

The Upper Delaware

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

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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.



RETROSPECTIVE: Displaying a Certificate of Special Congressional Recognition co-signed by Congressmen Christopher P. Carney (PA), John Hall (NY) and Maurice D. Hinchey, Jr. (NY) at the National Park Service (NPS) Upper Delaware Scenic and Recreational River's Thirty-Year Retrospective held on Nov. 8, 2008 were, from left to right, William E. Douglass, executive director, Upper Delaware Council, Inc. (UDC); Ed Zygmunt, aide to Rep. Carney; Chris White, aide to Rep. Hinchey; Sandra S. Schultz, NPS Assistant Superintendent; Cal Hite, NPS superintendent from 1995-2001; Vidal Martinez, NPS superintendent from Feb. 2008 to the present; Dave Forney, NPS superintendent from 2002-2008; John Hutzky, NPS superintendent from 1979-1995; Marvin Rappaport, aide to retired Congressman Matt McHugh (NY); and Frank Connor, associate regional director for administration, NPS Northeast Region. The UDC celebrated its 20th anniversary in 2008. (UDC Photo by David B. Soete)

Upper Delaware Marks 30 Years of Partnerships

The 30th anniversary of the Upper Delaware Scenic and Recreational River's Nov. 10, 1978 Congressional designation as a unit of the National Wild and Scenic Rivers System was commemorated at a Thirty-Year Retrospective that took place on Nov. 8 at Central House Resort in Beach Lake, PA.

Seventy-four guests attended the day-long symposium to discuss the Upper Delaware's historical evolution, present operations, and future challenges.

The Retrospective encompassed the celebration of three milestones reached in 2008: the 40th anniversary of the National Wild and Scenic Rivers Act; the 30th anniversary of the Upper Delaware Scenic

and Recreational River (UDS&RR); and the 20th anniversary of the Upper Delaware Council (UDC).

"The Upper Delaware is really the granddaddy of what we call partnership rivers," said Chuck Barscz, manager of the National Wild and Scenic Rivers Program for the National Park Service (NPS), based in Philadelphia. "You are part of an exclusive club."

Of the 3.5 million miles of rivers and streams in the United States, only 166 waterways (11,000 miles) are included in the Wild and Scenic Rivers System.

Sixteen of those rivers in 10 states were modeled on the Upper Delaware's ground-

Please see 30 YEARS on Page 9

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

Upper Delaware Profile: Dolores Keesler

Dolores Keesler believes that much in her life was pre-destined.

She knew from the time she was a young student that she wanted to be a teacher.

She knew from the first time she laid eyes on the Delaware River Valley that she would eventually settle here.

One might even say that her August 18, 2008 appointment as Damascus Township's first-ever representative to the Upper Delaware Council (UDC) was preordained.

Keesler was born a city girl, living in Astoria until age eight, when her family moved to New Jersey.

In 1954, Keesler was introduced to the Upper Delaware area when relatives got a place in Damascus, PA.

She spent many happy summers frolicking near, in and on the river.

The immediate affinity she felt for the valley was shared by Keesler's mother, who said the terrain reminded her of her native Germany. She purchased a summer home near Kellams Bridge.

Keesler completed high school in New Jersey and obtained a Bachelor of Arts degree in Education from Paterson State College in Wayne, NJ in 1961.

"I never had any doubt that I wanted to be a teacher. I would always come home from school and sit kids down on my stoop to have them play that they were my students," she recalls.

She went on to earn enough credits in Pennsylvania to exceed the requirements for a Master's Degree in Education.

During a 28-year career in elementary education, Keesler variously taught first, third, fourth, fifth and sixth grade classes, working locally in Jeffersonville, NY; and Damascus, Honesdale, and Lakeside Elementary Schools in PA.

When she married her husband James in 1962, the couple moved into her mother's house after converting it to year-round use.

Three years later, they moved to a 14.5-acre former farmhouse property along River Road in Damascus, where Keesler continues to live.

"Jimmy", a roofer by trade and talented craftsman, doubled the size of the original cramped house over the years as the family grew. Unfortunately, he died in 1987.

Keesler has always been one to stay current with what's going on around her and to follow up on her natural curiosity.

"You never stop learning. Education is the only way to everything. We're never at a point where we know it all. Ignorance is how we get in trouble," she says.

When the U.S. Congress included the Upper Delaware as a study river under the 1968 National Wild and Scenic Rivers Act, Keesler paid attention.



Dolores A. Keesler, Damascus Township

She began attending meetings of the Damascus Township Board of Supervisors to express her concerns that if the township wasn't prepared to protect private property rights, the federal government could impose its will on them.

Her activism extended to hosting meetings at her house during those controversial days to discuss the developments that led up to the 1978 Upper Delaware Scenic and Recreational River designation.

She had been advocating for many years that Damascus join the UDC.

"One person alone can't do anything, but if you're part of a team, you get more accomplished," she explains.

When Damascus became a member during the UDC's 20th anniversary year in 2008, a local resident submitted Keesler's name to the supervisors for consideration of appointing her as their representative.

"I was happy to accept," she says. "The UDC has the same purpose in mind that I do, and that's the preservation and conservation of this river."

Keesler applies that same energy to her other interests, which include traveling and cruising, Japanese ornamental gardening, and alternative healing practices.

She is active with several United Methodist Church associations, the St. Tammany Order of the Eastern Star in Callicoon, and two Red Hat Society groups, the Royal Garnets of Jeffersonville and the Fabulous Floozies of Honesdale.

Keesler earned an Advance Pilot certification as a member of the Storm King Power Squadron boating organization on the Hudson River.

She is also devoted to her three children (Kirk, 45, of Denham Springs, LA; Kory, 43, and Kristal, 40, both of Damascus); six grandchildren; and two great-grandkids. ♦

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Berlin Township Joins the UDC

By virtue of a unanimous vote on Nov. 18, 2008, Berlin Township became a member of the Upper Delaware Council.

"This was a 20-year overdue, proactive move," said Paul D. Henry, chairperson of the Berlin Board of Supervisors.

