



Upper Delaware Council

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www.upperdelawarecouncil.org

Annual Report for Fiscal Year 2018

(October 1, 2017 to September 30, 2018)



The UDC's 30th Annual Raft Trip launched from beneath the Skinners Falls-Milanville Bridge on Aug. 5, 2018.

Working together to conserve the Upper Delaware Scenic and Recreational River

Town of Hancock • Town of Fremont • Town of Delaware • Town of Cochecton • Town of Tusten • Town of Highland • Town of Lumberland
Town of Deerpark • Damascus Township • Berlin Township • Lackawaxen Township • Shohola Township • Westfall Township
State of New York • Commonwealth of Pennsylvania • Delaware River Basin Commission • In partnership with the National Park Service

Organizational Mission

The mission of the Upper Delaware Council, Inc. (UDC) is to ensure the effective implementation and administration of the *River Management Plan for the Upper Delaware Scenic and Recreational River: New York and Pennsylvania* (Final 1986), utilizing the existing authority of its members and operating under the terms of a Cooperative Agreement with the National Park Service.

The Council's existence evolved from special provisions in the 1978 legislation which designated the 73.4-mile section of the Upper Delaware River between Hancock, NY and Mill Rift, PA as a component of the National Wild and Scenic Rivers System, eligible for federal protection due to its Outstandingly Remarkable Values.

Established in 1988 as a non-profit, tax-exempt organization, the UDC's voting membership is comprised of the two states and presently 13 out of the 15 local governments which border on the river. The Delaware River Basin Commission (DRBC) is a non-voting member while the National Park Service (NPS) Upper Delaware Scenic and Recreational River is the federal partner.

The UDC provides the mechanism to address management actions for the river through a formal partnership of local, state, and federal interests. What sets the River Management Plan apart is the commitment to local land use controls and voluntary actions by landowners to protect the river valley's resources, contrasted with the traditional national park model in which the federal government owns all of the land. More than 85% of the land in the Congressionally-designated, 55,574.5-acre Upper Delaware River corridor remains privately owned.

The Council fulfills the role of advocate, forum, facilitator, educator, and protector as the situations warrant. On a continuous basis, the UDC monitors proposed projects, legislation, new developments, studies, and governmental policies to assess potential impacts on the Upper Delaware's resources, protect private property rights, and uphold the far-sighted vision of the River Management Plan to conserve the river area for present and future generations.

Management Structure

UDC representatives and alternates are appointed to one-year terms by their towns, townships, and state agencies. In addition to a full Council meeting that convenes on the first Thursday of the month, three standing committees meet monthly: Water Use/Resource Management Committee on the third Tuesday; and Project Review Committee and Operations Committee, both on the fourth Tuesday. Subcommittees dedicated to such issues as Personnel, Buildings & Grounds, and Government Officials Liaisons, meet as the need arises. A full-time professional staff carries out the board's directives and operates the Council's business office located at 211 Bridge St. in Narrowsburg, NY. The three-member staff consists of an Executive Director (Laurie Ramie, employed by the UDC since April 21, 1997), a Resource Specialist (Pete Golod, employed since April 23, 2016), and a Secretary. The full-time Secretary position during this report period was filled by Cindy Odell (employed from August 29, 2011 to February 16, 2018) and Linda Drollinger (March 19, 2018 to August 17, 2018), followed by a vacancy. A Secretary Employment Agreement was executed on September 27, 2018 with Ashley Hall-Bagdonas for a work-start date effective October 15, 2018.

2018 Upper Delaware Council Membership Roster

Elected to serve as Upper Delaware Council officers at the annual meeting held February 1, 2018 (due to a winter weather cancellation on January 4), with Shohola Township Board of Supervisors Chairperson Gregory Hoepfer presiding over the swearing-in ceremony, were:

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Chairperson: Aaron I. Robinson, Shohola Township, PA
Vice-Chairperson: David M. Dean, Town of Deerpark, NY
Secretary-Treasurer: Alan F. Henry, Berlin Township, PA



2018 ROSTER: Upper Delaware Council representatives and alternates gathered at the Feb. 1 monthly meeting for a portrait. Seated from left to right are: Secretary-Treasurer Al Henry; Vice-Chairperson David Dean; and Chairperson Aaron Robinson. Standing from the left are: Larry Richardson, Steve Tambini, Bill Rudge, Kristina Heister (National Park Service federal partner), Virginia Dudko, Tim Dugan, Roger Saumure, Mike Barth, Susan Sullivan, Fred Peckham, Kaitlin Haas, Steve Adams, Harold Roeder, Jr, Doug Case, and Jim Greier. Absent was a delegate from the Town of Lumberland due to an initial 2018 vacancy. (UDC Photo by Laurie Ramie)

As of Sept. 30, 2018, the UDC's board consisted of: (* denotes a change from Fiscal Year 2017)

<i>UDC Member</i>	<i>Representative</i>	<i>Alternate(s)</i>
Town of Hancock	Fred Peckham	Katt Judd
Town of Fremont	James Greier	George Conklin
Town of Delaware	Harold G. Roeder, Jr.	David Peters
Town of Cochection	Larry H. Richardson	Sean Nearing
Town of Tusten	Susan Sullivan	Evan Padua *
Town of Highland	Kaitlin Haas *	Debra Conway and Andrew Boyar
Town of Lumberland	Nadia Rajsz *	Vacant
Town of Deerpark	David M. Dean	Virginia Dudko
Damascus Township	Jeffrey R. Dexter	Steven Adams, Joseph Canfield and Daniel Rutledge
Berlin Township	Alan Henry	Paul Henry
Lackawaxen Township	Doug Case	Judy Kuhn Conklin

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Shohola Township	Aaron Robinson	1 st - Roger Saumure *; 2 nd – Patricia Jeffer *
Westfall Township	Michael Barth	Vacant
State of New York (NY)	William J. Rudge, NYS Department of Environmental Conservation	Michael J. Flaherty, NYS Department of Environmental Conservation
Commonwealth of Pennsylvania (PA)	Timothy Dugan, PA Department of Conservation and Natural Resources	Rhonda Manning, PA Department of Environmental Protection
Delaware River Basin Commission (DRBC) – non-voting member	Steven J. Tambini, Executive Director	No designated alternate
National Park Service (NPS) – UDC partner	Gay Vietzke, Northeast Regional Director	Kristina Heister, Superintendent, Upper Delaware Scenic and Recreational River

