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## Responsibility & Authority

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*The Upper Delaware Council is unique in the world of river conservation and management because it represents the formal partnership of local, state, and federal governments and agencies who have joined together to manage the Upper Delaware Scenic and Recreational River, a true national treasure.*

The Council's existence evolved from special provisions in the 1978 legislation which designated the Upper Delaware River as a component of the National Wild and Scenic Rivers System, and called for development of a management plan and a program providing for the coordinated implementation and administration of the plan. To that end, the Upper Delaware Council was formed.

What sets this River Management Plan apart is the commitment to local land use controls and voluntary actions by landowners to protect the resources on their own private property, as opposed to federal ownership of the land in the river corridor. Rather, the Council operates under a long-term cooperative agreement with the National Park Service.

The Upper Delaware Council is classified as a tax-exempt organization under Section 501(c)(3) of the IRS Code, and is incorporated in the Commonwealth of Pennsylvania as a non-profit organization. Contributions are tax-deductible to the extent allowed by law.

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# Upper Delaware Council



*A partnership for land, water, and people  
working together to conserve the  
Upper Delaware Scenic & Recreational  
River in New York and Pennsylvania*

## Annual Report

**Fiscal Year 1996**  
October 1, 1995 --  
September 30, 1996

## The View from the Chair...

Lewis Schmalzle  
1996 UDC Chairman  
Town of Highland



As I accepted the gavel from George Frosch last January, little did I realize the time it would take or the miles I would travel in my duties as Chairman of the Upper Delaware Council. My year has passed so quickly!

Some of the ongoing issues the Council addressed in 1996 include:

✕The "strand," an issue that was first raised some twenty years ago.

✕The Incidental Business Permits and their impact on businesses using the river.

✕Flows management and flood control concerns, especially when the upstream reservoirs are at, near, or above capacity.

✕Recreation opportunities and safety concerns on both the Delaware and the Mongaup Rivers, and the resulting impact on emergency responders in remote areas.

✕The formation of a Government Officials Liaison Subcommittee to keep elected officials at all levels aware of the UDC's position on matters affecting the Upper Delaware Scenic and Recreational River valley and its residents.

As I pass the gavel on to my successor, I know the UDC will continue to strengthen the bonds of partnership with the National Park Service and others, as together we work to protect our beautiful Delaware River valley, by moving ever-forward with the successful implementation of the River Management Plan.

The Upper Delaware Council awarded ten Technical Assistance Grants totaling \$22,400 to member towns and townships to assist them with carrying out the provisions of the River Management Plan. Since 1988, the Council has awarded 57 grants totaling nearly \$375,000. The 1996 grants include:

**Town of Delaware, NY** - To revise the Town's Flood Damage Prevention Laws.

**Town of Cochecton, NY** - To update the Town's Zoning Ordinance and Comprehensive Plan.

**Town of Highland, NY** - To continue the updating of the Town's Zoning and Subdivision Laws.

**Town of Deerpark, NY** - To identify locations for Historic Markers within the Town.

**Town of Lumberland, NY** - To review and rewrite the Town's Zoning Ordinance.

**Town of Lumberland, NY** - To design a moveable historical display or float commemorating the

Town's bicentennial in 1998.

**Lackawaxen Township, PA** - To develop a Junkyard and Nuisance Addendum to the Township's Zoning Ordinance.

**Shohola Township, PA** - To develop an index for Township Ordinances linking key words to specific ordinance section numbers.

**Westfall Township, PA** - To update the Township's Comprehensive Plan.

**Sullivan County, NY** - To restore and upgrade the introductory video tape used at Fort Delaware.

## Major UDC Accomplishments in FY96:

✕The Council's Friends of the Upper Delaware organization received a Certificate of Recognition from the Upper Delaware Heritage Alliance for the "I Walked the Upper Delaware" walking tour series.