"We felt that it was in the best, long-term interest of the township with all the things going on in the river corridor. To be on the inside is a lot better than to be on the outside looking in," he added.

Berlin's three supervisors, including Charles Gries and Anthony Franklin, had been actively exploring the voluntary membership option since early 2008.

In addition to numerous discussions and attending the June 2008 UDC meeting, their research including inviting UDC Executive Director William E. Douglass and Shohola Township, PA Representative George J. Fluhr to give presentations at Berlin's meetings in May and October.

"We appreciate Berlin Township's decision to become a member of the Upper Delaware Council," said 2008 UDC Chairperson and Westfall Township, PA Representative Al Bowers.

"We look forward to their input on river valley issues, and their participation in our advocacy, technical assistance, educational, and grant programs," he added.

Appointed on Jan. 5, 2009 as Berlin's Representative and Alternate were Andrew Dean and Lillian Russell, respectively.

Berlin was the second Wayne County, PA township to join the non-profit organization, following the affirmative decision by Damascus Township on July 21, 2008, dur-



NEWEST MEMBER: Berlin Township Board of Supervisors Chairman Paul D. Henry, left, accepted congratulations from 2008 Upper Delaware Council Chairperson Al Bowers when the township officially participated in its first UDC meeting on Dec. 4. (UDC Photo by Laurie Ramie)

ing the UDC's 20th anniversary year.

Eight NYS towns and seven PA townships with land frontage on the Upper Delaware River qualify for membership on the UDC board, which also includes repre-

sentatives from the State of New York, Commonwealth of Pennsylvania, and Delaware River Basin Commission.

Still eligible to join are Manchester and Buckingham Townships, Wayne County. ❖

UDC to Present Annual Awards April 19

The Upper Delaware Council will hold its 21st Annual Awards Ceremony on Sunday, April 19, at Central House Family Resort located off Rt. 652 in Beach Lake, PA.

The public is invited to join in the festivities, which kick off at 3 p.m. in the resort's Carriage House with a cash bar and hors d'oeuvres reception.

A bountiful buffet dinner featuring prime rib, chicken parmesan, and baked salmon with hot and cold accompaniments, breads, coffee/tea and dessert will be served at 4 p.m.

A keynote address will precede the presentation of awards.

The UDC's awards pay tribute to those who have contributed to the protection or enhancement of the Upper Delaware Scenic and Recreational River Valley.

Public nominations were accepted

through March 16 for 10 potential categories of awards: Distinguished Service; Robin M. Daniels Memorial Lifesaving; Community Service; Partnership; Volunteer; Outstanding Community Achievement; Cultural Achievement; Recreation Achievement; Award(s) of Recognition; and the Oaken Gavel.

Tickets are \$24 per person, with advance

reservations due by April 10.

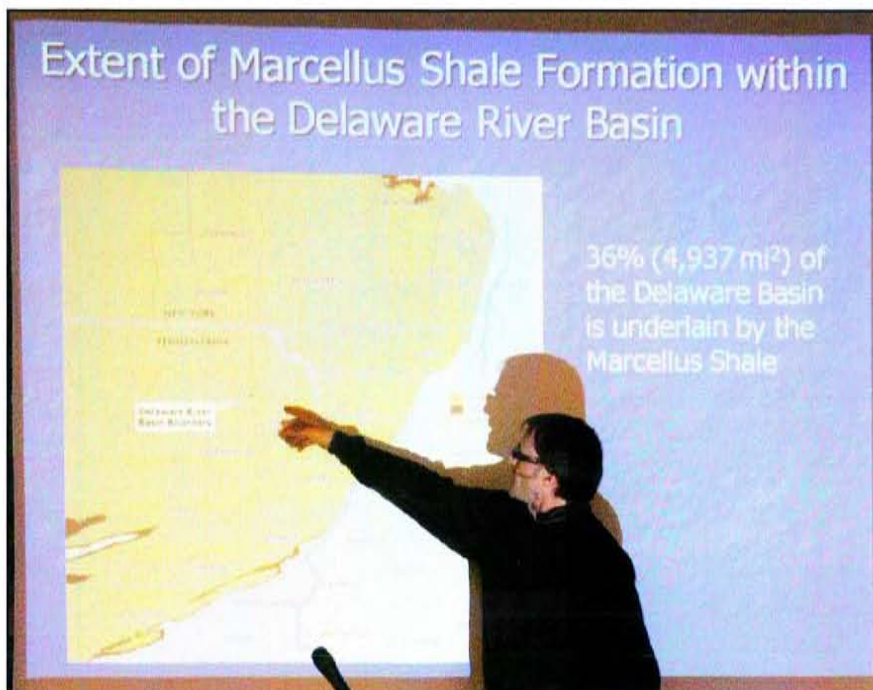
Announcements on the identity of the keynote speaker and this year's roster of award recipients may be viewed on-line at www.upperdelawarecouncil.org.

For reservations, please contact UDC Public Relations Specialist Laurie Ramie at (845) 252-3022 or laurie@upperdelawarecouncil.org. ❖

Former UDC Representative Honored

David J. Lamereaux, who served as the Commonwealth of Pennsylvania's alternate representative to the Upper Delaware Council from 1989 to 2005, received the 2008 Thomas P. Shelburne Environmental Leadership Award at the 18th Annual Evening for Northeast Pennsylvania's Environment held Oct. 29 in Wilkes-Barre.

The Pennsylvania Environmental Council and Northeast Pennsylvania Environmental Partnership recognized Lamereaux for his 37-year career with the PA Department of Environmental Protection (DEP) and his outstanding work with citizens, legislators, non-profit groups, and agencies in the 11-county northeast PA region. ❖



EDUCATION CONTINUES: David A. Kovach, a geologist with the Delaware River Basin Commission's (DRBC) Water Resources Management Branch, makes a point during a March 3rd program on "Natural Gas Exploration - Infrastructure & Development" held in Honesdale, PA by Penn State Cooperative Extension. Seventy people attended to hear speakers from Penn State and the DRBC address "What You Need to Know about Pipelines, Compressors, Injection Wells, and Restoration", "Beyond the Hype: The Facts on Water Use and Disposal" and "Docket Requirements for Natural Gas Wells in the Delaware River Basin." More information is available at www.naturalgas.psu.edu. (UDC Photo by David B. Soete)

Agencies Gear Up for Natural Gas

Despite the buzz of expectations for an onslaught of natural gas drilling to exploit the Upper Delaware River Valley region's Marcellus Shale deposits, actual activity at this point has been relatively mellow.

