

The Upper Delaware

A newsletter about the environment and people of the Upper Delaware River Valley in NY & PA

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In This Issue...

Natural Gas Readiness Tested

Page 1

Upper Delaware Profile:

Fred Peckham, Town of Hancock

Page 2

Goodbye to NYRI

Page 3

UDC Honors River Contributors

Pages 4-5

**UDC Activities Highlighted;
Soggy Raft Trip This Year**

Page 6

**Flood Studies Aim to Mitigate;
Flexible Flows; Feds Fund DRBC**

Page 7

**15th Delaware River Sojourn
Promotes No One Left Inside**

Page 8

**Commission Approves Bridge
Replacements and Repairs**

Page 9

Kids Learn About D&H Canal

Page 10

NPS Chief Ranger Retires

Page 11

News, Views, and 'To Do's'

Page 12

***The Upper Delaware*
available on-line or by mail!**

This newsletter may now be accessed on-line, in full color, at the UDC's website, www.upperdelawarecouncil.org. Please indicate via the return coupon on Page 7 whether you'd like us to discontinue sending your copy by mail. Thank you.



DIGGING FOR GAS: Chesapeake Appalachia established this state-permitted, exploratory well site in May on property owned by the Robson family on Fox Hill Road in Oregon Township, PA, for the purpose of vertical drilling down to the layer of Oriskany Sandstone that lies beneath the Marcellus Shale natural gas deposits. On July 3, local emergency officials were called to the industrial site four miles north of Honesdale when the upper part of the derrick buckled, resulting in minor injuries to a safety-harnessed worker. Active drilling operations concluded after approximately one month. (UDC Photo by David B. Soete)

First Natural Gas Application In River Basin Tests Readiness

The first application received for natural gas exploration in the Delaware River Basin is testing the readiness of regulators under the close scrutiny of drilling critics and proponents.

Chesapeake Appalachia, LLC submitted a May 22 application to the Delaware River Basin Commission (DRBC) to withdraw up to one million gallons of surface water per day from the West Branch of the Delaware River at private property located in Buckingham Township, Wayne County, PA.

The estimated \$250,000 project at the Cutrone site would support the company's proposal to drill wells and extract natural gas from the Marcellus Shale and other geologic formations in both Pennsylvania and New York State, activities that would require separate, future approvals.

The DRBC received more than 500 written comments on the Chesapeake docket and heard testimony from 44 speakers out of a crowd of nearly 120 who attended a five-hour-long meeting on July 15 in Bethlehem, PA.

After extending the public comment period to July 29, the commissioners opted to schedule a second public hearing.

That meeting will take place on Sept. 23, 10 a.m., at PPL's Lake Wallenpaupack Environmental Learning Center in Tafton, PA.

A revised draft docket will be issued by mid-month. The earliest opportunity for the commissioners to vote would be at their October 22 public meeting.

Chesapeake estimates that 90% of their withdrawn surface water will be used to

Please see GAS on Page 10

Most land along the Upper Delaware River is privately owned. Please be considerate and don't litter or trespass. Thanks!

Upper Delaware Profile: Fred Peckham

Legacies matter to Fred Peckham.

First, there is his stewardship of the Upper Delaware River Valley land that his family has owned for 125 years.

Secondly, Peckham has dedicated himself to carrying on the work of his late uncle by occupying the same seat he held on the Upper Delaware Council from its inception.

Thirdly, the Hancock, NY native is interested in extending his community service by running for local office.

"It's important to get involved and speak out. I'd rather effect change than sit around and let others do it," Peckham says.

Peckham graduated in 1978 from Hancock High School, where he was an All-Star athlete in football, track, and wrestling.

His father, Grant, earned his living as a tool-and-die maker. His homemaker mother, Beatrice, was the sister of George Frosch, owner of the Kilgour Farms property in Hancock, where Peckham worked and played throughout his youth.

Peckham earned a Bachelor's degree in Marketing from the SUNY Oswego School of Business and moved to Fairfax County in Virginia, where his brother was living, to seek employment.

Peckham resided in VA for 18 years. He started out as an outside sales representative for a company that offered plastics, adhesives, and tapes, and then sold commercial construction coating products.

He transitioned from sales to construction, traveling the East Coast as a supervisor for the development of high-rise hotels and then working as a service foreman for a commercial roofing company.

In the early 2000's, Peckham decided to start his own business. He opened Fred Bluestone in Front Royal, VA, with the coveted raw materials imported from Hancock.

Unfortunately, his Uncle George became ill and passed away on October 12, 2002 at the age of 73. Peckham was with Frosch for his final days.

"After he died, I sold everything down there and came back home," he says.

Besides feeling the tug of the river valley on his heart, Peckham's parents, now deceased, and sister were living nearby in Oneonta, NY.

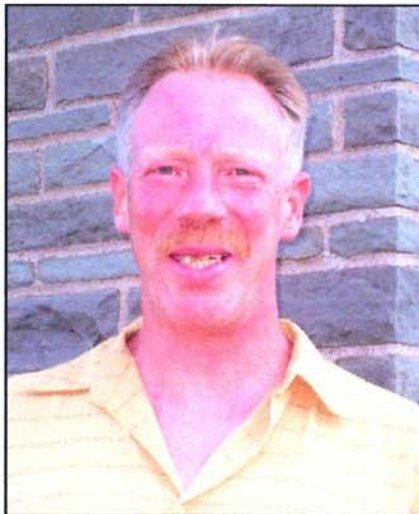
Peckham moved to Kilgour Farms and took over the business of selling bluestone, sand, gravel, and topsoil.

He is now responsible for maintaining 284 acres of land, which includes Frisbee Island in the Delaware and nearly two additional miles of river frontage.

Being self-employed is not easy.

"Living off the resources keeps getting harder and harder. There are more regulations and taxes are increasing," he says.

About three years ago, one particular



Fred Peckham, Town of Hancock

resource came to Peckham's attention: the natural gas deposits in the region's Marcellus Shale formations.

"At first, I was dead-set against drilling but then I began to research it. Now I believe it can be done responsibly. There is ground to meet in the middle," he says.

Peckham serves in a volunteer capacity as global moderator of the public forum website, www.pagaslease.com.

Its 3,700 members post pro and con opinions and findings on natural gas exploration topics. Peckham himself has logged over 1,400 hours on the site over the past year.

"I want to know, and I have the time and curiosity to do this research," he says.

It's the same approach that the history buff took to educating himself on Upper Delaware issues.

Peckham systematically reviewed all of Frosch's records and clippings dating from the late 1960s to trace the evolution of the shared management concept of the Upper Delaware Scenic and Recreational River.

