

Responsibility & Authority

The Upper Delaware Council, Inc. was unique in the world of river conservation and management when established in 1988 because it represented a formal partnership of local, state, and federal governments and agencies which 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 (UDC) was formed in 1988.

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. The Council membership operates under a long-term cooperative agreement with the National Park Service.

The UDC is classified as a non-profit, tax-exempt organization under IRS Code Section 501(c)(3). It is incorporated in the Commonwealth of PA and registered to do business in NYS as well. Contributions are tax-deductible to the extent allowed by law.



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

On the cover: U.S. National Park Service Director Fran Mainella paid a visit to the Upper Delaware Scenic and Recreational River on July 23-24, 2005. She enjoyed a river trip near Milanville, PA with NPS Upper Delaware Superintendent Dave Forney, center, and angling expert Ken Schultz, right, as well as meetings with UDC officials. (UDC Photo by David B. Soete)

Upper Delaware Council

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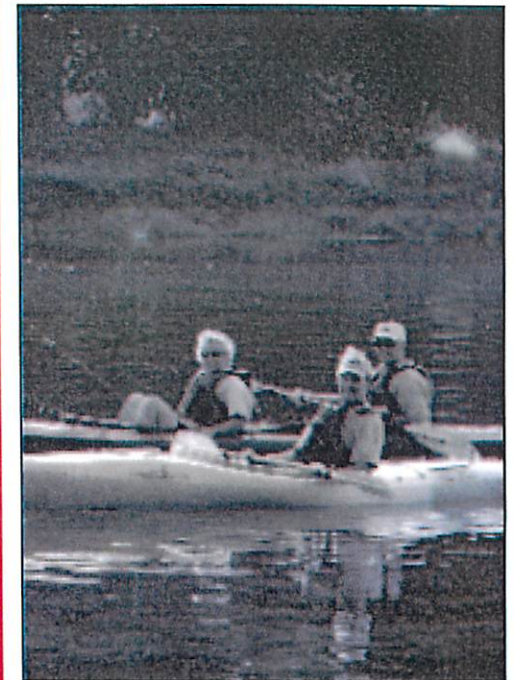
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Upper Delaware Council

Annual Report



Fiscal Year 2005

October 1, 2004 to
September 30, 2005

The View From the Chair ...

John McKay

2005 Chairperson
Lackawaxen Twp., PA



It has been a privilege to serve as chairman of the UDC for the year 2005.

Over the course of the year, I have been impressed by the dedication and commitment of the UDC staff and of the various towns and agency representatives. Discussion on issues is lively, sometimes passionate, and reflects as many points of view as there are member towns.

It had been my hope at the beginning of my term to increase those points of view by entreating the Wayne County townships to join the Council. They, however, remain steadfast in their refusal to come to the table. I believe that this is shortsightedness on their parts and that they do their constituents a disservice by their failure to even consider membership.

Another topic considered during the year was the issue of the safety of rail traffic through the corridor. Even before the Oct. 13, 2005 derailment at Shohola, discussion on the condition of the tracks and bridges had been aired ... some would say it had become a harangue of mine. It has been my position that the lease arrangement by the current operator minimizes the likelihood of capital improvements along the line and increases the chance of a serious incident. I am certain Council staff will procure all the available public information from the appropriate regulatory bodies and will obtain a report on the Shohola incident.

This issue only underscores the value and ability of the Council to act as watchdog and conduit on issues that not only affect towns locally, but also regionally.

Lastly, the question of adequate funding for the Council will be a paramount issue in the years to come. Best regards for 2006.