The Delaware River Basin Commission (DRBC) had received only two permit applications at press time.

Chesapeake Appalachia proposed in October 2008 to withdraw 999,999 gallons of water per day from the East Branch of the Delaware River at Peas Eddy, NY.

Stone Energy Corp. applied on Feb. 13 to resume drilling operations at a gas well in Clinton Township, PA that had been prematurely tapped last summer under a permit issued by the PA Department of Environmental Protection (DEP). The company paid a \$70,000 settlement penalty.

The DRBC, which has a docket backlog of 4-6 months, is working in consultation with the PA DEP and NYS Department of Environmental Conservation (DEC) to ensure that it has thorough and coordinated procedures in place to review water-intensive natural gas drilling proposals.

PA DEP opened a satellite office in Williamsport with 17 gas and oil inspector positions to serve the Northeast region, and is hiring 37 new staffers for its Office of

Mineral Resources Management. The positions were subsidized by increasing the permit fees for drilling.

The NYS DEC has only 19 employees in its Bureau of Oil & Gas Regulation.

New York has placed a moratorium on issuing any permits until its gas drilling regulations are updated. That process began on Oct. 6, 2008 with the release of a draft scope for the Supplemental Generic Environmental Impact Statement (GEIS) on the Oil, Gas and Solution Mining Regulatory Program. The DEC issued its final scope on Feb. 6, 2009 after holding six public hearings between Nov. 6-Dec. 4.

Upper Delaware Council (UDC) staff claimed one of the 3,770 written statements submitted in response to the GEIS.

While stating in its Dec. 15 letter that the 1986 River Management Plan never envisioned horizontal drilling or hydraulic fracturing technology, the UDC "relies on its member states and DRBC to ensure that natural gas exploration activities do not adversely impact the Upper Delaware Scenic and Recreational River corridor...We believe that natural gas exploration activities at the scale being proposed would constitute an incompatible use anywhere in the river corridor." ♦

Millennium Pipeline Goes Into Service

The Millennium Pipeline was activated in December 2008 following a \$700 million, massive clearing and construction project across 182 miles in eight New York counties.

The new 30-inch diameter steel pipe, which replaced a 12-inch line built in 1949, is capable of transporting 525,400 million cubic feet of natural gas per day.

While the majority of the estimated 400 construction workers employed in the Delaware, Sullivan, and Orange County areas from June 2007 to Nov. 2008 have completed their jobs, Millennium is now embarking on restoration efforts, such as stabilizing steep slopes, seeding soils, and repairing public roads.

Locally, Millennium also committed to improving the Mongaup Falls Wildlife Management Area in Sullivan County.

The construction phase did not end without incident, however.

On Feb. 2, the president of the privately-owned pipeline company signed a consent order with the NYS Department of Environmental Conservation (DEC) agreeing to pay \$200,000 in fines for numerous regulatory violations that the DEC alleged in a complaint filed in November of 2008.

Many of the violations pertained to failure to protect water quality, including on local waterways such as the East Branch of the Delaware River, the Mongaup River, and Basket Creek.

Other violations related to disturbing lands beyond its permit boundaries, spills of oil and diesel fuel, and the mudslide near Peas Eddy in Delaware County on June 16, 2008 which resulted in the issuance of a stop-work order.

Millennium also agreed to subsidize the hiring of five independent inspectors at a price tag of \$1 million to oversee the final restoration work. The full-time positions will last for two years.

Since the pipeline went into service, Columbia Gas Transmission, Inc. has operated a 24/7 monitoring center.

Calls to an emergency hotline at (800) 835-7191 will result in dispatching employees from the company's field offices in Port Jervis, Kirkwood, and Horseheads, NY.

For right-of-way issues during restoration activity, Millennium will have agents available at (800) 572-7515.

Millennium easements typically require maintaining a 50-foot wide right-of-way surrounding the pipeline, to be kept clear of any permanent structures, vegetation, pools or ponds. ♦

NYRI Loses in Major Court Battle

Foes of the proposed New York Regional Interconnection (NYRI) power line claimed a victory on Feb. 18 when the 4th U.S. Circuit Court of Appeals ruled 2-1 that the Federal Energy Regulatory Commission (FERC) cannot override a state's decision to deny a transmission project if the rejection is based on reasonable grounds.

Communities Against Regional Interconnect (CARI), the New York State Public Service Commission (PSC) and others had challenged FERC's rulemaking in connection with a new section of the 2005 Federal Energy Policy Act in Nov. 2008.

"The statute does not give FERC permitting authority when a state has affirmatively denied a permit application within the one-year deadline," the court found.

New York Regional Interconnect, Inc. (NYRI) will likely encourage FERC to appeal the court's interpretation of this federal backstop authority. The company also disputes the PSC's declaration of Aug. 8, 2008 as the official start for their one-year review of its Article VII application.

While the August date coincides with the agency's acceptance of NYRI's application as complete, NYRI counters that the state's review actually began on Feb. 20, 2008 based on their supplemental filings.

The original Certificate of Environmental Compatibility and Public Need for NYRI's proposal to construct a 1200 megawatt electric line on a 190-mile path from Marcy to Rock Tavern was submitted approximately three years ago, on May 31, 2006.

Latest Developments

FERC on Sept. 18 approved a 2.75% incentive rate for NYRI on the condition that the PSC determines that the power line either ensures reliability or reduces congestion in approving it. NYRI sought a 13.5% return for its \$2.6 billion investment.

Commissioner Philip D. Moeller said that FERC considered such factors as "the significant regulatory risk that the line will encounter, as well as the risk associated with siting the line on private property."