The Town of Hancock appointed Peckham as a UDC alternate in 2008, and he became its representative in Jan. 2009.

"The UDC can and does work but there are a lot of outside interests that get involved, which isn't always good," he says.

"The best protectors of the river are the landowners. They are most directly affected by what is done. They are some of the biggest environmentalists but they're also practical," he adds.

Peckham, who will run as an Independent for Town of Hancock councilman in 2010, spends every day on the river.

He enjoys watching wildlife, fishing, hunting, gardening, library visits, genealogy research, reading, and spending time with his fiancée, Cheryl Korotky. ♦

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Goodbye to NYRI

In a surprise development on April 3, New York Regional Interconnect, Inc. (NYRI) withdrew its application to construct a 1,200 megawatt, Direct Current electric transmission line on a 190-mile route from Marcy to Rock Tavern, NY that would have impacted the Upper Delaware River Valley.

NYRI counsel announced the company's decision during the 15th day of evidentiary hearings before the New York State Public Service Commission (PSC), citing too great of a financial risk for its investors.

Written confirmation to Administrative Law Judges Jeffrey Stockholm and Michelle Phillips followed on April 6, in which attorney Leonard H. Singer further advised, "At this time, NYRI has not made any decisions with respect to future actions or activities by the company."

The PSC officially dismissed NYRI's application, with prejudice, on April 21.

The Commission secretary also notified NYRI that any future pursuit of this project will require filing a brand new application.

"We were disappointed to have to make this decision after nearly five years working on this project. But we had no choice," NYRI President Chris Thompson wrote in an open letter posted on April 8.

"The Federal Energy Regulatory Commission (FERC) on March 31 denied our request to review the rules it recently approved for transmission tariffs of the New York State Independent System Operator (NYISO) ... The subsequent FERC denial of our request kept the rules in place, creating a situation where even if our project were to be sited by the PSC, NYRI would face the prospect of being unable to recover its costs for the transmission line," Thompson said.

NYRI had sought a 13.5% rate of return for its estimated \$2.6 billion investment.

NYRI originally filed its Article VII application for a Certificate of Environmental Compatibility and Public Need on May 31, 2006, with additional submissions required before PSC declared it complete for review on August 8, 2008.

NYRI proposed to site mostly 10-story-tall overhead transmission towers between converter stations in Oneida and Orange Counties on a nominated route that largely paralleled the Millennium Pipeline, in this region, from Deposit to Cuddebackville.

The plan generated massive, organized, grassroots opposition backed by a \$1 million NYS Senate-funded war chest.

Communities Against Regional Interconnect (CARI) formed in 2006 to represent

"One word: VICTORY!"

~ Senator Bonacic's reaction to the NYRI withdrawal

seven impacted counties and five non-profit organizations, including the Upper Delaware Council (UDC), in battling NYRI on the grounds that it threatened natural, cultural, and economic resources, would raise power costs for upstate residents, and failed to meet the stated purpose of increasing electrical supply reliability to the New York City metropolitan area.

"This has been a long and exhausting fight but the UDC has been steadfast in its position that this proposed power line did not belong in the Upper Delaware Scenic and Recreational River corridor," commented UDC Executive Director William E. Douglass after hearing the withdrawal announcement live on the PSC webcast.

NYS Senator John J. Bonacic said, "One word: VICTORY! All of the people across the region who came together to fight NYRI are winners. Without the regional unity, this

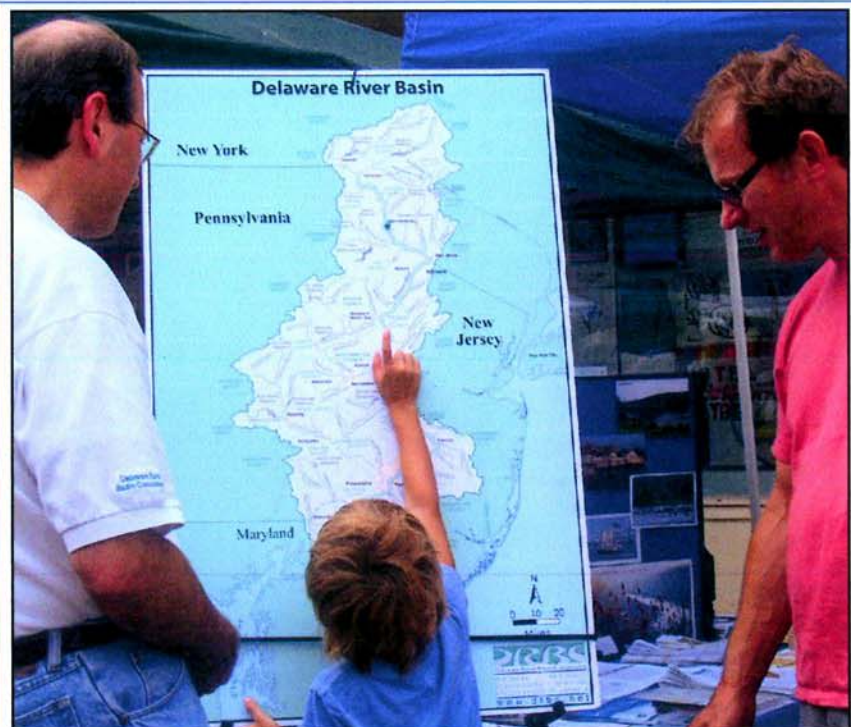
win would not have been possible."

Over 2,000 people attended the PSC's 13 public hearings held in the seven counties between Oct. 20 and Nov. 6, 2008. In addition, more than 2,600 comments were entered into the case record.

While critics hope that the project has been abandoned, NYRI filed an appeal on June 9 with FERC for a re-hearing.

"We have defeated NYRI, and David has triumphed over Goliath," said U.S. Senator Chuck Schumer. "Now it's time for FERC to put an end to NYRI's shenanigans once and for all by denying them a rehearing and any future requests to extend the deadline. It's time for NYRI to recognize that they've reached the end of the road, and stop using their deep pockets to prolong the inevitable at the expense of small communities and volunteer organizations that have intervened in the proceedings."