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 Activity Highlights in FY 2005

11/4/04 - Began administering a \$40,000 Community Projects State Grant program benefiting the UDC's eight NYS member towns on behalf of NYS Senator John J. Bonacic and the NYS Department of Economic Development.
12/16/04 - Presented information on the economic impact of Upper Delaware watershed issues at a state-level meeting in Albany called by NYS Assemblyman Clifford Crouch.
12/29/04 - Met with Orange County, NY officials to express concern over a proposal by the Village of Kiryas Joel to construct a pipeline to tap into the Catskill Aqueduct system.
1/4/05 - Met with the new operators of the southern tier rail line running from Binghamton to Port Jervis, Central New York Railroad (CNYR). Attended a CNYR tax abatement hearing on 2/17 and a Federal Railroad Administration hearing for CNYR's signaling system application on 9/28.
2/3/05 - Issued a letter to the New York City Department of Environmental Protection (DEP) asking for an expansion of the Pepacton Reservoir spill reduction program to the Cannonsville Reservoir to help reduce flooding potential.
3/11/05 - Chairperson McKay sent letters to the four Wayne County townships of Berlin, Buckingham, Damascus, and Manchester extending a personal invitation to join the UDC and explaining the benefits of membership.
4/2-4/4/05 - Collected damage reports and attended meetings pertaining to the second major Upper Delaware flooding event to hit in a seven-month period, when a combination of significant rainfall, melting snowpack, and saturated soils caused record crests at various gaging stations.
5/5/05 - Kept abreast of efforts to repair a sink hole discovered at Mirant Corp.'s Swinging Bridge Reservoir on the Mongaup River, a tributary of the Delaware River.
5/18/05 - Hosted a meeting by the Atlantic States Marine Fisheries Commission to solicit comments on proposed changes to the American Eel Fishery Management Plan.

Upper Delaware Council Staff

Full-time Employees:

Executive Director.....William E. Douglass
Senior Resource Specialist.....David B. Soete
Public Relations/Fundraising.....Laurie Ramie
Office Manager.....Carol Coney

Contractors:

Bookkeeper.....William McAllister, CPA
Auditors.....Eckersley & Ostrowski, CPAs
Attorney.....John J. Keating, Esq.

6/2/05 - Expressed support for legislation to amend the NYS Conservation Law by developing reservoir protocols to lower water levels for flood control under certain conditions.
6/2/05 - Requested that the PA Fish and Boat Commission recognize the NYS fishing guide licenses and their associated fees on the common border of the West Branch and Main Stem of the Delaware River as a reciprocal agreement.
6/19-25/05 - Served on the steering committee that organized the 2005 Delaware River Sojourn under the theme of "Introducing the Delaware River Water Trail."
6/29/05 - Attended the Pond Eddy Bridge Consulting Parties meeting for a review of alternatives and issued an 8/4 letter reaffirming the UDC's support for construction of a new bridge at the Pond Eddy crossing.
7/23-24/05 - Assisted with preparations for a visit to the Upper Delaware Scenic and Recreational River by U.S. National Park Service Director Fran Mainella, and participated in programs and discussions during her stay.
8/4/05 - Requested that NYS and PA agencies enact a special regulation to protect the coldwater fishery in thermal refuges of the Upper Delaware River during hot and dry weather conditions.
8/7/05 - Welcomed 151 guests to the UDC's 17th Annual Family Raft Trip, rafting from Barryville to Pond Eddy.
8/30/05 - Briefed the chairman of the NYS Assembly's Committee on Environmental Conservation, Thomas DiNapoli, on issues of concern to the UDC during a Government Officials Liaison Subcommittee meeting in Monticello facilitated by Assemblywoman Aileen Gunther.
9/17/05 - Made a field visit to explore potential new sites for the National Park Service's Mongaup Visitors Center and reviewed site development issues.

Technical Assistance Grants

Since 1988, the Upper Delaware Council has awarded \$559,292 in Technical Assistance Grants funding for 158 projects by member towns and townships or their counties. Technical Assistance Grants (TAGs) are available for research, planning, and studies. Projects must further the goals of and address needs identified in the River Management Plan for the Upper Delaware Scenic and Recreational River.

Applications for the 2005 round were due by July 29. A special Project Review Committee meeting took place on Aug. 9. The UDC approved five grants totaling \$16,300 on Sept. 1, as follows:

Town of Lumberland, NY - \$4,300 to create a local history syllabus with text and imagery that will be offered to Eldred Central School grades 5-8 teachers as a learning tool to educate students about Lumberland's rich heritage.