Congressman John Hall (NY) commented, "Clearly this is an attempt to prime the pump for this irresponsible project, and I am baffled at how FERC can arrive at this decision before we have any evidence the project will be needed or useful. Furthermore, it doesn't make sense in the current economy for FERC to vote to put taxpayer dollars on the line to cover another bad corporate bet."

The Administrative Law Judges assigned to the NYRI case held 13 public information hearings between Oct. 20 and Nov. 6 in the seven New York State counties through which the high-voltage, direct-cur-



UDC TESTIFIES: Executive Director William E. Douglass offers the Upper Delaware Council's position on the New York Regional Interconnect transmission line proposal at a Nov. 5, 2008 Public Statement Hearing convened by the NYS Public Service Commission at Hancock Central School. Administrative Law Judges Michelle L. Phillips and Jeffrey E. Stockholm, seated on stage, listened to testimony at a total of 13 hearings held throughout the seven-county region that would be impacted by the proposed power line. (UDC Photo by David B. Soete)

rent transmission line would pass.

Local hearings took place on Oct. 29 in Callicoon and Lake Huntington, and on Nov. 5 in Hancock.

In Hancock, UDC Executive Director William E. Douglass testified, "The Upper Delaware Council strongly believes that this project not only violates the objectives of the River Management Plan and the National Wild and Scenic Rivers Act, but it also jeopardizes our local economy through a potential loss of property values and tourism industry revenues. A line of overhead transmission towers would dramatically and permanently scar the natural, scenic quality that makes the Upper Delaware Valley so special to our residents and approximately 250,000 annual visitors." He added, "We strongly denounce this private company's potential use of eminent domain to acquire private property to develop this power line."

CARI tracked that 1,749 public officials and private citizens attended the PSC hearings, entering 370 statements into the administrative record.

Video archives of the meetings may be viewed at www.newyorkadmin.com.

On Oct. 28, the NYS Office of Parks, Recreation and Historic Preservation con-

cluded that NYRI would have an adverse impact on specific historic and cultural resources along the proposed route.

PSC staff members, in 61 pages of testimony submitted Jan. 9, summarized, "[NYRI] does not represent the minimum adverse environmental impact ... and will not serve the public interest, convenience, and necessity", echoing the position of the New York Independent System Operator that no additional transmission resources from upstate to metropolitan NY are anticipated to be needed, until "at least 2018."

In response to the PSC's request for submission of NYRI alternative routes, CARI on Nov. 25 proposed underground installations along the existing Marcy South Transmission Line and the NYS Thruway. The New York Power Authority opposes co-occupancy on its Marcy South line.

While the judges initially rejected study of the Thruway alternative as too different in scope and too late to consider, they ruled on Mar. 10 that it is relevant to the case as a challenge to NYRI's nominated route, though it could add \$1 billion to the cost.

The PSC began a series of NYRI Evidentiary Hearings on Mar. 16 in Albany.

For more information, visit www.caricoalition.org or www.nyri.us. ♦

Upper Delaware Council Activity Highlights

Highlights of Upper Delaware Council (UDC) activities and river valley issues from mid-September 2008 to early March 2009, not mentioned elsewhere in this issue, include:

FUNDING ISSUES

At press time, the UDC was struggling with operational anxiety due to the lateness and partial nature of the federal funding that is the UDC's only line-item source of revenue.

Although eligible as of Oct. 1, 2008 to receive a \$300,000 allocation through the National Park Service's budget, the UDC received a payment of just \$149,000 (43%) on Feb. 11, 2009.

At that juncture, the UDC had approximately two months' worth of operating funds left before employee layoffs or a shut-down may have been required.

A processing delay of the UDC's paperwork at the NPS Northeast Region level due to various rule changes was compounded by Congress's failure to pass the Appropriations bill, which meant that the federal government had to operate under continuing resolutions that only allow for disbursement of partial funding.

It's unknown how long it could take to receive the \$151,000 balance of the payment.

The UDC has had a static federal funding allocation of \$300,000 every year since its 1988 inception, with no accommodations made for increasing expenses. The member states of New York and Pennsylvania have not contributed at all to the UDC's annual operation as envisioned in the River Management Plan.

Accountant Richard Eckersley informed the UDC's Operations Committee during his Nov. 25, 2008 presentation of his firm's FY 08 UDC audit report that, in the absence of any federal increase or new sources of revenue, the UDC has approximately two and a half years before its equity runs out.

The UDC's fund balance at the end of FY 2008 (Sept. 30, 2008) showed a \$32,213 loss in net assets.

Further, total expenditures in the Council's adopted budget for 2009 are \$366,749, compared to \$332,900 in anticipated total income.

ANNUAL REPORT

The UDC issued its Annual Report for Fiscal Year 2008 on Feb. 3. Covering the period of Oct. 1, 2007 to Sept. 30, 2008, the pamphlet includes: Activity Highlights, FY 09 Objectives; a "View from the Chair" column by 2008 UDC Chairperson Al Bowers; Revenues, Expenditures and Fund Balances; 2008 directories of UDC



EAGLE ON ICE: Mark Crouthamel of Sculpted Ice Works in Lakeville, PA chainsaws a bald eagle out of a block of ice on the Big Eddy Observation Deck in downtown Narrowsburg, NY during the 8th Annual EagleFest held on Jan. 17. Organized by the Delaware Valley Eagle Alliance, the event featured a sub-zero day's worth of popular live raptor programs, guest lectures, art exhibits, documentary films, children's activities, and guided viewing focused on eagles. The Upper Delaware Council was among a dozen conservation groups to offer informational booths in the Town of Tusten Community Hall. (UDC Photo by Laurie Ramie)

Technical Assistance Grants and annual award recipients; UDC membership and staff rosters; and a Statement of UDC Responsibility & Authority. The full report is posted on the UDC's website or call (845) 252-3022 to request a copy.

SPECIAL MEETINGS

10/15/08 - UDC staff gave a presentation on the River Management Plan for the Upper Delaware Scenic and Recreational River and related issues to participants in the 2008 Leadership Sullivan program during their bus tour stop in Narrowsburg.

11/17/08 - The Delaware County Department of Economic Development sponsored a stakeholders meeting to discuss the impacts of New York City's \$300 million program to acquire land around the Delaware River Basin reservoirs as part of its Filtration Avoidance Plan with the U.S. Environmental Protection Agency.