✕Sponsored a Fisheries Conference focusing on issues of concern in the Upper Delaware. Speakers from NY and PA discussed both cold and warm water fisheries topics, focusing on the shad population, and the tailwaters fisheries on the East and West Branches.

✕Continued work on clarifying and resolving the strand issue, including continuing development of a brochure that would explain the rights of navigation and the UDC's position on this important matter.

✕Participated as a sponsoring agency in the second annual Delaware River Sojourn:

✕Participated in a joint workshop with the National Park Service to review who we are, why we're here, and what our mandate is according to the River Management Plan (RMP).

✕As part of the Upper Delaware Partnership, received the 1995 Rural Sustainable Tourism Award for Innovation from the Center for Rural Pennsylvania.

✕Produced a comprehensive UDC Member Orientation and Introduction Kit which explains the workings of the Council to new members and interest parties.

✕Succeeded in having appointments made to the Upper Delaware Citizens Advisory Council to ensure the effective ongoing operation of this important organization, as we are mandated to do in the RMP.

✕Produced a Technical Assistance Grant Brochure listing all grants that the UDC has awarded since the program's inception in 1988.

✕Commented to FERC and other agencies on several occasions opposing scheduled two-turbine releases on the Mongaup River.

✕Actively supported the restoration of federal funding to the Delaware River Basin Commission.

✕Urged the DRBC to investigate the possibility of using the Pepacton and Cannonsville Reservoirs for flood control. As a result, the DRBC will be focusing on flows issues in the Upper Delaware region in 1997.

✕Met with the NPS System Support Office's Interagency Wild and Scenic Rivers Coordinating Council to explain why the Upper Delaware Scenic and Recreational River is unique in the NPS System.

✕Represented local livery owners and fishing guides concerning changes in reporting procedures and monitoring fees with regards to the issuing of a new Incidental Business Permit on the Upper Delaware. Met with representatives from the NPS and elected officials to facilitate the reaching of an amenable solution for all concerned parties.

✕Contracted for a new pitched roof on the Council office, which will provide attic storage space allowing staff to upgrade and improve the UDC's information storage, retrieval, and archiving systems.

✕Completed Substantial Conformance Review for the Town of Cochecton, NY, finding them in conformance.

## The Wild and Scenic Rivers Act

*"It is hereby declared to be the policy of the United States that certain selected rivers of the Nation which, with their immediate environments, possess outstandingly remarkable scenic, recreational, geologic, fish and wildlife, historic, cultural, or other similar values, shall be preserved in free-flowing condition, and that they and their immediate environments shall be protected for the benefit and enjoyment of present and future generations."*

## UDC STAFF

Executive Director.....William Douglass  
 Public Relations.....Nancie Robertson  
 Resource Specialist.....David Soete  
 Secretary.....Carol Coney  
 Bookkeeper.....Wm. McAllister/N. Daub

## AWARDS -- FISCAL YEAR 1996

Distinguished Service Award.....Larue and Gertrude Elmore  
 Oaken Gavel Award.....George Frosch  
 Volunteer Award.....Wayne County Dive and Rescue Team  
 Cultural Achievement Award.....Austin D. Smith; & Center of the Universe Pageant  
 Community Service Award.....Sandra Schultz  
 Outstanding Community Achievement Award.....Reflection Lakes Sewer Project  
 Best Friend Award.....Richard and Carolyn Egan  
 Recreation Achievement Award.....The Delaware River Sojourn  
 Certificate of Merit.....National Park Service, NE Field Area  
 Awards of Recognition.....Fort Delaware; Dawn Joyce; Kyle Myers;  
 & Basket Historical Society  
 Robin M. Daniels Memorial Lifesaving Award.....Wes Gillingham; Ralph Huebner;  
 Rob Arms; Stephen Donohue; Kevin Walsh;  
 Oscar Ortiz; Cynthia Curtis; Dennis Doherty;  
 Joseph Elmendorf; & Tara Hargrave