* Appointment Changes: *Tusten* – Alternate Tony Ritter, who served on the UDC from 2/8/2010 to 12/31/2017 and chaired the Water Use/Resource Management Committee from 2/3/2011 to Dec. 2016, was succeeded by Evan Padua as alternate based on his 5/1/2018 appointment by the Tusten Town Board. *Highland* – Representative Jeff Haas, the Highland Town Supervisor who served on the UDC from Jan. 2016-Dec. 2017, was succeeded by Town Councilwoman Kaitlin Haas as of Jan. 2018. *Lumberland* – Representative Nadia Rajsz, who also represents the Sullivan County Legislature for District 2, returned to the UDC with a 6/13/18 appointment after serving a 12-year, non-contiguous tenure from 2000-2007 and June 2010 to Dec. 2015 that included chairing the board in 2004 and 2012. Representative Leigh Sherman and Alternate Zoriana Gingold each served from Jan. 2016 to Dec. 2017. The Lumberland alternate position is vacant. *Shohola* – 2nd Alternate George J. Fluhr retired after 29 years on the board from its 1988 inception through 2017. He was elected chairperson in 1992 and 2009. A new 1st Alternate, Roger Saumure, was appointed on 1/3/2018 while Patricia Jeffer, who had been 1st Alternate since 2012, assumed the position of 2nd Alternate and the township’s designated member of the Water Use/Resource Management Committee.

In Memoriam: George R. Rosenberger, who served as the Town of Fremont’s inaugural voting representative when the town joined the UDC in April 1990 through 1993, died on May 31, 2018.

Committees: Voted by their peers to serve as chairmen of the UDC’s standing committees in 2018 were:
Water Use/Resource Management: **Fred Peckham**, Town of Hancock, NY (2/20/18 vote)
Project Review: **Larry H. Richardson**, Town of Cochection, NY (1/23/18)
Operations: **Aaron Robinson**, Shohola Township, PA (1/23/18)

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Fiscal Year 2018 Accomplishments and Activities

Presentations

Upper Delaware Council delegates heard from speakers on a wide variety of informational topics throughout FY 2018. The following presentations were made:

October 5, 2017 – “National Park Service Upper Delaware Budgetary Procedures” by Karen S. Henry, administrative officer, Upper Delaware Scenic and Recreational River

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November 2, 2017 – “DRB2070: Project Summary and Next Steps” by Dr. Claire Jantz and Antonia Price of Shippensburg University’s Center for Land Use and Sustainability

December 7, 2017 – “Shale Gas Development and Water Resource Considerations in the Susquehanna River Basin” by David Yoxtheimer, P.G., hydrogeologist and Penn State Extension associate with Penn State University’s Marcellus Center for Outreach and Research

February 20, 2018 – “Pike County Hazard Mitigation Plan” by Michael Mrozinski, planning director, Pike County Office of Community Planning (at Water Use/Resource Management Committee meeting)

March 1, 2018 – “Emergency Public Notification System Improvements” by Adam Bosch, director of Public Affairs, New York City Department of Environmental Protection

April 5, 2018 – “Online Substantial Conformance and Project Review Geographic Information Systems Tool (Beta Version) Demonstration” by the team from the National Park Service and Shippensburg University Center for Land Use and Sustainability

May 3, 2018 – “Invasive Species in the Upper Delaware” by John Thompson, coordinator, Catskill Regional Invasive Species Partnership

June 7, 2018 – “Navigating Solar in Your Community: Model Solar Energy Law” by Houtan Moaveni, deputy director of NY-SUN and New York State Distribution Generation Interconnection Ombudsman at the New York State Energy Research and Development Authority

August 2, 2018 – “Upper Delaware BioBlitz Results” by Steven Schwartz, project coordinator, 2018 Upper Delaware BioBlitz

September 6, 2018 – “Sullivan County Public Safety Communications Upgrade Project” by Alex Rau, E-911 coordinator, Sullivan County, NY

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Outgoing Letters

A sampling of Fiscal Year 2018 Upper Delaware Council correspondence included:

10/10/17 – to the UDC’s eight New York State member towns: Sample letter to express support for the UDC’s \$50,000 project request to the NYS Department of Environmental Conservation for consideration in the 2018-19 budget to expand the funding and scope of the Technical Assistance Grants program and to conduct professional reviews of the existing plans, laws, and ordinances of member towns to establish substantial conformance with the Land and Water Use Guidelines associated with the River Management Plan

10/13/17 – to UDC Representatives and Alternates: 3rd draft revision of UDC bylaws with amendments proposed to clauses for Membership, Government, Voting Rights, Quorum, Duties of Representatives, Committees, and Dissolution and Disposal of Assets

10/25/17 – to National Park Service Upper Delaware Scenic and Recreational River Superintendent Kristina Heister: Letter of Interpretation proposal to incorporate UDC Renewable Energy position paper conclusions into the Land and Water Use Guidelines

10/27/17 – to Superintendent Heister: Invite your participation in an informal workshop on Dec. 9, 2017 to discuss the relationship between the UDC and the NPS

11/2/17 – to National Park Service Northeast Regional Director Gay Vietzke: Extension request for inquiry into the Upper Delaware Council’s Unrestricted Fund

11/17/17 – to Frank Mazza, regional manager for U.S. Senator Patrick Toomey (PA): Appreciation for meeting with the UDC Government Officials Liaison Subcommittee on Nov. 16

11/30/17 – to Heidi Sage, National Park Service Financial Assistance Policy Branch in Lakewood, CO: Upper Delaware Council Unrestricted Fund response to letters from NPS dated Oct. 30 and Nov. 9, with a 25-lb. box of documentation addressing the origin of those funds dating back to the organization’s 1988 inception

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12/5/17 – to Paul Rush, New York City Department of Environmental Protection Bureau of Water Supply: Progress report sought on improvements to the emergency notification system for the Delaware Basin Reservoirs

12/21/17 – to Superintendent Heister: Request reimbursement of \$7,828.96 in expenditures to respond to unanticipated NPS audit of Unrestricted Fund