12/8/08 - Hancock Partners, Inc. and Planit Main Street consultant Alan Sorensen unveiled a Hancock Economic and Community Development Plan outlining recommendations and grant sources.

12/15/08 - The Manchester Township, PA Board of Supervisors invited UDC officials to make a presentation regarding membership benefits in the Council for their further deliberation.

4/1/09 - The National Park Service Upper Delaware Scenic and Recreational River

convened a Core Operations Analysis workshop to evaluate the park unit's effectiveness in meeting its mandate as part of a review to assure that tasks and funding allocations are consistent with local needs.

GRANTS UPDATE

The UDC approved proposals on Jan. 8 submitted by its eight New York State town members for local improvement projects to be completed under a \$75,000 FY 2008-09 Legislative Initiative grant program secured by NYS Senator John J. Bonacic.

This marks the sixth round of state funding that the UDC and NYS Department of Economic Development have administered on behalf of the eight towns since 2000.

The UDC will receive a \$10,000 administrative fee. Each town will apply its equal share of \$8,125 to the following projects:

Cochecton - Perform Phase I of a town-wide Roadway Conditions Assessment

Delaware - Furnish the new Town Hall and renovated Justice Court facilities in Hortonville

Deerpark - Improve the entrance way at the Town of Deerpark Museum in Huguenot

Hancock - Complete development of the Town of Hancock Memorial Park for recreational use

Highland - Retrofit existing office space for use as the Town of Highland Constables' main office

Council Activity Highlights

Lumberland - Replace the failing furnace at the Lumberland Town Hall in Glen Spey

Tusten - Enhance town recreational and community use facilities, and assist beautification efforts.

GRAVEL MINE

The Town of Cohecton Planning Board on Jan. 29 approved an application by Little Joseph Realty to operate a sand and gravel mine on property located off NYS Route 97 in Cohecton.

The town's action followed the NYS Department of Environmental Conservation's issuance of a mining permit, with conditions, on July 31, 2008.

The UDC reviewed the proposal and attended meetings on the controversial project, which will be located near an occupied dwelling and the proposed Upper Delaware Scenic Byway Visitor Center.

By following the DEC's conditions of mining in phases and reclaiming the site as extraction proceeds, the UDC determined that the project was in substantial conformance with the Land and Water Use Guidelines of the River Management Plan.

SCENIC BYWAY

While the UDC sent a Sept. 26 letter supporting Sullivan County's lead agency bid for the State Environmental Quality Review of the proposed Upper Delaware Scenic Byway Visitor Center on Rt. 97 in Cohecton, the county subsequently

deferred the \$910,000 project to 2010 after learning that the NYS Department of Transportation won't release its grant funding for construction until the end of the 2009 budget year.

The Upper Delaware Scenic Byway, Inc. donated \$2,750 to the UDC on Feb. 9 for administrative support services provided to the fellow non-profit organization.

COMMON WATERS

The UDC is participating in a tri-state (NY-PA-NJ) project within the Delaware River Basin titled "Common Waters: Clean Water, Healthy Forests, and Sustainable Communities." Funded by an \$82,500 William Penn Foundation grant, organizers have committed to undertake a demonstration project to identify critical lands for protection in the Delaware River Watershed and to sponsor a forum in the fall of 2009 to explore partnership opportunities by governmental agencies and non-profit organizations to advance the Common Waters agenda.

COMMITTEE CHAIRS

At their January meetings, the following chairpersons were elected to lead the UDC's three standing committees: Water Use/Resource Management - Charles Wieland, Town of Tusten; Operations - George J. Fluhr, Shohola Township; and Project Review - Harold G. Roeder, Jr., Town of Delaware. ❖



SENATOR BRIEFED: During a Catskills Legislative Reception sponsored by the New York State Hospitality & Tourism Association at Bethel Woods Center for the Arts on Jan. 29, National Park Service officials showed New York State Senator John J. Bonacic conceptual layouts for a mobile welcome center proposed for development along NYS Route 97 in the Town of Lumberland. Specific site negotiations are ongoing. Standing, from the left, are NPS Upper Delaware Scenic and Recreational River Superintendent Vidal Martinez, Sen. Bonacic, Upper Delaware Council Executive Director William E. Douglass, and NPS Assistant Superintendent Sandra S. Schultz. Seated, both from The Eagle Institute, are Volunteer Coordinator Patricia Diness and Director Lori Danuff McKean. (UDC Photo by Laurie Ramie)

Spring/Summer 2009

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DRBC Withdraws Flexible Flow Regs

The Delaware River Basin Commission (DRBC) withdrew its proposed regulations for the Flexible Flow Management Program (FFMP) on Dec. 10, 2008, one year after introducing them.

The regulations were proposed in December 2007 to codify an agreement that was unanimously approved on Sept. 26, 2007 by the Parties to the 1954 U.S. Supreme Court Decree for operation of the three New York City Delaware Basin reservoirs through May 31, 2011.

"After considering the 1,900 comments received during the public comment period and in consultation with the Decree Parties, the Commission ... [directed] staff to develop new amendments to the Water Code aimed at facilitating adaptive water resources management within a regulatory framework," said Carol R. Collier, executive director of the DRBC.

The proposed new amendments to the Water Code, which will not be released before the summer of 2009, will provide for flexibility in addressing additional data as it becomes available, including:

- the flood analysis model currently being developed by the U.S. Geological Survey, U.S. Army Corps of Engineers, and National Weather Service;
- the OASIS model (a water resources planning tool) updated with data through September 2006;
- The results of ongoing studies scheduled to be concluded by the U.S. Fish and Wildlife Service in the spring of 2009 on habitat needs of the endangered dwarf wedgemussel in the Upper Basin; and
- all of the comments received.

The Commission will conduct another full notice and comment rulemaking process, including a public hearing.