Congressman Maurice Hinchey is keeping a watchful eye on any attempts by FERC to override state siting authorities on the basis of the National Interest Electric Transmission Corridor designations. ♦



YOU ARE HERE: Five-year-old Johnny Cook of Oberburg, NY makes an interesting point while viewing a watershed map of the Delaware River Basin at RiverFest '09. The 19th Annual Celebration of Art, Music, and Ecology sponsored by the Delaware Valley Arts Alliance was held in Narrowsburg on July 26. Flanking Johnny are Delaware River Basin Commission (DRBC) Communications Manager Clarke Rupert, left, and Willard Cook. The DRBC and Upper Delaware Council shared booth space. (UDC Photo by Laurie Ramie)

UDC Honors River Valley Contributors

The Upper Delaware Council presented 11 awards recognizing efforts to enhance the quality of life or protect the resources of the Upper Delaware River Valley at its 21st Annual Awards Ceremony.

Seventy-two guests attended the banquet held on April 19 at Central House Family Resort in Beach Lake, PA.

Ed Zygmunt, field representative for Congressman Christopher P. Carney (D-PA) since 2006 and an expert in conservation issues, delivered the keynote address.

The Susquehanna County resident was named the National Wildlife Federation's 2007 Volunteer of the Year for his dedication to protecting America's wildlife, water, and wetland resources.

Zygmunt said he was lucky to be introduced to the Delaware River as a child.

"I can visualize the first time my dad took me fishing on the Delaware. It was a special treat. I was blown away at its clarity. I distinctly remember my first time seeing a bald eagle flying over. It planted a seed in me that the Delaware River was special and deserved recognition," he said.

In representing all constituents of Pennsylvania's 10th Congressional District, Zygmunt assured that Rep. Carney "knows that the Delaware River is critically important to the region environmentally and economically" and tries to take legislative action to support both components.

This pertains to issues such as flooding, reservoir management, federal funding for the Delaware River Basin Commission, power lines, and natural gas exploration.

On the latter subject, Zygmunt said that Carney is keeping a close watch, particu-



HIGHEST HONOR: The Upper Delaware Council presented its 2009 Distinguished Service Award to New York State Senator John J. Bonacic (42nd District), center, at the 21st Annual Awards Ceremony held on April 19 at Central House Family Resort in Beach Lake, PA. Congratulating the senator were UDC Chairperson George J. Fluhr, left, and UDC Executive Director William E. Douglass. (UDC Photos by David B. Soete)

larly as a resident of Dimock where drilling has been underway for several years with some controversial results.

"Gas development is going to occur. The congressman believes that it's good for the nation's energy independence and economy, but it can't be done at the expense at our local environment. The biggest challenge will be how to deal with the wastewater," Zygmunt said.

Awards Bestowed

The UDC bestowed its highest honor, the Distinguished Service Award, on **New York State Senator John J. Bonacic** (42nd District) for his dedicated advocacy efforts on behalf of the Upper Delaware Scenic and Recreational River and its communities during his 10-year tenure in the Senate.

"Whether in or out of the majority party, the Republican senator from Mount Hope is known for standing behind his principles, speaking his mind regardless of the consequences, and fighting to assure fair recognition and support for all his constituents," said UDC Executive Director Bill Douglass.

Specific instances cited were: Bonacic's leadership in the battle against the New York Regional Interconnect electric transmission line proposal; his securing of \$365,000 in Legislative Member Items to benefit the UDC's eight New York State

town members since 2000, \$245,000 in state funds for the Upper Delaware Scenic Byway, Inc. (UDSB) since its 2002 state designation, and \$250,000 for construction of the UDSB Visitor Center in Cochection; his demands on New York City to improve management of its Delaware River Basin reservoirs to provide optimal flows and releases for the Upper Delaware's recreation industry and aquatic habitat; prioritizing flood emergency preparedness and mitigation programs; fighting to restore funding to keep vital stream gauges operating on the Delaware; and sponsoring legislation to create an Upper Delaware River Greenway with the goal of elevating this river's needs to equal stature with the Hudson and Niagara Rivers in New York.

Bonacic turned the spotlight back on the UDC in his acceptance remarks.

"I live in Mount Hope but I consider myself a part of the Delaware River community. What I appreciate are your values, how ecology and economy can work together and coexist here, and how your community tackles problems," he said.

The local victory over NYRI's intrusive proposal was a classic example of how "the power of the people is so strong when they are united," Bonacic added.

"We have invested over \$1 million in this region because we must do everything we



Cody Wellman, Lifesaving Award

can to protect it. Frankly, it had been overlooked. You are the watchdog of the river. For that, I appreciate all of your efforts," he said, before heading back to Albany.

The Robin M. Daniels Memorial Lifesaving Award went to **Cody Wellman** of Hancock, NY for a July 20, 2008 rescue of a carnival worker who started to drown while attempting to cool off in the Delaware River at Hancock Firemen's Park.

Wellman was a 16-year-old high school student with no emergency training, but he managed to push the heavy-set man to the Pennsylvania side using the strong current and then guide him back safely across the river at a shallow section.

He was recognized for selflessly getting involved, keeping a cool head in response to the victim's panic, and summoning his strength to heroically save a life.

The UDC's Partnership Award was presented to the New York State Department of Transportation (DOT) Region 8 and McNamee Construction Corp. of Lindendale, NY, for their complicated 2008 Hawk's Nest Scenic Overlooks project on NYS Route 97 in the Town of Deepark which resulted in an improved viewshed to the river and a cleaner landscape.

The **Pike County and Wayne County Offices of Penn State Cooperative Extension** shared the Community Service Award for their unbiased public education and outreach initiatives on regional natural gas exploration issues.

Retired music educator **Gloria R. Krause** of Narrowsburg, NY received the Cultural Achievement Award for her invaluable contributions to the arts by founding the Delaware Valley Opera, Delaware Valley Chorus, and Delaware Valley Chamber Orchestra.

The Recreation Achievement Award recognized the **Business Owners of Lackawaxen Township** for their creative promotional idea in coordinating an increasingly popular Monster Trout Derby on the Lackawaxen River annually since 2007. This year's fishing contest to claim one of 132 stocked trout began April 18 and will end on Feb. 28, 2010.

The Olver family, owners and operators of **Tall Timber Tree Farm** in Manchester Township, PA, received the Volunteer-Group Award for their promotion of a land stewardship ethic by organizing 37 Forestry Field Days on their 566-acre, national and state-certified tree farm property over the past 19 years.