Lackawaxen Township, PA - \$4,000 to help formulate a new comprehensive plan that will provide a vision and blueprint for future growth of the township, replacing the 1975 plan that was last amended in 1995.

Town of Tusten, NY - \$4,000 to review and update as needed the town's 1998 comprehensive plan; its zoning, land use, and floodplain laws; and to publish any new ordinances that result from this project.

Shohola Township, PA - \$2,000 to develop a well-siting and construction ordinance, and wellhead protection standards, to include in the zoning ordinance.

Town of Fremont, NY - \$2,000 to produce a town-wide soil limitations mapping project to assist the planning and zoning boards in their decisions on various development proposals.

2005 Annual Awards Ceremony

The Upper Delaware Council's 17th Annual Awards Ceremony was held on April 17, 2005 at The Inn at Lackawaxen in Lackawaxen, PA, with 96 guests in attendance. Michael Bedrin, director of the Pennsylvania Department of Environmental Protection's (PA DEP) Northeast Regional Office, served as keynote speaker. Awards were presented in the following categories to:

Distinguished Service Award.....**David J. Lamereaux**, PA DEP, retired
Robin M. Daniels Memorial Lifesaving Award (July 3, 2004 Skinners Falls rescue).....**National Park Service Ranger Larry Neal, New York State Police Trooper Peter Bizjak, Lake Huntington Fire Department, and Town of Cocheton Volunteer Ambulance Corps**

Partnership Award (Upper Delaware River mussels study).....**U.S. Geological Survey Northern Appalachian Research Lab, under the direction of Dr. William A. Lellis**, Wellsboro, PA

Recreation Achievement Award.....**Northeast Sports, Ltd.**, Honesdale, PA

Cultural Achievement Award.....**Gerald DaBrescia**, Hancock, NY

Community Service Award.....**Milford Magazine**, Milford, PA

Outstanding Community Achievement Award.....**Hamlet of Barryville, NY**

Special Recognition Awards (3).....**Frank T. Dale**, author/historian;

Sally Zegers, publisher, *The Hancock Herald*; and **Christopher Cappello**, former Town of Lumberland Historian's Assistant

Oaken Gavel Award.....**Nadia Rajsz**, 2004 UDC Chairperson, Town of Lumberland, NY

Upper Delaware Council Objectives for Fiscal Year 2006

2Support the National Park Service's funding requests to subsidize a major review of the 1986 *River Management Plan for the Upper Delaware Scenic & Recreational River* and to obtain an increase in operating funds for the UDC.

2Submit a budget proposal, with supporting resolutions, to elected officials in New York and Pennsylvania to seek the state contributions envisioned in the Plan.

2Advocate for a better balance of river flows and releases pertaining to the management of New York City's three Delaware River Basin reservoirs.

2Gather documentation to justify the request for a minimum flow and optimum temperature target gage at Callicoon, NY.

2Request a thorough investigation by the Federal Railroad Administration into the cause of the Oct. 13, 2005 derailment of a New York, Susquehanna & Western freight train near Shohola, PA, and work with Central New York Railroad on updating the 1997 "Emergency Response Guide for the Upper Delaware River Valley."

2Complete the Town of Hancock Substantial Conformance Review.

2Maintain vigilance in reviewing local projects, ordinances, variances, and zoning

appeals, as well as federal and state permit and license applications, to determine any potentially adverse environmental impacts on the river corridor.

2Revise and start distributing 30,000 copies of the UDC's "Visitor Information Map & Guide for Touring the Upper Delaware Scenic and Recreational River" brochure.

2Administer the fourth round of Community Projects State Grants secured by Sen. John Bonacic for the UDC's eight NYS town members, as well as state funding awarded to the Upper Delaware Scenic Byway, Inc.

2Serve on the planning team for the proposed NPS Mongaup Interpretive Center.

2Regularly inform local, state, and federal legislators about Upper Delaware issues through the UDC's Government Officials Liaison Subcommittee and staff efforts.