The FFMP agreement continues to be implemented on a temporary basis through May 2011. It may be viewed on the Delaware River Master's website at <http://water.usgs.gov/osw/odrm/>. ❖

River History Out

In "Opportunity Valley: A History of the Delaware River Valley before 1800", author Edwin G. York of Milford, NJ presents the true story of how the Delaware River Valley came to be known as a world-class seaport, a welcome home for diverse peoples, a cradle for the growth of the young United States, a leader in abolishing slavery, and a center for education, culture, and gracious living second only to London.

The book is available by calling (888) 795-4274 or online at xlibris.com. ❖

The Upper Delaware

Upper Delaware Expo Celebrates "Partnering to Protect the River"

A first-ever Upper Delaware Expo held on Oct. 25, 2008 under the theme of "Partnering to Protect the River: 1978-2008" featured over 30 exhibitors at Damascus School in Damascus, PA. Pictured clockwise: 1) kids enjoy a western movie courtesy of Zane Grey's West Society; 2) DeJay Branch, left, and Dick Rhodes, both of Lackawaxen, PA, staff the National Canoe Safety Patrol booth; 3) NYS Environmental Conservation Police K-9 Unit trainer Scott Steingart puts Buck through his paces to intercept a poaching hunter; 4) Bill Streeter from the Delaware Valley Raptor Center in Milford, PA shows off Benson's impressive wing span; and 5) National Park Service Superintendent Vidal Martinez holds up the tote bag that was handed out with 30th anniversary Upper Delaware Scenic and Recreational River lapel pins and literature to the first 500 families. The day-long event also included a special postal cancellation, poster contest awards, a photography exhibit by UDC's Dave Soete, slide lectures, and additional demonstrations. ❖ (UDC Photos by David B. Soete)



breaking federal-state-local shared management approach.

Throughout the day, speakers traced the historical conservation antecedents and political path that led to the 1978 designation, the formation of boisterous citizen groups that spawned the UDC, the controversial drafting and re-writing of the River Management Plan, and commencement of NPS operations in uncharted territory.

All four NPS superintendents to hold that position in the Upper Delaware over the past three decades were in attendance.

John Hutzky, who originated the role in 1979 and held it for 16 years, joked, "I wouldn't have taken the job if I knew how controversial it was up here."

Hutzky produced his yellowed notes from those early days as he recalled having no land base, no staff other than a park technician from the Delaware Water Gap National Recreation Area (Al Henry, who remains as Chief of Protection today), terrible equipment, no radio communications, and very little direction to follow.

"I had to consult the [enabling] legislation to see what I was supposed to do. The first thing we had to resolve was the question of jurisdiction. We had 10 drownings in our first year and one in the next. Somehow we survived without knowing what we were doing in our first year," he acknowledged.

Dave Forney, who headed the NPS unit from 2002-2008, reflected that it was the collective efforts of individuals at all levels of Upper Delaware concerns that made it possible to hammer out the compromise that achieved federal protection of the river resource without full-scale ownership of the surrounding land.

"It's always remarkable in the Upper Delaware how you've always had the right people at the right time," he said.

Speakers gave overviews of current protection, cultural, historical, and interpretive programs by NPS and activities by 11 Upper Delaware-based partner and volunteer organizations.

The day concluded with a roundtable discussion focused on meeting future challenges presented by various contemporary resource threats.

"The River Management Plan set up a process for us all to work together. It's been an enormous success. Yes, we need to refine it and reinforce it. Yes, we have to deal with new uses and apply new techniques. We're in a long race to deal with the pressures on us and you need more financial assistance to do it. Continue to rely on the strength of your foundation and reach out to others who can help nurture your mission," advised Joe DiBello, a planner with NPS Northeast Region who worked on the Final 1986 RMP. ♦

Spring/Summer 2009

Heroes of Conservation

The best friend of the Delaware River, a golden trout warrior, and a man with a very green thumb > BY RICK BACH

Chasing Trout Phil Chase with a Montana brown.



PRESERVING THE BEST RAINBOW HABITAT IN THE EAST

Phil Chase, Port Jervis, N.Y.

Phil Chase has dedicated himself entirely to saving the Delaware River and its trout population. As a teacher, he brought students to meetings affecting the Delaware to instill awareness. As a *Times Herald-Record* columnist, he urged his readers to take action on the river's behalf. He has been the Federation of Flyfishers Man of the Year and the Tri-County Sportsman of the Year. "Now I can step back and let educated people take action," says the 77-year-old Chase. *Step back* is a relative phrase—Chase is a director of Friends of the Upper Delaware River, which works to improve what he calls the best rainbow trout fishery in the East.

Excerpt reprinted with permission from "Field & Stream", February 2009 issue, copyright 2008 Bonnier Corporation. All rights reserved.

Field & Stream Magazine Recognizes Phil Chase

The world's leading outdoor magazine has recognized Upper Delaware Council (UDC) board member Phil Chase as a "Hero of Conservation."

Chase was featured in the February 2009 issue of "Field & Stream" with a tribute to his advocacy efforts on behalf of the Delaware River and its renowned fishery.

The honor came with a \$1,000 cash prize and puts Chase in the running for the 2009 Heroes of Conservation Gala competition which will award one grand prize of a new Toyota Tundra truck and five second-place prizes of \$5,000 each.

A long-time environmentalist, Chase has been the Town of Deerpark's appointed UDC representative since April of 1994 and chaired the organization in 1999.

Among his many prestigious accolades earned over the years in his role as a citi-

zen activist, Chase received the UDC's Community Service Award in 1991.

The Port Jervis, NY native and Cornell University graduate was a science teacher at the Port Jervis City School District for 34 years. He authored a popular newspaper outdoor column for 13 years, and is presently a director on the Friends of the Upper Delaware River (FUDR) board.

Chase was humbled by the recognition and shared the spotlight with those who have encouraged and inspired his work, particularly his late wife, Merle, who served as his typist and editor.

"I hope to be able to continue the uphill battle for many years in keeping our resources for future generations of those deserving the fishing and hunting thrills that I was blessed in experiencing," the devoted sportsman said. ♦

Paddlers Welcome: 15th Delaware River Sojourn, 21st UDC Family Raft Trip Set

The 15th Annual Delaware River Sojourn will take place on June 21-27, offering the public a chance to participate for one or more days in a guided paddling excursion on the wild and scenic Delaware River.