Bill Walters of Clarks Green, PA received the Volunteer-Individual Award for his activism and leadership role as the five-term Commodore of the National Canoe Safety Patrol on the Upper Delaware River, an organization that celebrated its 30th anniversary in 2009. Walters has accrued



ACCEPTING AWARDS: Recipients of 2009 UDC accolades included, top row, from left to right: D.J. Jahn for the Business Owners of Lackawaxen Township (Recreation Achievement Award); Jason Wolfanger of the New York State Department of Transportation Region 8, and Dan McNamee of McNamee Construction Corp. (Partnership Award); and Jeffrey C. Cole of the U.S. Geological Survey (Special Recognition). Middle row: Dave Messersmith, Wayne County Office of Penn State Cooperative Extension (Community Service Award); Alan Bowers of Westfall Township, PA (Oaken Gavel Award); Steve Israel of the Times Herald-Record (Special Recognition); Cody Wellman of Hancock, NY (Robin M. Daniels Memorial Lifesaving Award); and Bill Walters of the National Canoe Safety Patrol (Volunteer Award-Individual). Seated in front: UDC 2009 Chairperson George J. Fluhr; Peter Wulforth of the Pike County Office of Penn State Cooperative Extension (Community Service Award); Craig, Tara and Janet Olver of Tall Timber Tree Farm (Volunteer Award-Group); and Gloria R. Krause of Narrowsburg, NY (Cultural Achievement Award). (UDC Photos by David B. Soete)

an impressive total of 1,156 volunteer hours since he became active with NCSP in 2000.

Two Special Recognition Awards were presented.

Steve Israel of Bethel, NY, a reporter for 21 years with the Times Herald-Record daily newspaper, was honored for his investigative reporting series on the New York Regional Interconnect power line.

"Steve dug deep to keep readers current on every new development and to cover creative angles in his NYRI articles," said UDC Public Relations Specialist Laurie Ramie.

Jeffrey C. Cole of the U.S. Geological Survey Laboratory in Wellsboro, PA, was recognized for his scientific study of federally-endangered dwarf wedgemussels in which he devoted three field seasons to digging around on the bottom of the Upper Delaware River and running formulas for his Master's Thesis project on predicting the optimum habitat conditions necessary to protect this important indicator species.

The UDC's Oaken Gavel Award went to **Alan Bowers** of Westfall Township, PA,

who presided over the Council as chairperson during the non-profit organization's 20th anniversary year. Bowers has served on the UDC since 1994, including a prior gig as chair in 1998. He is a member of all three standing committees. ❖



Ed Zygmunt, Keynote Speaker
The Upper Delaware

Upper Delaware Council Activity Highlights

Highlights of Upper Delaware Council (UDC) activities and river valley issues from mid-March to mid-August 2009, not mentioned elsewhere in this issue, include:

TECHNICAL GRANTS

The UDC received 10 Technical Assistance Grant (TAG) applications from member municipalities by the July 31 deadline, requesting a combined total of \$44,600 for non-construction projects that support the goals of the River Management Plan.

The UDC budgeted \$20,000 for the 2009 program.

A special meeting of the UDC's Project Review Committee took place on Aug. 11.

The UDC was expected to vote on the committee's recommendations on Sept. 3.

STREAM GAUGES

In response to news received in March that more than 50 U.S. Geological Survey (USGS) stream gauges in New York State were targeted for elimination by funding partners due to budgetary reasons, the UDC added its voice to the protests raised by local, state, and federal officials.

"The UDC supports the continued use of all existing stream gauges in the Delaware River watershed, as they provide critically invaluable information for flood protection, recreational use, and biological needs for aquatic habitat," Chairperson George J. Fluhr advised USGS Acting Director Suzette M. Kimball in an April 2 letter.

Eight high-priority sites, including the 105-year-old Port Jervis/Matamoras gauge, were quickly spared by an increase of federal dollars to the USGS program.

Pennsylvania Governor Edward G. Rendell announced on Apr. 29 that his state's Clean Water Fund would continue operation of the Barryville/Shohola, Pond Eddy, and Callicoon/Damascus gauges.

In Kimball's reply to the UDC on July 21, she agreed with the importance of receiving stream flow information and reported that USGS is actively attempting to find alternate sources of funding.

Each gauge reportedly costs between \$9,000-\$15,000 per year to operate.

FEDERAL CONFLICTS

The UDC sent a letter to U.S. Secretary of the Interior Ken Salazar on April 2 expressing concerns over potential conflicts between two federal laws that could impact whether major power lines are ever allowed in the Upper Delaware Scenic and Recreational River boundaries.

The dominance of the National Wild and Scenic Rivers Act of 1968 or the National Energy Policy Act of 2005, more specifically its establishment of National Interest Electric Transmission Corridors (NIETC), was questioned.



INTREPID RAFTERS: Although the Upper Delaware Council's 21st Annual Family Raft Trip on August 2 featured less than ideal weather conditions, 64 public participants enthusiastically persevered on the eight-mile float between Ten Mile River Access and Barryville. Among them was a group of 15 relatives and friends from the Gerritsen, Cramer, and Drelich families of New Jersey, who gathered under a rainy morning sky at Kittatinny Canoes' Luke's Landing Base. The river level was approximately 6.8 feet with fast-moving water due to recent storms. A total of 143 rafters had registered in advance. (UDC Photo by Laurie Ramie)

"As per the Energy Policy Act, there is a potential that the Federal Energy Regulatory Commission could override the Wild and Scenic Rivers Act and the states' traditional siting authority over major electric lines," the letter signed by UDC Chairperson George J. Fluhr explained.

The Upper Delaware region was included in a Mid-Atlantic Area NIETC designation. The River Management Plan for the Upper Delaware Scenic and Recreational River (1986) classifies electric transmission lines of 125 kV or greater as an "incompatible use" in the river valley.

CORE OPERATIONS

Under the terms of its Cooperative Agreement with the Department of the Interior, the UDC's staff participated in three days of workshops on April 1, May 13 and 14 with the National Park Service Upper Delaware Scenic and Recreational River for its Core Operations Analysis.

The ongoing process involves a detailed review of current work tasks and procedures to determine compliance with the core mission described in the Upper Delaware Scenic and Recreational River's enabling legislation.

PRESENTATIONS GIVEN

The Water Use/Resource Management Committee welcomed advance-requested presentations on diverse topics:

Mar. 17 - Ethan Cohen and Heather

Jacksy from the Sullivan County Planning Office introduced a stakeholder questionnaire as the first outreach tool to implement work on the state grant funded, tri-county Local Waterfront Revitalization Plan for the Upper Delaware River Corridor.

Apr. 21 - Representatives from NorDel Conservancy based in Shawnee, PA expressed concerns over the potential impacts of recommendations by the Delaware River Basin Commission's Floodplain Regulations Evaluation Subcommittee.

May 19 - Andy Kahnle and Kathy Hattala from the Department of Environmental Conservation explained New York State's proposal to reduce creel limits for Delaware River American shad from six to three, effective in October 2010. Pennsylvania is proposing the same amendment of its angling regulations in January 2010 in response to a declining abundance of shad since the early 1990s.