12/29/17 – to Secretary of the Interior Ryan Zinke, National Park Service Acting Director Michael Reynolds, and NPS Northeast Regional Director Gay Vietzke: Impacts of a second delay this year in being able to access the UDC's federal funding due to Department of the Interior review of all Cooperative Agreements valued at \$100,000, resulting in funding freezes from mid-April to July 20, 2017 and since Oct. 1, 2017 to the present date, and requesting formal communication about any timetables for action or possible options for partial payments

2/1/18 – to Steve Tambini, executive director, Delaware River Basin Commission: UDC comments on proposed High Volume Hydraulic Fracturing Special Regulations

2/20/18 – to Steven Schwartz, project coordinator, Upper Delaware BioBlitz: UDC support for grant application to the National Environmental Education Foundation

3/1/18 – to Secretary Cindy Adams Dunn, Pennsylvania Department of Conservation and Natural Resources: Request for operational support for the Upper Delaware Council based on the 60% Federal/40% States funding ratio model provided in the 1986 River Management Plan for the Upper Delaware Scenic and Recreational River

3/8/18 – to Commissioner Basil Seggos, New York State Department of Environmental Conservation: Update requested on UDC's proposal for \$50,000 project, with support letters referenced

3/16/18 – to UDC member municipalities: Seek input to identify any areas of concern with the 1986 River Management Plan and the Land and Water Use Guidelines, with an objective to see if they are satisfied that those documents are successfully meeting the current needs of the river corridor, are generally regarded as helpful or a hindrance to their land use planning policies, and whether any suggestions for modification should be brought to the attention of UDC and NPS to systematically address. Five responses were received for assessment and discussion by the Project Review Committee.

5/11/18 – to Superintendent Heister: UDC appeal of NPS funding probe expense reimbursement decision (reversed on 6/7 with agreement to reimburse the \$7,829 cost)

6/7/18 – to NYS Department of State: UDC support for Sullivan County grant application to implement improvements at the Highland River Access on NYS Route 97

7/5/18 – to UDC member municipalities: Status report on the update of the Project Review Guide, and reminder of their responsibilities to submit any land use development projects and zoning changes within the river corridor to UDC for review

7/5/18 – to Freda Eisenberg, commissioner, Sullivan County Planning: UDC support for a New York State grant to acquire a defunct campground in the Town of Delaware to convert into a recreational park, public boat launch, and Callicoon wastewater treatment plant site

7/20/18 – to the National Weather Service: Questioning the protocols and rationale for the changes to flood category stages at the Matamoras/Port Jervis and Montague stream gages

8/2/18 – to PA Governor Tom Wolf and NY Governor Andrew Cuomo, individually: Outline of UDC operational funding expectations from the River Management Plan, with a description of the impacts of no state funding since 1988

8/3/18 – to Pennsylvania Department of Transportation: Gated emergency access for the Lumberland Volunteer Fire Department sought under the Pond Eddy Bridge

8/13/18 – to UDC member municipalities: Federal Funding for River-Related Law Enforcement Survey, based on a 6/14 historical report of diminishing allocations prepared upon the UDC's request by NPS Upper Delaware Superintendent Heister

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Public Outreach



2018 Honorees:
Seated, from left:
Carol Wingert, Dr.
Shannon Thol,
George J. Fluhr,
Carol Ann
MacMaster, Sam
Rowe, Jr., Jessica
Newbern, and Cindy
Odell. Standing:
Sean McNeil,
Cinthia Ibarra,
Kevin Reish, Jim
Greier, and Lou
Pine.
(UDC April 22 Awards
Banquet photo by
David B. Soete)

Annual Awards – The Upper Delaware Council sponsored its 30th Annual Awards Ceremony on April 22, 2018 to pay tribute to individuals, organizations, and communities that have acted to improve the quality of life or protect the resources of the Upper Delaware River Valley. There were 113 guests.

National Park Service Regional Director Gay Vietzke from the Northeast Regional Office in Philadelphia delivered the keynote address to highlight the 50th anniversary of the National Wild and Scenic Rivers Act, the 40th anniversary of the Upper Delaware Scenic and Recreational River Congressional designation, and the 30th anniversary of the partnership with the Upper Delaware Council at the banquet held at Central House Family Resort in Beach Lake, PA.

Honored for their contributions were:

Distinguished Service Award ~ George J. Fluhr of Shohola, PA

Thirty years of service to the Upper Delaware Council organization and river valley historic contributions

Advocacy Award ~ U.S. Congressman John Faso (NY-19th District)

Champion of federal funding and support for the UDC and Delaware River Basin Restoration Program

Robin M. Daniels Memorial Lifesaving Award ~

Cinthia A. Ibarra and Mary Belezaire of Mt. Vernon, NY;

Park Rangers **Kevin Reish and Sean McNeil**, National Park Service Upper Delaware Scenic and Recreational River; and **Louis E. Pine**, American Legion Ambulance Service, Eldred July 3, 2017 rescue of near-double drowning father and son victims at Minisink Ford, NY

Community Service Award ~ Samuel N. Rowe, Jr.

Strong tenure as Town of Hancock, NY Supervisor, 2002-2018; Upper Delaware Tailwaters Coalition leadership

Community Service Award ~ Carol Ropke Wingert

Ongoing public service to Town of Tusten, NY as Supervisor; fundraising success; weather emergency coordination

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Cultural Achievement Award ~ Carol Ann MacMaster of Equinunk Historical Society
Outstanding efforts as curator, office manager, membership chair, and genealogist at Calder House Museum

Volunteer Award ~ Dr. Shannon Thol of Honesdale, PA
Donated 400+ hours to developing a Geographic Information Systems framework for the Upper Delaware Corridor

Special Recognition Award ~ Jessica Newbern of the National Park Service
Advancing the study and protection of NPS Upper Delaware Scenic and Recreational River's natural resources

Special Recognition Award ~ Cindy Odell of Honesdale, PA
Critical support staff role with the Upper Delaware Council from August 29, 2011-February 16, 2018

Oaken Gavel Award ~ James A. Greier of the Town of Fremont, NY
Fulfilling responsibilities as the elected 2017 Upper Delaware Council chairperson

Raft Trip – The Upper Delaware Council's 30th Annual Family Raft Trip on August 5, 2018 attracted 90 guests, including 71 adults and teens, and 19 children ages 5-12. Numerous cancellations were experienced due to high water conditions from recent rainfalls, although the trip proceeded safely on a fast-moving river 7.5 feet high. Rafters launched from the Skinners Falls campground base in the Town of Cochecton, NY and enjoyed a 10-mile paddle under sunny skies to the Ten Mile River Access in the Town of Tusten, NY. Lander's River Trips provided the equipment and shuttle transportation. The UDC non-profit organization coordinates the public excursion at deeply discounted rates to promote stewardship and enjoyment of the nationally-designated river it works to conserve.