The Sojourn's 2009 theme is "No One Left Inside", which stems from the popular book "Last Child in the Woods" by Richard Louv as well as the efforts of the No Child Left Inside Coalition.

Too many people - adults as well as children - have what Louv calls nature-deficit disorder from not spending time outdoors. This disconnect can erode overall interest in environmental stewardship.

The Delaware River Sojourn would like to be part of changing that by getting individuals outside to appreciate nature.

The Sojourn combines daily canoeing or kayaking with educational programs, historical and natural interpretation, and optional camping. Most meals are provided. Registrants receive a souvenir T-shirt.

The event will begin on Sunday, June 21, with a 12 p.m. kick-off luncheon ceremony at Kittatinny Canoes' River Beach Campground in Milford, PA.

Paddling on the Upper Delaware River will take place on June 21 and 22.

Itineraries, event guidelines, registration details, and photo albums are available online at www.delawareriversojourn.org.

UDC Raft Trip

The Upper Delaware Council will sponsor its 21st Annual Family Raft Trip on Sunday, August 2. Reservations with advance payments are due by July 27.

This year's route will be a scenic eight-mile section between accesses at Ten Mile River and Barryville.

The deeply-discounted rate is \$20 for adults and teens, and \$12 for children ages 11 and under. Kids must weigh at least 40 lbs. and be able to swim.

Kittatinny Canoes will provide the rafts, paddles, life jackets, and a safety briefing.

Guests will meet between 9-10 a.m. at Kittatinny Campgrounds' Luke's Landing Base in Barryville to sign in and catch the shuttle bus heading up to Ten Mile River.

This trip's average duration is four hours.

Dress to get wet, wear foot protection and sunscreen, bring a picnic lunch and drinking water, and pack a waterproof bag. Minimum occupancy per raft is four people; parties of 3 and under will be combined.

Visit www.upperdelawarecouncil.org or call (845) 252-3022 for more information. ❖



2009 REORGANIZATION: In attendance for the Upper Delaware Council's annual meeting on Jan. 8 were, seated from left to right: Secretary-Treasurer Jack Niflot, Town of Fremont; 2009 Chairperson George Fluhr, Shohola Township; and Vice-Chairperson Harold Roeder, Jr., Town of Delaware. Standing from left to right: William Manner, PA Department of Environmental Protection; Bill Douglass, UDC executive director; Dolores Keesler, Damascus Township; Jim Rodgers, Town of Fremont; Fred Peckham, Town of Hancock; Andrew Dean, Berlin Township; Al Bowers, Westfall Township; Bill Rudge, New York State Department of Environmental Conservation; Jay Shafer, Town of Lumberland; Vidal Martinez, National Park Service; John Sundholm, Town of Highland; Pamela Bush, Delaware River Basin Commission; Phil Chase, Town of Deepark; Charles Wieland, Town of Tusten; and Mel Decker, Town of Deepark. (UDC Photo by David B. Soete)

UDC Elects 2009 Officers

Shohola Township, PA Representative George J. Fluhr was sworn in as the 2009 chairperson of the Upper Delaware Council, Inc. at the annual meeting held Jan. 8.

Justice Ronald J. Edwards, magistrate for PA District 22-3-04, administered the oath of office to Fluhr. Fellow elected officers are Vice-Chairperson Harold G. Roeder, Jr., Town of Delaware, NY, and Secretary-Treasurer John B. Niflot, Town of Fremont, NY.

Fluhr has served as an alternate or representative on the UDC since the non-profit organization's inception in 1988. He was the first recipient of the Council's Distinguished Service Award in 1989, recognizing his role as a founder of the Conference of Upper Delaware Townships, a drafter of the *River Management Plan for the Upper Delaware Scenic and Recreational River*, and a strong advocate for local governments taking the lead in protecting both the river and private property rights.

A retired educator with degrees from Manhattan College and Columbia University, Fluhr was elected as a Shohola Township Supervisor for six consecutive, six-year terms from 1977 to 2008.

He has also served as the township's official historian since 1972 and as Pike County Historian from 1977-87 and 1996 to the present. Fluhr is a member of the Shohola-Lackawaxen Multi-municipal Comprehensive Plan Committee, a life member of Shohola Volunteer Fire & Rescue, a founding member of the Shohola Area Lions Club, and author of seven historical books, numerous articles and pamphlets.

Fluhr previously chaired the UDC in 1992 after two terms as vice-chair in 1991 and 1997. He is a member of all three of the UDC's standing committees.

Vice-Chairperson Harold Roeder, who has represented the Town of Delaware on the UDC since 1997, previously chaired the Council in 2000.

The Hortonville resident owns and operates Roeder's Appraisal Service. He holds two academic degrees from Ithaca College. A classically-trained musician, Roeder was formerly a music teacher at Roscoe Central School and Ithaca College, a one-time regional distributor of pianos and organs, and is a current member of the Pleasant Valley Hunting Club.

Secretary-Treasurer "Jack" Niflot was elected to that office for the eighth time, having fulfilled it from 1997-99 and from 2005-08. He was first appointed to the UDC in 1994 as an alternate, becoming Fremont's representative in 1997.

Niflot has served as a councilman on the Fremont Town Board since 1994. The Mileses resident is a founder and current president of the Basket Historical Society of the Upper Delaware Valley. ❖

Upper Delaware Scenic Byway Drives Forward

The Upper Delaware Scenic Byway, Inc. (UDSB) has launched a new feature of its website to make membership subscriptions and book purchases available via www.upperdelawarescenicbyway.org.

The "UDSB Store" page offers an easy way for individuals and businesses to become members of the byway, thereby supporting the non-profit organization's efforts to enhance and promote New York State Route 97 and its resources.

Annual membership fees may be paid by credit card through a secure server and are tax-deductible to the extent of the law.

Individuals who sign up as "Bluestone Associates" at \$35 will receive a coupon for admission to Fort Decker in Port Jervis.

"Bronze Business Associates" at \$75 will receive a certificate to display announcing their UDSB membership for the year.