FUNDING GAP

The UDC received the 57% balance of its \$300,000 federal funding allocation on April 1, six months after being eligible to receive its Fiscal Year 2009 contribution.

The administrative delay by the National Park Service Northeast Region presented an operating capital hardship for the Council, which had received a partial payment of \$149,000 on Feb. 11. Local NPS staff facilitated the funding release. ❖

Flood Studies Aim to Mitigate

Several studies and projects aimed to reducing the impacts of flooding on local communities are underway.

The U.S. Army Corps of Engineers (COE) announced the start of the East Branch of the Callicoon Creek Watershed Flood Mitigation Study on May 11.

Congressman Maurice D. Hinchey, Jr. (D-NY) secured federal funding for this expected year-long study.

The COE is partnering locally with Sullivan County on this \$196,000 study. The Sullivan County Legislature committed to a 50% match with a \$65,000 monetary contribution and the balance through in-kind services.

Hank Gruber, Chief of Basin Planning for the U.S. Army COE Philadelphia District, explained, "What we will be doing is a hydraulic and hydrologic study to create a model of the watershed and the creek. This will determine the cause of the flooding. Then we will recommend ways to minimize future flooding and damages along the creek and its tributaries, and other places in the watershed."

Affected communities include Youngsville, Jeffersonville, Kohlertown, Hortonville, and Callicoon.

On June 30, Rep. Hinchey and COE officials announced commencement of a Livingston Manor Flood Mitigation Study, which specifically targets a 100-square-mile watershed around the convergence of the Little Beaverkill and Willowemoc Creeks.

This \$708,000 study expected to take 18-24 month is being cost-shared by the New York State Department of Environmental Conservation.

It will examine alternatives to help lessen and avoid recurring flood damage experienced by this area over the past decade, as well as how to restore the ecosystem of this nationally-recognized trout fishery.

Trout Unlimited and The Nature Conservancy will assist the COE in identifying areas with environmental damage.

The Friends of the Upper Delaware River and the National Fish and Wildlife Foundation are subsidizing a \$55,000 flood mitigation project to restore Cadosia and Sands Creeks in the Town of Hancock.

These tributaries to the Upper Delaware River were severely damaged in the 2006 flood. LandStudies, Inc. of Lititz, PA began its work on the 18 miles of streams in May.

On June 18, the House approved Rep. Hinchey's \$200,000 request for FY 2010 to improve the Delaware River Basin's flood warning system. ❖

Fall/Winter 2009



BYWAY ADVANCES: At the annual meeting of the Upper Delaware Scenic Byway, Inc. held on April 27, voting members of the non-profit organization elected officers for 2009-2010, as pictured from the left: Chairperson Edward M. Boyer, Town of Tusten; Vice-Chairperson Rosemarie DeCristofaro, Town of Delaware; and Secretary-Treasurer Larry H. Richardson, Town of Cohecton. A new shipment of 100,000 travel guide brochures is now available, funded in part by a Federal Highway Administration (FHWA) grant. The FHWA also assisted with funding for the creation of a GIS-based digital map of the byway corridor from the City of Port Jervis to the Village of Hancock. One version of the map has been produced on promotional placemats that are being offered free of charge to restaurants and organizations that sponsor public meals along or near the byway. For more information, visit www.UpperDelawareScenicByway.org. (UDC Photo by Laurie Ramie)

Decree Parties Adjust Flexible Flows

In a continuing effort to improve the habitat downstream of New York City's Delaware Basin reservoirs, New York State, Pennsylvania, New Jersey, Delaware, and the City of New York agreed to two changes in the Flexible Flow Management Program (FFMP), the Office of the Delaware River Master announced on June 1.

The first agreement, in effect through May 2010 only, was designed to provide additional habitat for trout in the West Branch of the Delaware River by increasing cold water releases from the Cannonsville Reservoir and thereby reducing thermal stress.

Absent prolonged drought conditions, the agreement increased the base Cannonsville release by up to 25% to 325 cubic feet per second between June 1-Aug. 31, 2009.

The second agreement will serve to reduce storage zone bouncing, an effect that results in rapid increases and decreases in the reservoir discharge mitigation release rates (known as the yo-yo effect) by allowing New York City operational flexibilities to better manage release rate transitions during rapidly fluctuating reservoir storage levels.

For more information on the FFMP and its associated agreements, visit the River Master's website at <http://water.usgs.gov/osw/odrm/>.

Feds Restore Funding to DRBC

For the first time since 1996, federal funding has been restored to the Delaware River Basin Commission (DRBC).

The U.S. Congress approved legislation providing \$715,000 to fulfill the federal obligation to the DRBC's budget.

The funding was contained in the Fiscal Year 2009 Omnibus Appropriations bill signed into law by President Barack Obama on March 11.

"This is wonderful news and the culmination of years of work by many individuals," DRBC Executive Director Carol R. Collier said. ❖

15th Delaware River Sojourn Promotes 'No One Left Inside'

U.S. Congressman Christopher P. Carney (PA-10th District) pledged to do all he can to "live up to this honor" as he was recognized as a Lord High Admiral of the 15th Annual Delaware River Sojourn on June 22.

The Sojourn Steering Committee pays tribute to individuals and organizations that have contributed to the stewardship of the Delaware River and its natural, cultural, recreational, and scenic resources.

The title harkens back to Daniel Skinner, who made history as the first man to navigate a raft of logs from his Pennsylvania home south of present-day Callicoon to downriver ship-building markets in 1767.

Fellow pioneers of the log rafting industry thereafter hailed Skinner as "Admiral of the Delaware" for his entrepreneurial ingenuity and success.

As a Lieutenant Commander in the United States Navy Reserve, Congressman Carney expertly returned the salute of the 73 Sojourners who had earlier paddled a 15-mile stretch of the Upper Delaware River from Ten Mile River to Pond Eddy.

"It takes everybody's efforts to make sure we protect what we have here," he said.



OFF THEY GO: Delaware River Sojourners prepare to pass under Roebling's Delaware Aqueduct after departing from their lunch and program break at the Zane Grey Access in Lackawaxen, PA on June 22. Rafts were necessary due to high water. (UDC Photo by Laurie Ramie)

Carney noted that his role will be to assure that Congress sets good policy to maintain the Delaware River's pristine water quality, the economic opportunities it generates for river valley communities, and its status as the longest undammed river

east of the Mississippi.