UDC News Releases – In addition to the publication of notices to advertise UDC meetings, the Upper Delaware Council issued the following news releases during Fiscal Year 2018:

- 10/5/17 – “The Upper Delaware” Fall/Winter 2017 Newsletter Available On-line and by Mail
- 11/9/17 – UDC Issues FY 2017 Annual Report
- 11/13/17 – Upper Delaware Council to Host Speaker from Marcellus Center at Dec. 7 Meeting
- 12/5/17 – Upper Delaware Council Responds to National Park Service's Fund Inquiry
- 1/16/18 – Upper Delaware Council Elects 2018 Officers
- 1/19/18 – Upper Delaware Council to Swear in 2018 Officers at February 1 Meeting
- 2/2/18 – Upper Delaware Council Sets Closure Date in Absence of Federal Funding
- 2/9/18 – Upper Delaware Council Federal Funding Reinstated
- 2/14/18 – Upper Delaware Council Seeks Nominations for 30th Annual Awards by March 16
- 3/8/18 – River Valley Award Ideas Due by Mar. 16
- 3/20/18 – Upper Delaware Council Hires Secretary
- 3/26/18 – UDC Announces Honorees for Awards Ceremony on April 22
- 3/29/18 – Upper Delaware Brochures Available
- 4/2/18 – “The Upper Delaware” Spring/Summer 2018 Newsletter Available On-line and by Mail
- 4/4/18 – Reservations due by Apr. 13: National Park Service Northeast Regional Director to Speak at UDC Apr. 22 Awards
- 4/23/18 – Photo stories: UDC Presents Advocacy Award; Honorees 2018 Recipients
- 4/24/18 – UDC Has Upper Delaware T-shirts for \$15 Donation
- 5/8/18 – UDC Awards River Clean-up Grants
- 5/17/18 – NY-PA Joint Interstate Bridge Commission Updates Status of Upper Delaware Bridges

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- 5/30/18 – “The River Unites Us” column by the Scenic Wild Delaware River Geotourism Initiative contributed by Laurie Ramie, executive director, Upper Delaware Council
- 6/7/18 – “A Day on the River” hour-long program for public radio station WJFF includes an interview with Laurie Ramie for the “Radio Chatskill” program
- 6/14/18 – Reserve Now for August 5 UDC Raft Trip
- 7/12/18 – Reserve by July 27 for UDC Raft Trip
- 7/12/18 – UDC Technical Assistance Grant Applications Due by Aug. 31
- 8/6/18 – UDC Raft Trip Celebrates 30th Annual River Outing
- 8/7/18 – Upper Delaware Council Publishes Special 30th Anniversary Newsletter
- 8/16/18 – New D&H Canal Documentary Available for \$10
- 8/24/18 – Sullivan County Public Safety Communications Presentation Featured at Sept. 6 UDC Meeting
- 8/31/18 – UDC Sets Sept. 11 Meeting to Review Grant Applications
- 9/21/18 – National Weather Service Presentation Featured at October 4 UDC Meeting

“The Upper Delaware” – Since 1988, the Upper Delaware Council has published a free newsletter about the environment and the people of the Upper Delaware River Valley in New York and Pennsylvania.

“The Upper Delaware” is currently published twice a year, although the UDC supplemented that schedule by putting out a special UDC 30th anniversary issue in Fiscal Year 2018. The newsletter is sent to a mailing list of more than 8,400 subscribers, printed in a quantity of 10,000 copies for additional distribution, and posted on the UDC’s website for online viewing or printing.

Featured articles in the Fall/Winter 2017 issue, released on October 2, include: “DRBC Regulations Propose to Ban Gas Drilling in River Basin”; “UDC Honors River Valley Achievers”; “River Designation Anniversaries Abound in 2018”; “In Memoriam: Philip D. Chase (1931-2017)”; “UDC Updates Upper Delaware Visitor Map & Guide Brochure”, “Upper Delaware Study Assesses American Shad”; “Battle of Minisink Monument Unveiled”; “Douglas City Days Recall Long Eddy Founding”, “Construction Underway on Interstate Bridges”, and an Upper Delaware profile on Westfall Township UDC Representative Michael Barth.

The Spring/Summer 2018 issue, released on April 2, features articles including: “UDC Reviews Reservoir Emergency Plans”, “Natural Gas Regulations Debated”, “UDC to Present 30th Annual Awards at April 22 Ceremony”, “Delaware River to be Sampled for Microplastics”, “UDC Installs 2018 Officers; Hires Secretary”, “Invasive Spotted Lanternfly, Emerald Ash Borer Threaten”, “In Memoriam: Rep. Maurice D. Hinchey”; “UDC 30th Annual Raft Trip August 5”, and an Upper Delaware profile on Damascus Township UDC Alternate Representative Steve Adams.

The 30th Anniversary issue was released on August 6. The special 12-page publication offers historic and contemporary articles and photos, including: “Carter Signs Delaware Into Scenic Rivers System” (a re-print of a Nov. 16, 1978 newspaper publication); “National Wild and Scenic Rivers Designation Recognizes Upper Delaware as Special Place” by NPS Upper Delaware Scenic and Recreational River Superintendent Kristina M. Heister; “30 Years of Honoring River Valley Heroes: Distinguished Service Comes Full Circle”, “Technical Assistance Grants Assist Members to Fulfill Goals of the River Management Plan”; “River Valley Story Shared through Newsletter”; “New Initiatives Set Path to Cleaner, Healthier Watershed” by Kelly Mooij, co-chair of the Coalition for the Delaware River Watershed; and “Delaware River Sojourn: Still Wild After All These Years”.

