** None

**Adjournment** A motion by Richardson seconded by Roeder to adjourn the meeting at 9:35 p.m. was carried.

Carol Coney, Office Manager