The fly-fisherman and father of five lauded the relevance of the 2009 Sojourn's theme: "No One Left Inside", which encouraged children and people of all ages to go experience the great outdoors.

Carney received his award from Vidal Martinez, superintendent of the National Park Service Upper Delaware Scenic and Recreational River, at the Sojourn's Day 2 dinner program held at Kittatinny Canoes' River Beach Campsites near Milford, PA.

At the Sojourn kick-off lunch on June 21, Martinez was surprised to find himself on the receiving end of a Lord High Admiral certificate, hat, and official salute by the contingent of 55 Sojourners before they set out on a 12-mile paddle in rafts from Matamoras to Dingmans Access.

Itineraries for Days 1 and 2 were planned by a team from the Upper Delaware Council, National Park Service, National Canoe Safety Patrol, and Upper Delaware Preservation Coalition; however, section adjustments were necessary when the river had swelled to 8.76 feet by the morning of June 21 due to persistent rains.

Featured programs were by Delaware River Basin Commission Geologist David Kovach and Minisink Valley Historical Society Executive Director Peter Osborne.

The week-long Sojourn attracted 358 registrants, 12 of whom did all 94 miles.

The 16th Annual Delaware River Sojourn is set for June 20-26, 2010.

Visit www.delawareriversojourn.org. ❖



LORD HIGH ADMIRALS: U.S. Congressman Christopher P. Carney of Dimock, PA, second from left, and National Park Service Upper Delaware Scenic and Recreational River Superintendent Vidal Martinez, second from right, received "Lord High Admiral" recognition awards during the 15th Annual Delaware River Sojourn. Congratulating them were William E. Douglass, executive director of the Upper Delaware Council, at far left, and Richard Rhodes, co-chair of the 2009 Delaware River Sojourn Steering Committee. (UDC Photo by Laurie Ramie)

NY-PA Bridge Commission Plans Work

The New York-Pennsylvania Joint Interstate Bridge Commission approved capital construction and maintenance plans for 10 Upper Delaware River bridges at its annual meeting held May 28 at Pennsylvania Department of Transportation (PennDOT) District 4-0 headquarters in Dunmore.

Contracts to construct new bridges at the 1904 Pond Eddy, NY-Pond Eddy, PA and the 1961 Callicoon, NY-Damascus, PA crossings are anticipated to be let in 2012 and 2013, respectively.

Major rehabilitation work will be phased in at the 1939 Port Jervis, NY-Matamoras, PA, 1901 Skinners Falls, NY-Milanville, PA, and 1954 Narrowsburg, NY-Darbytown, PA Bridges, starting in the summer of 2009 through 2012.

PennDOT and New York State DOT spent \$425,404 to maintain the 10 Upper Delaware River bridges from April 1, 2008-March 31, 2009, which includes any work done on the structures and approaches, as well as the cost for snow and ice control.

The total included a \$151,976 deck cleaning and repair project at the 1992 Lordville, NY-Equinunk, PA Bridge and a similar \$130,517 maintenance project at the 1952 Cohecton, NY-Damascus, PA Bridge.

Comparatively, the Commission allocated just \$177,245 for maintenance in 2009-10.

Gas Drilling Impacts

The inspection team's discovery of evidence that oversized trucks have been illegally using the Kellams, NY-Stalker, PA Bridge promoted a discussion about the impact that traffic associated with the natural gas drilling industry could have on local bridges.

Engineers reported that the "headache bar" that stands at an eight-foot height over the entrances to the one-lane, steel cable suspension bridge built in 1890 and rehabilitated in 1990 has been repeatedly hit and bent.

DOT installed the bar to deter vehicles that are over the bridge's 15-ton weight limit from crossing it. Vehicle operators who defy the limit face significant monetary fines if apprehended.

While the suspected culprits are currently logging trucks, National Park Service Upper Delaware Scenic and Recreational River Superintendent Vidal Martinez forewarned the commission that the interest by natural gas developers in the Delaware River Basin area's Marcellus shale resources are likely to present additional bridge stresses in the near future.

NYS DOT Region 9 Director Jack Williams agreed with the legitimacy of the



FROM CALLICOON BRIDGE: More than 100 canoeists and kayakers participating in the 11th Annual Callicoon Canoe Regatta launched from the Lander's River Trips landing below the Callicoon, NY-Damascus, PA Bridge on July 12 for the 7.5-mile race to Skinner's Falls in a benefit event for the Delaware Youth Center. (UDC Photo by Laurie Ramie)

concern, but stated that the companies will have to prove that the bridges can accommodate their equipment in order to obtain their required permits. Otherwise, they would also be operating illegally.

PennDOT District 4-0 Executive George J. Roberts said that he's aware that natural gas activity is advancing towards the northeast PA region and that his agency must be conscious of it.

"God forbid that we have the worst case situation of a bridge failure," Roberts said.

As a result of the discussion, Commission Secretary Roberts said that the DOT will explore options to post signs at the Kellams-Stalker Bridge detailing the penalties for illegal use, increase enforcement by requesting more State Police patrols, and publicize the weight restrictions.

Bridge Replacements

PennDOT continues to regularly inspect and maintain the 105-year-old Pond Eddy Bridge while awaiting the green light to proceed with its 2006 recommendation to raze the current structure and build a new one.

A public meeting took place on April 2 to update people on the status of the required environmental clearance review.

While the Pennsylvania State Historic Preservation Office (SHPO) has signed off on the replacement option, the NYS SHPO has not. A Project Team meets almost

monthly to review progress.

Since 1994, \$3 million has been spent on preliminary engineering and design. The estimated construction cost is \$9 million.

Work was underway this summer on a \$600,000 contract at the Pond Eddy Bridge to replace missing stones from the center pier nose, repair steel plates, and rehabilitate the bridge's underpinning structure.

The estimated cost to replace the seven-span Callicoon-Damascus Bridge in 2013 is now \$13.8 million. The project remains in the preliminary engineering phase; no meeting is currently scheduled to follow up on the last public input session held on Sept. 12, 2006.