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Visit the Publications page of the UDC website to find an archive of “The Upper Delaware” past issues available to read and print.

Festivals & Events – Exhibits, literature, information, and occasional UDC benefit river map t-shirt sales were offered by the Upper Delaware Council at the Upper Delaware BioBlitz on June 30 in Starlight, PA at the junction of the East and West Branches of the Delaware River in northern Wayne County; the 14th Annual Zane Grey Festival sponsored by the National Park Service and Zane Grey’s West Society in Lackawaxen, PA, on July 14; and the 28th Annual RiverFest, a Festival of Art, Music & Ecology on the Delaware River, organized by the Delaware Valley Arts Alliance and Narrowsburg Chamber of Commerce, on July 22. UDC Resource Specialist Pete Golod represented the organization at Kittatinny Canoes’ Annual On and Under the Delaware River Clean-up on July 16. UDC Executive Director Laurie Ramie made a presentation on the topic of collaborative management of the Upper Delaware Scenic and Recreational River to the Sullivan County Chamber of Commerce Foundation’s Leadership Sullivan class on Sept. 25. Other regional public events attended by the UDC included an Upper Delaware River Summit with a drift boat float in Hancock, NY on April 27 to launch the “#4theDelaware” campaign, hosted by the National Wildlife Federation and Friends of the Upper Delaware River; and the 2018 Delaware River Sojourn June 17 program with its “Still Wild After All These Years” theme celebrating the 50th anniversary of the Oct. 2, 1968 passage of the National Wild and Scenic Rivers Act.



UDC Grant Programs

Technical Assistance Grants – The Upper Delaware Council offers Technical Assistance Grants for projects that fulfill the goals and objectives of the River Management Plan for the Upper Delaware Scenic and Recreational River. The competitive program is open to its member municipalities and the five river valley county governments in Orange, Sullivan, Delaware (NY), Wayne and Pike (PA).

In Fiscal Year 2018, the National Park Service applied more stringent criteria to restrict federal funding assistance for projects that relate specifically to land use planning, Geographic Information Systems planning, zoning revisions, updates of comprehensive and master plans, and codification of laws.

Three applications were submitted by the Aug. 13, 2017 deadline. A special meeting of the Project Review Committee took place on Sept. 12 to review the applications and make recommendations to the full Council.

The UDC voted on Oct. 5, 2017 to award a total of \$15,100 in Fiscal Year 2018 Technical Assistance Grants (TAG) for these project requests:

- Town of Tusten – Codify Local Laws and Ordinances (Phase II) - \$6,000
- Damascus Township – East Central Wayne County Comprehensive Plan Update - \$5,583.33
- Berlin Township – Inventory of Township Signs for Base Map - \$3,516.67

However, one application (Berlin) was rejected by the National Park Service in February upon review of a first-ever requested budget addendum to seek a determination on the UDC’s proposed allocation of the funds, and one project (Damascus) was granted an extension to Dec. 31, 2018 to finalize its work. Therefore, the Town of Tusten was the only Fiscal Year 2018 Technical Assistance Grant completed by the Aug. 24, 2018 deadline after receiving a notice to proceed from the UDC following the NPS review on Feb. 21. The \$6,000 reimbursement payment was approved on Aug. 28.

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The FY 2018 round brought the cumulative amount awarded through the Technical Assistance Grant program since 1988 to \$857,188 to fund 249 local projects.

A \$15,000 allocation was approved for the 2019 round of Technical Assistance Grants, for which applications were due by Aug. 30, 2018 and a special meeting of the Project Review Committee to review them took place on Sept. 11, in advance of awarding grants at the first meeting of Fiscal Year 2019.

River Clean-up Grants – In the fifth year of its River & Shoreline Clean-up Grants Program, the Upper Delaware Council disbursed \$5,370.58 to help subsidize four beautification projects. The environmental project started in 2014 after the National Park Service discontinued its municipal trash contracts.

Solicitation memos were sent to all UDC municipalities on March 23 and four applications were received by the April 20 deadline. The Council approved the grant awards at the May 3 monthly meeting and then approved an addendum on June 7 to subsidize an additional litter sweep by the Town of Deerpark.

- **Damascus Township** (\$750) collaborated with youth from Calkins Ag 4-H Club to purchase equipment and arrange for livery services to clean up 13 river miles and 26 shoreline miles between Callicoon and Skinners Falls.
- The **Town of Lumberland** (\$775) contracted with Ann Steimle to collect river trash within town boundaries from Camp Tel-Yehudah to the Mongaup River Access every other week.
- The **Town of Tusten** (\$900 approved, \$885 expended) contracted with Kevin and Donna Freda to clean up litter and dispose of recovered trash within town boundaries between Skinners Falls and Kunkelli's Hill. The Ten Mile River Boy Scouts Camp did a volunteer clean-up as well as the Fredas donating one day of service.
- The **Town of Deerpark** (\$2,960.58) utilized the Town Highway Department labor, equipment and dump fees to pick up debris along 2.9 miles of New York State Route 97 along the Hawk's Nest area of the Upper Delaware Scenic Byway on three occasions.

The cumulative amount that the UDC has awarded through its River & Shoreline Clean-up Grants Program from 2014 to 2018 is \$21,630.56.



Special Meetings & Activities

Fiscal Year 2018 non-UDC meetings and special events attended includes:

Oct. 11, 2017 – 8th Annual “Water, Water Everywhere: The Future of the Upper Delaware River Conference”, sponsored by Friends of the Upper Delaware River at West Branch Angler Resort, Hale Eddy, NY

Oct. 17-18, 2017 – 5th Annual Delaware River Watershed Forum, sponsored by the Coalition for the Delaware River Watershed, Skytop, PA

Nov. 30, 2017 – Common Waters Partnership meeting at Grey Towers, Milford, PA

Dec. 4, 2017 – Upper Delaware Watershed Resources Forum, sponsored by Natural Lands, Orange County Land Trust, Delaware Highlands Conservancy, and the Pinchot Institute for Conservation, Erie Hotel, Port Jervis, NY

Jan. 17, 2018 – Watershed and Community Resiliency Workshop, sponsored by Pinchot Institute for Conservation and Common Waters, Wayne Conservation District, Honesdale, PA