"Silver Business Associates" at \$175 will receive a certificate and a membership listing on the UDSB website, under an appropriate service category, that will include a pop-up photograph and description directing visitors to the establishment.

"Gold Business Associates" at \$250 will receive a certificate and an enhanced website listing with up to four additional addresses provided for multiple locations.

Finally, there is a "Patron Associate" level at \$1,000 for individuals. UDSB patrons will receive published recognition on the website of their generosity, along with the free admission coupon to a byway site.

The UDSB store also offers two Upper Delaware Scenic Byway benefit books for sale, courtesy of the authors.

"Hawk's Nest: Newspaper History of the Road", written by Town of Deerpark Historian and UDSB Deerpark Representative Norma Schadt, is available for \$15, plus \$2.50 for shipping.

The book is a 150-page, soft-cover, illustrated publication by The 1863 Schoolhouse Press.

"Perseverance & Vigilance: The History of the Old Decker Stone House", written by Minisink Valley Historical Society



SIGNS DEDICATED: The Upper Delaware Scenic Byway, Inc. (UDSB) and Sullivan County Department of Parks, Recreation & Beautification held a Public Dedication Ceremony on Dec. 6, 2008 to unveil new interpretive panels installed in Narrowsburg through the New York State Scenic Byways Program Model Signage Initiative. Participating as project partners in the dedication were, from left to right: William E. Douglass, Upper Delaware Council; Grace Johansen, Tusten Historical Society; Annie Hayes, Wayland Design; John Conway, Sullivan County Historian; Linda Dexter, Fort Delaware; NYS Assemblywoman Aileen M. Gunther, 98th District; Kristin Porter, Sullivan County Parks; Vidal Martinez, National Park Service; Glenn Pontier, Sullivan Renaissance; Robert Meyer, Sullivan County Division of Public Works; Ben Johnson, Town of Tusten; David Sager, Sullivan County Legislature District 1; Larry H. Richardson, UDSB; Wanda Gangel, Narrowsburg Beautification Group; and Peter Osborne, UDSB and Master of Ceremonies. (UDC Photo by Laurie Ramie)

Executive Director and UDSB City of Port Jervis Representative Peter Osborne, is available for \$19.95, plus \$4.80 for shipping.

The book is a 224-page, soft-cover, illustrated publication by Minisink Press.

Copies may also be ordered by e-mailing info@upperdelawarescenicbyway.org.

Historic Signs

Sixty people attended a dedication ceremony and luncheon held on Dec. 6 at the Town of Tusten Community Hall to unveil new outdoor interpretive panels.

The New York State Department of Transportation's Scenic Byways Program selected the community of Narrowsburg, as nominated by the Upper Delaware Scenic Byway, to serve as a model byway initiative by demonstrating design standards included in the NYS Scenic Byways

Sign Manual.

Working with local collaborators who contributed text and photographs, Wayland Design of Delhi created the graphic panels that interpret the themes of Narrowsburg's History, Main Street, "The Narrowest & Deepest" (Big Eddy), Timber Rafting, and Fort Delaware/Cushetunk Settlement.

Six of the signs are currently installed at the Eagle Observation Deck on Main Street, the Upper Delaware Council office on Bridge Street, and Fort Delaware Museum of Colonial History on NYS Rt. 97/Kirk Road. A seventh panel will be installed on Town of Tusten property adjacent to the Pennsylvania interstate bridge.

The grant-funded project was administered by the Sullivan County Division of Public Works' Department of Parks, Recreation & Beautification office. ♦

Please Help the UDC to Update Our Mailing List

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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Check to be removed from our mailing list because ☐ I no longer wish to receive or ☐ I will access the newsletter on-line.



Upper Delaware Council
P.O. Box 192, 211 Bridge St.
Narrowsburg, NY 12764-0192
Phone: (845) 252-3022; Fax (845) 252-3359
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*Working together to conserve the Upper
Delaware Scenic and Recreational River*

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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'

UDC Grant Program Deadline is July 31

The Upper Delaware Council will accept applications from its member towns, townships, and county governments for the 2009 Technical Assistance Grants (TAG) program through July 31.

The UDC's Project Review Committee will convene a special meeting on Aug. 11 to review submissions.

Announcement of grant awards is expected at the Sept. 3 UDC meeting.

Guidelines and forms are available online at www.upperdelawarecouncil.org. ♦

Congress Approves Flood Study Funding

Congressmen Maurice Hinchey and John Hall of New York announced on Feb. 26 that they secured final Congressional approval of \$331,000 for a flood mitigation study in the Upper Delaware River Watershed and for the enhancement of the existing flood alert systems for the region.

The U.S. Army Corps of Engineers will

receive \$96,000 in additional support to expand upon its prior Upper Delaware River Reconnaissance Study.

The Delaware River Basin Commission will work with the National Oceanic Atmospheric Administration, U.S. Geological Survey and Army Corps to develop and implement the advance flood warning system project for the Delaware River. ♦

Grant to Revitalize Local Waterfronts

The New York State Department of State has awarded \$82,050 to the Sullivan County Division of Planning and Environmental Review to prepare an inter-municipal Local Waterfront Revitalization Program for Upper Delaware River Corridor municipalities in Delaware, Sullivan, and Orange Counties.

Pond Eddy Bridge Report Coming Soon

The Pennsylvania Department of Transportation anticipates releasing a Project

Development Report in April that will document the rationale for rehabilitating or replacing the 1905 Pond Eddy Bridge.

PennDOT supports the replacement option based on the results of engineering studies. If pursued, various mitigation measures to document the significance of the historic structure will be undertaken and a local Design Advisory Committee will be asked to provide input into the design. ♦

Schoolhouse Makes Historic Registers

The Rock Valley Schoolhouse, located on Basket Creek above Long Eddy in the Town of Hancock, has been added to the National and New York State Registers of Historic Places.

The one-room schoolhouse was built in 1885 by John E. Inman for \$750 to serve Hancock School District #22. It functioned as an elementary school through the early 1940's and remains intact today.

The Rock Valley Cemetery Association has maintained the building since 1953 and is in the process of refurbishing it for appreciation by future generations. ♦