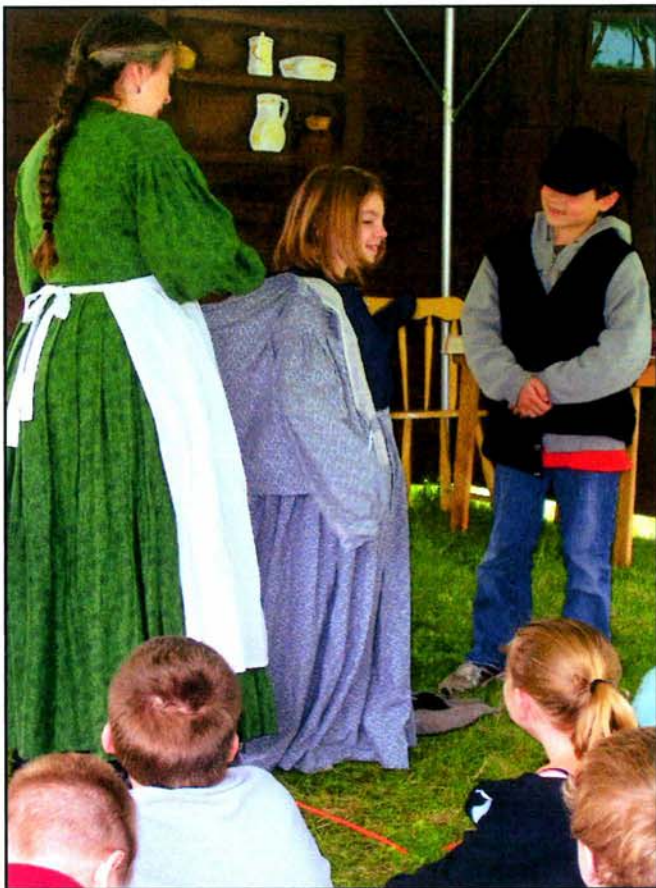
The new Barryville, NY-Shohola, PA Bridge built from 2004-2008 (due to flood delays) is "99% complete" and pending only the installation of the ornamental railing at the pedestrian overlooks. The final price tag was \$11,620,000.

Bridge Repairs

Extensive repair work due to begin this fall on the Port Jervis-Matamoras Bridge was pegged at \$2.5 million.

Repairs at the Skinners Falls-Milanville Bridge will get underway in 2010 under an estimated \$200,000 contract.

In 2012, \$5 million is earmarked to replace the deck and sidewalks, and paint the Narrowsburg-Darbytown Bridge. ♦



CANAL DAYS: The National Park Service Upper Delaware Scenic and Recreational River hosted 1,105 fourth graders during its Canal Days programs that ran from April 29 to May 15. The annual event teaches local children about the practices and historical significance of the Delaware & Hudson Canal in the 19th century. Above left, NPS Education Specialist Ingrid Peterec dresses Kasey Wyss and Noah Curreri from George Ross Mackenzie Elementary (Eldred Central School District, NY), in typical canawler outfits. At right, NPS Ranger Kevin Reisch gets help from Sarah of R.D. Wilson Elementary (Western Wayne School District, PA) in a spirited, canal era sing-along. (UDC Photos by Laurie Ramie)



FIRM GRIP: Daisy, an Albino Burmese Python, wraps around Pete Signorelli from Snakes 'n Scales & Turtle Tales of Wanaque, NJ at Lumberland's Earth Day Festival held April 26 at Circle Park in Glen Spey. The event was hosted by the Lumberland Environmental Council.

GAS, continued from Page 1

stimulate horizontal and/or vertical natural gas wells through hydraulic fracturing. Each well could require as much as eight million gallons of water.

In an Aug. 6 comment letter, the Upper Delaware Council (UDC) urged the DRBC to require a cumulative impacts analysis on such concerns as river flow needs, recreation, endangered aquatic species and invasive plants, and the possible exportation of water from the basin.

DRBC Executive Director Carol Collier reported at the Aug. 6 UDC meeting that her agency has five natural gas-related applications in-house as they prepare to adopt regulations subject to public review.

Noting that this rulemaking process can be lengthy, Collier said, "Our intent is not to stop gas well drilling but to make sure that it's done smartly and doesn't harm the basin's environment."

On May 19, Collier issued a determination that requires any natural gas companies seeking to extract from shale formations within the drainage area of the Delaware River Basin's Special Protection

Waters to obtain DRBC approval.

The order eliminates review thresholds for this 197-mile area of the Delaware River from Hancock, NY to Trenton, NJ.

"The DRBC recognizes that each natural gas extraction project also will be subject to the review of the environmental agency of the state in which the project is located and, in some cases, subject to federal agency review," Collier wrote. "The Commission intends to coordinate with and, where feasible, to utilize the review process and approvals of the applicable state and federal agency to minimize duplication of effort and redundant requirements imposed on project sponsors."

While PA continues to act on natural gas permits, NYS has essentially put a moratorium on applications pending its update of the Supplemental Generic Environmental Impact Statement (GEIS) on the Oil, Gas, and Solution Mining Regulatory Program.

The NYS Department of Environmental Conservation tentatively plans to release its final draft GEIS for public comment by

Please see GAS on Page 11

NPS Chief Ranger Retires

If there was one philosophy to which Al Henry adhered during his 30 years at the National Park Service Upper Delaware Scenic and Recreational River, it was this: "Just remember - it's about the river."

That mantra allowed Henry to keep his eyes on the prize while coping with the early hostility of some local residents to the federal presence, the challenges of offering protection services with fewer staff over the years, and the tedious bureaucracy of a government job.

Henry retired on June 1 as Chief Ranger, closing out a 32-year NPS career.

He was hired by first Upper Delaware NPS Superintendent John Hutzky in the fall of 1979 to establish the new park unit's law enforcement program.

"We were going from zero to building a permanent and seasonal staff, setting up facilities, and getting equipment, gear, and vessels together," he recalls.

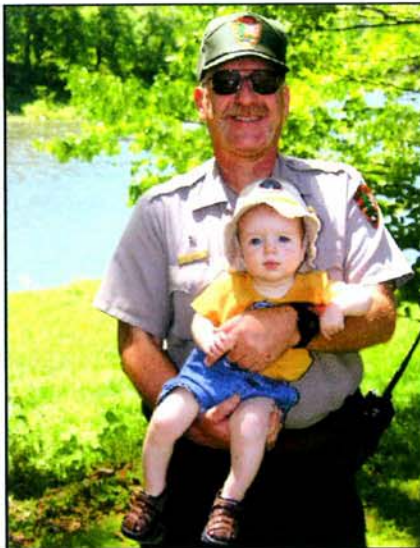
It helped that Henry was a river valley native, born and raised in Beach Lake, PA. After graduating from Penn State University, Henry joined NPS in 1977 as a seasonal Ranger Naturalist at Rocky Mountain National Park, followed by a stint as a seasonal River Ranger at Delaware Water Gap National Recreation Area.

"To be able to work in a place where a park is established virtually in your own backyard was lucky. I had a stable family life, friends, and property here," he says.

Many did not welcome NPS with open arms, harboring suspicions that the government would grab their land or restrict its use. Time and experience won out.