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Jan. 23, 2018 – Delaware River Basin Commission Draft Hydraulic Fracturing Regulations public hearing #1, Salvation Army Camp Ladore, Waymart, PA

March 22, 2018 – NY-PA Joint Fisheries Investigation Plan public introductory meeting to three-year study of the coldwater fishery, sponsored by NYS Department of Environmental Conservation and PA Fish and Boat Commission, at Hancock Central School, Hancock, NY

March 22, 2018 – U.S. Congressman John Faso (NY) introduced a resolution titled, “Recognizing the Importance of the Upper Delaware River in New York State”, to which the UDC had contributed some requested language, in Washington, DC

March 23, 2018 – Passage of the Fiscal Year 2018 Omnibus Spending Bill included \$5 million in federal funding for the Delaware River Basin Restoration Program, to be administered by the U.S. Fish and Wildlife Service, Washington, DC

April 24, 2018 – National Park Service Interpretation Plan Stakeholder Meetings, Headquarters, Beach Lake, PA

April 24, 2018 – National Parks Conservation Association’s Economic Research Project Update, Tusten Town Hall, Narrowsburg, NY

May 4, 2018 – NPS Annual Water Safety Partners meeting, hosted at the UDC office, Narrowsburg, NY

May 16, 2018 – NY-PA Joint Interstate Bridge Commission annual meeting at NYS Department of Transportation office, Binghamton, NY

May 24, 2018 – Upper Delaware River Stream Corridor Management Plan Project Advisory Committee meeting, Hancock, NY

June 20, 2018 – “Spread It Out, Slow It Down, and Soak It In: Using Green Infrastructure in the Delaware River Watershed”, organized by the New York League of Conservation Voters Education Fund, at the Monticello public library

June 21, 2018 – Hancock Veterans Memorial Bridge Dedication Ceremony, NYS Route 97, Hancock, NY

June 27, 2018 – Tour organized for the UDC board of the Baer Road Solar Array with a 2.7 megawatt capacity on approximately 13 acres just outside the river corridor boundary, hosted by the project’s commercial developer, Delaware River Solar, Lahm Road, Callicoon, NY

July 10-11, 2018 – NPS Upper Delaware Scenic and Recreational River Long-Range Interpretation Plan Work Sessions, hosted at UDC office, Narrowsburg

Aug. 4, 2018 – Rising Nation Journey, sponsored by the Lenape Nation, kicking off a three-week boat trek from Hancock, NY to Cape May, NJ

Aug. 17, 2018 – Delaware Watershed Conservation Fund webinar, sponsored by the National Fish & Wildlife Foundation and the U.S. Fish and Wildlife Service

Sept. 5, 2018 – Emerging Contaminants in Landfills and Groundwater webinar, sponsored by the U.S. Environmental Protection Agency

Sept. 19, 2018 – “Preserving, Protecting, and Promoting Our Natural, Historic and Cultural Assets”, sponsored by the Scenic Wild Delaware River Initiative, Blairstown, NJ

Sept. 25-26, 2018 – Delaware River Watershed Forum, sponsored by the Coalition for the Delaware River Watershed, Cape May, NJ

Additional meetings in which the Upper Delaware Council participated included the Delaware River Basin Commission’s Water Management Advisory Committee, Regulated Flow Advisory Committee, and the Subcommittee on Ecological Flows, Scenic Wild Delaware River Geotourism Stewardship Council, 2018 Upper Delaware BioBlitz Steering Committee, National Park Service Upper Delaware Scenic and Recreational River Water Safety Committee, Upper Delaware Scenic Byway, Inc., Upper Delaware River Stream Corridor Management Plan Project Advisory Committee, Catskills Regional Invasive Species Partnership (CRISP), Partnership for Regional Invasive Species Management (PRISM), D&H Transportation Heritage Council, Wayne-Pike Local History Roundtable, and the Local Waterfront Revitalization Program for the Upper Delaware River Corridor Steering Committee.



Water Use/Resource Management Issues

Flow Management – After being subject to interim extensions for the previous five years with no significant changes, a new Flexible Flow Management Program (FFMP) was unanimously approved by the 1954 U.S. Supreme Court Decree Parties (New York, Pennsylvania, New Jersey, Delaware, and New York City) for a 10-year period on October 20, 2017. Negotiations had proceeded through the May 31 expiration of the last FFMP without resolution, which resulted in reverting to a 1983 operating regime that called for drastically decreased water releases. On June 1, the Decree Parties minus New Jersey announced that New York City had voluntarily agreed to release additional water through Nov. 1 to protect the river’s ecological health and enhance flood protection. The new FFMP establishes four water banks to support specific flow needs and aims to increase reservoir voids to as much as 85% at certain times of the year to reduce the likelihood of flood-flow releases. It includes a commitment to conduct focused studies during the first five years to resolve outstanding issues.

Hydraulic Fracturing – The Delaware River Basin Commission (DRBC) released special regulations for Part 440: Hydraulic Fracturing in Shale and Other Formations on Nov. 30, 2017 which would prohibit the natural gas extraction process throughout the river basin. The UDC hosted a speaker from Penn State University’s Marcellus Center for Outreach and Research on Dec. 7, 2017 and attended a Jan. 23, 2018 public hearing at Camp Ladore in Waymart, PA as part of its educational process. The Council approved a 2nd draft comment letter to the DRBC on Feb. 1 which stated, in part, “It has been the Upper Delaware Council’s consistent position to oppose surface activities associated with hydraulic fracturing from being allowed within the Upper Delaware Scenic and Recreational River federal-state-local management area to avoid any potential impairment to the special values here and to preserve our non-industrialized regional character. We find that the magnitude of risks from any negative consequences and cumulative impacts from natural gas development in the designated boundary are incompatible with the goals of the River Management Plan. Given that upholding private property rights and local land use controls remain of paramount concern to the Council, horizontal drilling under the river corridor should be considered only if it can be done consistent with the objectives of the River Management Plan.” Upon the March 30th close of the 120-day public comment period, the DRBC received 8,786 written and 227 oral comments on the regulations. No adoption vote has been scheduled. Other UDC developments were tracking legal actions and proposed legislation stemming from the rule-making proposal which would affect the Pennsylvania portions of the Upper Delaware corridor, given that New York State enacted a ban on High-Volume Hydraulic Fracturing in 2015 which remains in effect.