## Revenue and Expenses -- Fiscal Year 1996

### REVENUES

NPS Cooperative Agreement.....	\$300,000.00
Contributions.....	398.00
Interest Income.....	10,914.00
Other Income.....	2,720.00
<b>Total Revenues.....</b>	<b>\$314,032.00</b>

### EXPENDITURES

	<i>Personnel</i>	<i>Special Projects/ Program Services</i>	<i>Operations</i>	<i>Interest Payable</i>	<i>Investment in Plant</i>	<i>Total by Function</i>
Substantial Conformance	\$ 1,689.00	\$ 252.00	\$ 665.00	--0--	--0--	\$ 2,606.00
Project Review	18,887.00	2,726.00	7,205.00	--0--	--0--	28,818.00
Technical Assistance Grants (Net)	8,331.00	4,906.00	2,863.00	--0--	--0--	16,100.00
Water Use/Resource Mgmt.	44,186.00	5,634.00	14,891.00	--0--	--0--	64,711.00
Public Affairs/Education	52,517.00	32,851.00	19,316.00	--0--	--0--	104,684.00
Fund Raising	16.00	2.00	6.00	--0--	--0--	24.00
Friends of the Upper Delaware	1,527.00	166.00	1,010.00	--0--	--0--	2,703.00
Interest Due NPS	--0--	--0--	- 0--	\$5,202.00	--0--	5,202.00
Toxic Identification	146.00	22.00	59.00	--0--	--0--	227.00
HAZMAT	--0--	--0--	--0--	--0--	--0--	--0--
Administration	35,093.00	5,279.00	13,953.00	--0--	--0--	54,325.00
<b>Total Expenses</b>	<b>\$162,392.00</b>	<b>\$51,838.00</b>	<b>\$59,968.00</b>	<b>\$5,202.00</b>	<b>--0--</b>	<b>\$279,400.00</b>
Capital Expenditures	--0--	--0--	--0--	--0--	\$7,294.00	7,294.00
<b>Total Expenditures</b>	<b>\$162,392.00</b>	<b>\$51,838.00</b>	<b>\$59,968.00</b>	<b>\$5,202.00</b>	<b>\$7,294.00</b>	<b>\$286,694.00</b>

## Statement of Fund Balances

	Year Ending 9/30/96	Year Ending 9/30/95
<b>REVENUES</b>		
NPS Cooperative Agreement	\$300,000.00	\$300,000.00
Restricted Grants	--0--	--0--
Contributions	398.00	239.00
Interest Income	10,914.00	9,818.00
Other Income	2,720.00	3,612.00
<b>Total Revenues</b>	<b>\$314,032.00</b>	<b>\$313,669.00</b>
<b>EXPENSES</b>		
Personnel	\$162,392.00	\$167,392.00
Special Projects & Program Services	51,838.00	85,495.00
Operations	59,968.00	59,090.00
Interest Refund--NPS	5,202.00	7,205.00
<b>Total Expenses</b>	<b>\$279,400.00</b>	<b>\$319,182.00</b>
Revenues in Excess of Expenses	\$ 34,632.00	(\$5,513.00)
<b>TRANSFER</b>		
Capital Expenditures	(\$ 7,294.00)	(\$ 4,029.00)
Capital Expenditures Capitalized	7,294.00	4,029.00
Net Change in Fund Equity	34,632.00	(5,513.00)
Fund Equity--Beginning	140,629.00	146,142.00
Fund Equity--Ending	\$175,261.00	\$140,629.00

## UDC Membership -- Fiscal Year 1996

### MEMBER

Town of Hancock  
Town of Fremont  
Town of Delaware  
Town of Cochection  
Town of Tusten  
Town of Highland

Town of Lumberland  
Town of Deerpark

Lackawaxen Township

Shohola Township

Westfall Township  
State of New York  
Commonwealth of Pennsylvania  
Delaware River Basin Commission  
U.D. Citizens Advisory Council  
National Park Service (partner)