"The public realized we had common goals. We came here due to public safety, to try to minimize the negative interactions between private property owners and river users, and to prevent drownings. It was a tough situation for folks. What won hearts and minds were the positive community interactions with all of our staff," he says.

That's what Henry misses most, working with his colleagues and dealing with visitors in his professional capacity.



YOUNGEST GUEST: Al Henry enjoyed time with 6 1/2-month-old Silas Aaron Myers, son of NPS Biologist Jamie Myers and her husband Brad, at his May 21 river-side retirement lunch. (UDC Photo by David B. Soete)

So what is he most glad to leave behind? "I don't miss the continual, unending, frustrating computer training!" he says.

The 56-year-old spends his time these days helping out with chores at the family-owned Village View Farm and raising standard-bred horses at MBC Stables.

He has applied to local schools to be a substitute teacher and is interested in providing guidance to youth to help develop their "street smarts."

In addition to his extensive law enforcement training, Henry's skills include service as a combat medic with the U.S. Army Reserve from 1983-89, certification as a diving instructor, coaching baseball and soccer, and volunteer firefighting.

Henry enjoys hunting, fishing, playing guitar, and spending time with his wife, Karen Carlson, and their two children, Alana and Dylan, other family and friends.

Since June 1, Joe Nicholson has served as the Acting Chief of Protection. ♦

GAS, continued from Page 10

late September.

PA Department of Environmental Protection (DEP) Secretary John Hanger drew criticism when he announced a surprise policy change on Mar. 18 to turn over the responsibility for the issuance of certain local permits for natural gas projects from the Commonwealth's 66 conservation districts to DEP regional offices, citing better consistency, efficiency, and oversight.

In terms of local preparedness, the consultants hired by members of the Multi-Municipal Gas Drilling Task Force expect to release a Roadway Assessment Study report in early September that will offer an inventory of projected impacts of natural gas drilling practices on town roads, bridges, and landscapes.

The \$30,800 project involving the Sullivan County, NY Towns of Tusten, Cochetcon, Delaware, Highland, Lumberland, Fremont and Callicoon is being partially subsidized by a \$12,000 UDC 2008 Technical Assistance Grant.

Model roadway remediation ordinances will be available to any community.

Federal lawmakers introduced legislation in the Senate and House on June 9 that would close a loophole from the Energy Policy Act of 2005 that exempted the gas and oil industry from complying with the Safe Drinking Water Act.

In sponsoring The Fracturing Responsibility and Awareness of Chemicals (FRAC) Act, U.S. Senator Bob Casey (D-PA) said, "We already have private wells contaminated by gas and fluids used in hydraulic fracturing. We need to make sure that this doesn't become a state-wide problem over the next few decades as we extract natural gas."

U.S. Congressman Maurice Hinchey (D-NY) is pushing the U.S. Environmental Protection Agency to conduct a new study in FY 2010 on the risks that hydraulic fracturing could pose to drinking water supplies "so that we don't destroy one natural resource while pursuing another."

"Natural gas drilling should be allowed, but it must be done in a way that is environmentally sound," Hinchey said. ♦

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The Upper Delaware Council offers its free newsletter on-line at www.upperdelawarecouncil.org or via postal mail. Please advise us if you wish to discontinue your mail copy, would like to sign up as a new mail subscriber, or if there are any changes to your name or address for our records. Return this notice to: Upper Delaware Council, P.O. Box 192, Narrowsburg, NY 12764; or call (845) 252-3022 or e-mail laurie@upperdelawarecouncil.org.

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The Upper Delaware Council, Inc. meets on the first Thursday of every month at 7:30 p.m. Three standing committees, Water Use/Resource Management, Operations, and Project Review, meet on the third and fourth Tuesdays of every month at the UDC office, 211 Bridge St., Narrowsburg, NY. All meetings are open to the public. Call (845) 252-3022 or visit www.upperdelawarecouncil.org for specific meeting dates.

Upper Delaware News, Views and 'To Do's'

Shohola Wins Big, Federal Road Grant

The Pennsylvania Infrastructure Investment Authority (PENNVEST) announced on July 21 that Shohola Township, PA will be awarded \$494,417 in federal stimulus funds for a project to correct stormwater and landslide damage on Rosa Road, located at the end of the Pond Eddy Bridge, to reduce sediment contamination of the Delaware River.

The township will partner with Soil Nail Launcher, Inc., a specialty contracting firm that uses innovative technology to stabilize slopes without requiring excavation or significant site disturbances. ♦

Rural Development Tips

The Delaware Highlands Conservancy and Sullivan Renaissance will co-host a seminar by renowned land use planner Ed McMahon titled, "Balancing Sustainable Development and Land Conservation" on Sept. 26 from 9 a.m. to noon at the CVI Building in Ferndale, NY.

A fee of \$10 per person will be charged

and advance registration is required. Call (570) 226-3164 or (845) 807-0535. ♦

Rhodes Earns Award

Dick Rhodes of Lackawaxen, PA, a founding member and past commodore of the National Canoe Safety Patrol, received the National Park Service Northeast Region's George B. Hartzog, Jr. Volunteer Award for Fiscal Year 2008.

The honor recognizes Rhodes' 30-year contribution to this highly-trained volunteer organization assisting boaters on the Upper Delaware River since 1979. ♦

Book on Ferries Out

Author Frank Talbot Dale has published "The Ferry Boat Business on Our Delaware River", offering a history of this commercial transportation enterprise dating back to the 17th century in the form of simple rowboats-for-hire and evolving through the 18th century to specially-designed ferry boats capable of carrying passengers, animals, and loaded wagons.

The book is available in soft cover and hard cover via www.xlibris.com. ♦

EagleFest to Return

The 9th Annual EagleFest returns to Narrowsburg on Jan. 16, 2010.

The 9:30 a.m. to 4:30 p.m. event will offer live birds of prey demonstrations, guest lectures, films, a poster auction, art, guided observation, and more.

The Delaware Valley Eagle Alliance will also debut a new film documenting the rarely successful fledging of four bald eagle chicks in April 2009 from a Delaware River nest in Northampton County, PA.

Visit www.dveaglealliance.org or call (845) 252-6509 for more information. ♦

New Fishing Access

The New York State Department of Environmental Conservation (DEC) recently opened four new fishing access sites along the East and West Branches of the Delaware River in Delaware County.

Maps and information are provided for 27 different trout waters in DEC Region 4, including the Delaware River, Beaverkill River, and Willowemoc Creek, online at www.dec.ny.gov/outdoor/44855. ♦