Train Derailment – The derailment of a New York, Susquehanna & Western Railway 63-car freight train at 2:01 a.m. on August 9, 2018 near Hale Eddy in the Town of Deposit spilled more than 4,000 gallons of diesel fuel into the West Branch of the Delaware River, causing a sheen on the surface and a distinct odor observed as far south as Lordville on the main stem. The cause of the 15-car derailment was attributed to erosion of the tracks following recent rain storms and flash floods in that segment of Central New York Railroad’s Southern Tier Line between Binghamton and Port Jervis. While there were no injuries and the spill was contained, the incident revealed a breakdown in emergency communications and opportunities for safety improvements. The UDC has requested Central New York Railroad’s assistance in updating its 1997 publication prepared with former owner Conrail and the National Park Service, the “Emergency Response Guide for the Upper Delaware River Valley: Port Jervis to Deposit”. The original guide’s release was followed by orientation workshops and field training sessions.

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Barnes Landfill – The UDC attempted to seek answers and solutions after receiving reports of potentially toxic leachate going unaddressed at the Barnes Landfill which operated privately in the Town of Highland from 1947-1989, after which an escrow account to subsidize pumping of the leachate was depleted in 2003 with no responsible owner of record available for the New York State Department of Environmental Conservation to pursue. Sampling of onsite monitoring wells detected nine of 113 contaminants that exceed both the U.S. EPA and NYS DEC safe levels, according to a June 13 response from the DEC. A series of letters to the NYS DEC, Office of the Attorney General, and Department of Health began in May 2018 to request reports, meetings, and remediation assistance. A May 21 letter to the NYS DEC stated, “...the UDC believes that allowing leachate to overflow due to lack of funds without a complete understanding of its contents is unacceptable. The leachate may need to continue to be evaluated and the tank may need to continue to be pumped out regularly with appropriate disposal of leachate. Failure to do so could potentially threaten neighboring groundwater and water courses, and therefore may qualify as an emergency situation, particularly due to the proximity to the federally-designated Upper Delaware Scenic and Recreational River.” Sullivan County joined the ongoing effort to pursue action.

NPS Documents – The Water Use/Resource Management Committee on Oct. 17, 2017 received a National Park Service working draft report: “Discussion Paper: Protection of the Dwarf Wedgemussel in Upper Delaware Scenic and Recreational River” which was subject to further discussion at the Nov. 21, 2017 meeting. The committee also reviewed a first draft of the agency’s “Trail of Geology” site bulletin that was introduced for comments under the River Management Plan’s Cultural Resources section for identifying and interpreting unique land resources in the Upper Delaware River corridor.



Project Review Issues

Position Papers – The UDC’s Project Review Committee continued to tweak a position paper on “Select Utility-Scale Renewable Energy Systems” which had been conceptually approved on August 3, 2017 after multiple drafts, the solicitation of comments from UDC member municipalities, and establishment of a Renewable Energies Subcommittee that had met from Sept. 2016 through July 2017. Debate ensued with the National Park Service over how to incorporate the position paper’s conclusions and definitions into the Schedule of Compatible, Conditional, and Incompatible Land Uses in the Secretary of the Interior’s Land and Water Use Guidelines. In response to the UDC’s Oct. 25 letter proposing use of a Letter of Interpretation for this purpose, the NPS response on Dec. 11 was to recommend seeking a minor amendment instead. A first draft of proposed minor amendment documentation was presented on May 22, 2018. A July 24 motion was approved by the Project Review Committee to re-evaluate the position paper in light of new information and technologies available since 2017, such as production capacity, footprint size, the number of arrays permitted in the grid, and compatibility with zoning ordinances. The UDC conceptually approved a position paper, “Evaluation of Cideries in the Upper Delaware River Corridor”, on Nov. 2, 2017 which similarly addressed a new land use that was not foreseen in the 1986 River Management Plan.

Review of Projects – Among the proposed zoning changes and land use development projects that the Upper Delaware Council reviewed or discussed this fiscal year were:

- **Town of Highland**: Rewrite of the Town of Highland Zoning Code; Camp Tel Yehudah site plan and building permit review for five accessory use buildings in Barryville; subdivision to annex and improve an adjoining lot within the corridor; Rt. 97 Parcel #27.-9-1 construction proceeding without UDC/NPS review due to a lack of required documentation being submitted
- **Damascus Township**: Detached garage and single-family home on River Road; construction of a pavilion in a flood plain

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- Town of Hancock: SPDES permit modification for a wastewater treatment plant upgrade at French Woods Performing Arts Camp; SEQR review for the Village of Hancock Water Supply system located in the Town of Hancock
- Town of Delaware: Preliminary engineering plan for the town take-over of the Callicoon Water Company; Apr. 25 joint meeting of the Town Board and Planning Board to discuss imposing a moratorium on large-scale commercial solar and enacting revisions to the Renewable Energy zoning code; Local Law 3 amending the Town Zoning Code
- Town of Cochecton: Substantial Conformance review of Zoning Law Amendment for Summer Camps and Private Schools
- Westfall Township: Wastewater treatment plant discharge renewal; Zoning Ordinance #71 amendment
- Town of Tusten: Four amendments to Town Zoning Code for Camping Local Law, Zoning Law, Subdivision Law, and Solar Energy Systems; Special Use Permit for renovation of a barn in Narrowsburg into an art studio & retail space

Project Review Workbook – An in-house update of the “Project Review Workbook: Upper Delaware Scenic and Recreational River” (Version 1.0, dated Jan. 28, 1988) – utilized by the Upper Delaware Council and National Park Service to guide reviews of all significant projects, variances, challenges, zoning ordinance amendments, and zoning map changes proposed in the designated river corridor for their conformance to the River Management Plan and Land and Water Use Guidelines – continued in Fiscal Year 2018. Once the content is finalized, the graphic design phase will begin. Rollout of the new Project Review Guide will include training for municipalities.