### REPRESENTATIVE/ALTERNATE(S)

George H. Frosch  
Scott Haberli, John B. Niflot  
Edward C. Sykes, Eric J. Nystrom  
Larry Richardson, Nicholas Michaels  
Charles Wieland, C. Fred Tegeler  
Lewis Schmalzle, Bernie Kozykowski 1st Alt. (part-year),  
Brian Acciavatti 1st Alt. (part-year), Allan Schadt 2nd Alt. (part-year)  
Tom Hill, Paul Brennan 1st Alt., Peter Melnyk 2nd Alt. (part-year)  
Phil Chase, Walt Meyers 1st Alt. (part-year), M. Decker 1st Alt. (part-year),  
Wayne Decker 2nd Alt. (part-year), R. Cunningham 2nd Alt. (part-year),  
John S. McKay, Edward DeFebo 1st Alt.  
Brian Stuart 2nd Alt. (part-year)  
George J. Fluhr, Andrew Bartsch 1st Alt.,  
Henry H. Prigge 2nd Alt. (part-year)  
Alan Bowers, Diane Banach  
Bruce MacMillan, Fred Gerty  
Marian H. Hrubovcak, David Lamereaux  
Gerald M. Hansler, David B. Everett  
Martin Borko, Larue Elmore  
Marie Rust, Cal Hite

## Objectives for Fiscal Year 1997

- ✗ Complete the Substantial Conformance evaluation for the Town of Hancock, NY.
- ✗ Continue the Technical Assistance Grant (TAG) program and seek out new sources of funding so the UDC can expand this very popular and successful program.
- ✗ Produce a comprehensive TAG Catalog detailing all technical assistance grants the UDC has funded since 1988.
- ✗ Develop the UDC's third 5-Year Operating Plan which will guide the Council through the year 2002.
- ✗ Actively seek out and secure foundation grants, private donations, and other monies to augment the funds received from the NPS.
- ✗ Continue work on the clarification of the strand issue and produce a River Users' Guide for the 1997 Tourist Season. Complete an inventory of public lands and public/commercial river accesses in the river corridor.
- ✗ Keep abreast of flows management issues and flood control concerns by attending conferences, participating in workshops, and convening meetings and roundtables with key individuals as appropriate.
- ✗ Reach a resolution of the Incidental Business Permit issue that recognizes the unique nature of the Upper



- Delaware where businesses operate on their own property.
- ✗ Continue to address recreation/safety issues *vis a vis* the proposed scheduled two-turbine releases on the Mongaup River.
  - ✗ Investigate possible river access/rest stop sites and coordinate with appropriate agencies for site development.
  - ✗ Provide river user education programs and information on issues including boating safety, conservation, private property issues, litter, trip planning, riparian land management techniques, water quality, etc.
  - ✗ Continue publication of the UDC's quarterly newsletter, using it as a forum for disseminating information on a variety of issues and concerns.

- ✗ Determine the direction that the Friends of the Upper Delaware will take and establish programs, etc. to move the group in that direction.
- ✗ Continue to cooperate with various agencies and organizations to increase the capabilities of local emergency response personnel at all levels within the river corridor with regards to HAZMAT emergency response training exercises and the development of evacuation plans.
- ✗ Participate in the planning and implementation of the annual Delaware River Sojourn.
- ✗ Assess the feasibility of establishing a scenic byway program to broaden the recreation industry in the Upper Delaware region.
- ✗ Coordinate with the NPS, the counties, and the states on the management of key sites, such as river access sites and the proposed NPS Visitors Center.
- ✗ Continue to keep abreast of fisheries issues through such groups as the Delaware River Basin Fish and Wildlife Management Cooperative.
- ✗ Continue holding the UDC's popular annual awards banquet, summer river rafting trip and picnic, and conference events.