2Work with the states and National Park Service to develop new public accesses, fishing accesses, and river rest stops at appropriate locations, such as at the Cocheton-Damascus, Barryville-Shohola, and Pond Eddy bridge crossings.

2Encourage commercial liveries to adopt river use safety standards and training.

2Persuade the four non-participating Wayne County townships to join the UDC.

Statement of Fund Balances

	Year Ending 9/30/05	Year Ending 9/30/04
REVENUES		
NPS Cooperative Agreement	\$300,000	\$300,000
Restricted Grants	40,000	8,312
Contributions	2,050	1,025
Interest Income	3,764	1,723
Other Income	0	0
Total Revenues	\$345,814	\$311,060
EXPENSES		
Personnel	\$226,980	\$215,981
Special Projects/Program Services	91,393	64,013
Operations	57,371	62,533
Interest Refund-NPS	1,280	342
Total Expenses	\$377,024	\$342,869
Change in Net Assets	(31,210)	(31,809)
TRANSFER		
Capital Expenditures	\$0	\$10,352
Capital Expenditures Capitalized	0	\$10,352
Change in Net Assets	\$(31,210)	(31,809)
Net Assets - Beginning of Year	\$189,217	\$221,026
Net Assets - End of Year	\$158,007	\$189,217

UDC Membership (as of Sept. 30, 2005)

2005 Officers: Chairperson John McKay; Vice-Chair Charles Wieland; Secretary-Treasurer John B. Niflot

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
 National Park Service (partner)

REPRESENTATIVE / ALTERNATE(S)

F. Gerald Mackin / vacant
 John B. Niflot / Jim Rodgers
 Harold G. Roeder, Jr. / Eric J. Nystrom
 Larry H. Richardson / John Reggero
 Charles Wieland / Ben Johnson
 Lew Schmalzle / Allan Schadt, 1st Alt. / Robert Burrow, 2nd Alt.
 Nadia Rajsz / John LiGreci
 Philip D. Chase / Melvin Decker
 John S. McKay / Brian Stuart
 Bruce Selneck / George J. Fluhr, 1st Alt. / Nelia Wall, 2nd Alt.
 Alan Bowers / George R. Jerus
 William J. Rudge / Wayne Elliot
 Dennis DeMara / vacant
 Carol R. Collier / vacant
 Mary A. Bomar / David C. Forney

FY 2005 Changes: Jim Serio served as Hancock alternate from March 2003 to Jan. 2005. Jim Rodgers was appointed on Nov. 10, 2004 to succeed James Greier as Fremont alternate. Lew Schmalzle and Allan Schadt switched places as Highland's representative and first alternate from Jan. to August 2005. Wayne Elliot was appointed on July 11, 2005 to fill a vacancy as NYS alternate. Dennis DeMara was appointed on Oct. 6, 2004 as PA representative; David J. Lamereaux retired as PA alternate on Apr. 1, 2005. Mary A. Bomar succeeded Marie Rust as NPS Regional Director on July 21, 2005.

FY 2005 Revenues and Expenditures

REVENUES (Cash Basis)

NPS Cooperative Agreement.....	\$300,000
Restricted Grants.....	40,000
Contributions.....	2,050
Interest Income.....	3,764
Total Revenues	\$345,814

EXPENDITURES (Functional Allocations)

	Personnel	Special Projects/Program Services	Operations	Capital Expenditures	Total
Public Affairs	54,359	20,250	13,740	0	88,349
Water Use/Resource Management	66,830	5,746	16,890	0	89,466
Project Review	37,335	3,210	9,438	0	49,983
Technical Assistance Grants	9,904	17,151	2,501	0	29,556
Substantial Conformance	25	2	6	0	33
Fundraising	29	2	6	0	37
Administration	52,270	4,495	13,213	0	69,978
Capital Expenditures	0	0	0	0	0
Grant Administration	9,228	537	1,577	0	8,342
Combined Total	229,980	51,393	57,371	0	\$335,744