Staff Training – UDC Resource Specialist Pete Golod completed the Penn State World Campus 10-week on-line certification course, “Problem Solving with GIS”, on Oct. 25, 2017. Additional educational sessions included the Pennsylvania Municipal Planning Education Institute’s Subdivision and Land Development three-session course held on Oct. 25, Nov. 1 and Nov. 9 in Jessup, PA; Solar Training offered by the New York State Energy Research and Development Authority on Mar. 28, 2018 in White Lake, NY; and a Stream Maintenance & Flood Intervention Workshop sponsored by the Wayne Conservation District on Aug. 30, 2018 in Honesdale, PA.



Operational Issues

UDC Funding – The UDC endured a second funding crisis since April 2017 when Oct. 1, 2017 to Feb. 8, 2018 elapsed with no income, again due to a Department of the Interior-wide review of Cooperative Agreements. Letters were sent to the Secretary of the Interior, National Park Service Deputy Director, and NPS Northeast Regional Director on Dec. 29 describing the impact and sharing communications with federal and state elected officials on the subject. The board took action at its Feb. 1 meeting to set a Mar. 30 office closure with staff layoffs and to suspend payment of its Technical Assistance Grant contracts to avoid depleting its working capital based on the executive director’s preparation of a report entitled “Fiscal Year 2018 Federal Funding Delay: Upper Delaware Council Closure Plan Options”. Meetings and conference calls transpired with the offices of U.S. Senator Pat Toomey (PA) on Nov. 6, U.S. Congressman John Faso (NY) on Jan. 5, U.S. Senator Charles Schumer (NY) on Jan. 18, among other federal representative communications to inform them of the situation. Simultaneously, the National Park Service subjected the UDC to an audit of its Unrestricted Fund that required compiling and analyzing 30 years of financial records to respond to the inquiry by a Dec. 1, 2017 deadline. That account represents non-Federal assets derived from past interest on investments, grants, and contributions, all of which have been duly reported to NPS through professional independent audits done annually since 1988. In an April

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17, 2018 letter responding to the UDC's Nov. 30, 2017 submission, the NPS reported finding a "a pattern of compliance" with interest-sharing and no further determinations or actions ensued. The \$148,429 balance of the UDC's Fiscal Year 2018 Cooperative Agreement funds was released after a three-month delay on Aug. 20 after the federal funding account was zeroed out in mid-May awaiting another federal-level review period of undetermined length. On April 26, a new federal policy requiring Cooperative Agreement partners to submit revised budgets, budget narratives, a work plan, SF-424, 424-A, 424-B forms with attachments, Certificate of Lobbying, and Proof of Insurance to implement any modifications, including the addition of funds owed on the balance of the fiscal year, was enacted. A letter was sent on Aug. 15 to NPS Northeast Regional Director Gay Vietzke to inquire about options and implications to change the UDC's funding mechanism from reimbursement to advance payments. A Sept. 13 response letter from Comptroller Alexa Molnar outlining conditions and restrictions was analyzed.

Staff Transitions – It was announced at the Feb. 1 meeting that Secretary Cindy Odell had tendered her resignation after seven years of employment effective Feb. 16 as a result of the second round of funding uncertainty which could jeopardize staff salaries and benefits. The position was immediately advertised, with an application deadline of Feb. 26. Following interviews, Linda Drollinger was hired effective on March 19. The position was vacant again with her resignation on Aug. 17, 2018. Applications were due by Sept. 3. Interviews were scheduled to begin on Sept. 14. The Operations Committee endorsed a recommendation by the Personnel Subcommittee at its Sept. 25 meeting to extend an offer of employment to Ashley Hall-Bagdonas.

Law Enforcement and Trash Support – The UDC requested that the National Park Service produce a report on the historic and current levels of financial assistance provided to communities for law enforcement and trash removal in the Upper Delaware River Corridor as outlined in the River Management Plan. The report was received on June 14 and circulated to towns and townships for their feedback, given the UDC's management responsibility to review this NPS program. The Council recommended that NPS prioritize funding to develop alternative options for Fiscal Year 2019 to restore this valuable contribution to health, safety and welfare as referenced in the Upper Delaware enabling legislation, P.L. 95-625. Town and township representatives were asked to collect information on costs incurred by their municipalities for these services within the river corridor, supplemented by a UDC survey dated Aug. 13 to determine which municipalities may be interested in having this federal funding assistance based on the criteria required for eligibility. Responses were requested by Oct. 1.

Office Organization – The UDC authorized construction of a permanent attic staircase in the business office to facilitate document storage and retrieval after the pull-down stair system failed, and hired a file assistant in a temporary, independent contractor capacity to help staff organize, digitize, and archive records. Lisa Gambini of Damascus, PA started in that position on July 26, 2018 with a cap of 160 work hours set. Following review and approval of bids, obtaining engineered plans, and securing a building permit, Leavenworth Construction of Eldred, NY began construction of the stairs on Sept. 5 and completed the project by Sept. 30.

New River Valley Signage – Executive Director Laurie Ramie announced that the first of five new "Entering the Upper Delaware Scenic and Recreational River" signs along and proximal to New York State Route 97 was installed on Aug. 2, 2018 in Hancock by the NYS Department of Transportation Region 9 in cooperation with the Upper Delaware Scenic Byway, Inc. The signs include a tag line to "Please Respect Private Property" featuring the UDC's Land-Water-People logo.



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Directory of UDC Approved Resolutions

- 2017-12: Awarding Technical Assistance Grants for Fiscal Year 2018, 10/5/17
- 2017-13: Revising Upper Delaware Council Bylaws, 12/7/17
- 2017-14: Revising Conflict of Interest Policy for Representatives, Alternates, and Officers, 12/7/17
- 2017-15: Approving Fiscal Year 2017 Independent Accountants' Review and IRS Form 990 Tax Return, 12/7/17
- 2017-16: Engaging Eckersley and Ostrowski, LLP for Fiscal Year 2018 Financial Review, 12/7/17
- 2018-01: Authorizing Signatories for the Council's Bank Accounts in 2018, 2/1/18
- 2018-02: Approving 2018 River Clean-up Grant Applications, 5/3/18
- 2018-03: Awarding a Bid for the Construction of a Permanent Attic Staircase, 7/5/18

Fiscal Year 2018 financial data for the Upper Delaware Council is available by contacting:

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