

The Upper Delaware

The quarterly newsletter about the environment and people of the Upper Delaware River

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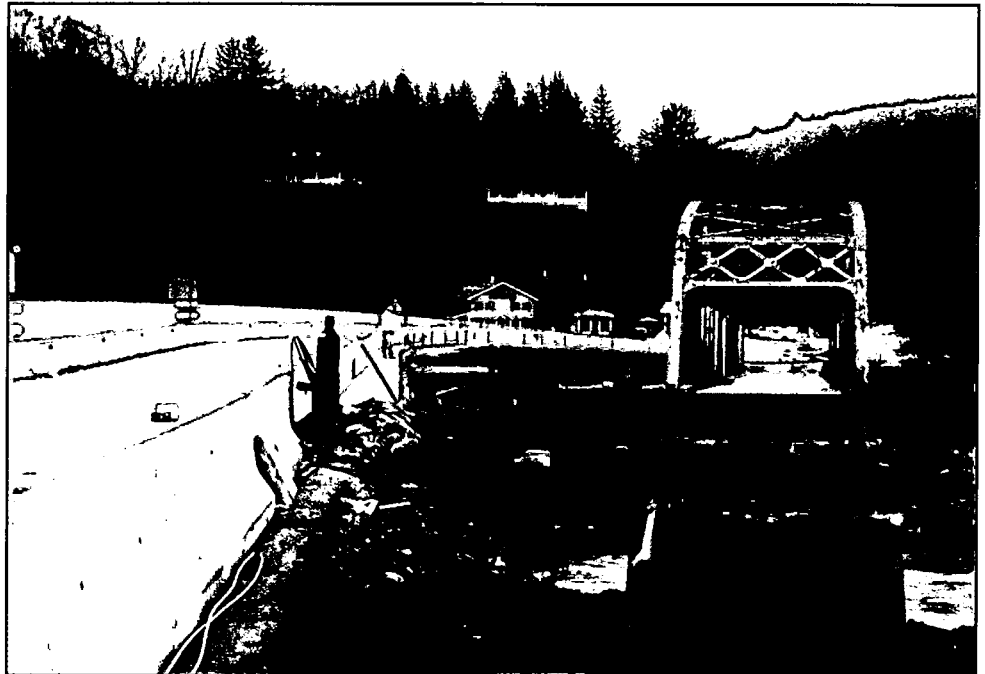
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**The Upper Delaware
welcomes submissions and
new subscribers (free)!**

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list by filling out the coupon
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ONE UP, ONE DOWN: In this photo taken on Nov. 30, one-third of the 1941 Barryville-Shohola Bridge had been demolished after the new crossing, depicted on the left, was opened to traffic. Construction of the approximately \$9.5 million bridge is expected to be finalized by June 2007. A banner hung on the side of the old steel truss bridge as it was being razed read, "Goodbye Old Girl ... Thanks for the Ride." (UDC Photo by Laurie Ramie)

Upper Delaware Bridges: Up, Down, and Stymied

As construction of the new Barryville, NY-Shohola, PA Bridge approaches its three-year mark toward completion and the flood-damaged Kellams, NY-Stalker, PA Bridge experienced an earlier reopening than anticipated, the situation with the Upper Delaware River's beleaguered Pond Eddy crossing took a turn for the worse.

The Pennsylvania Department of Transportation (PENNDOT) called a public meeting on Nov. 8 to announce that an in-depth, independent inspection of the Pond Eddy, NY-Pond Eddy, PA Bridge revealed extensive deterioration requiring emergency repairs and a down-posting in the load capacity from eight tons to four tons.

The 1904 bridge, which provides the only link from State Route 97 in the Town of Lumberland to approximately 26 homes on

the Pennsylvania side, has been a source of contention between those who advocate for its preservation as a state and nationally-listed historic structure and those who agree with engineering reports that recommend replacement for safety and longevity.

Of immediate concern is the replacement of 14 defective stringer beams, which began on Dec. 11 and was expected to proceed at a rate of about 1 or 2 per day, weather permitting.

"There are 250 beams in total and we're replacing the absolute worse ones, but this will only get the bridge back to seven tons. The legal load for modern bridges is 40 tons," said PennDOT District 4-0 Assistant Executive for Design Robert Doble.

The anticipated cost of the repairs by
Please see BRIDGES on Page 4

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

Upper Delaware Profile: Mark D. House

For a guy who had never held any political office before being elected to supervise a growing Orange County, NY town that turned out to require strong leadership through multiple flooding crises and governmental scandals, Mark D. House is surprisingly unjaded and enthusiastic.

The Town of Deerpark supervisor took office in January of 2003. He had initially declined the local Democratic party's invitation to run following former Supervisor Jim Chandler's retirement, but now finds himself fulfilling his second, two-year term.

"I basically had no political experience whatsoever, but I ran a business, understood what a budget is, and ran against my opponent's record," House says.

"I believe everyone should have the chance to serve in some capacity," the 45-year-old Monroe, NY native adds.

House typically spends 40-60 hours per week administering the town's daily affairs, attending or preparing for meetings, handling paperwork, and overseeing the town's approximately 50 employees.

"The difficulty is that this is not supposed to be a 9-5 position, but it becomes that, plus. The time demands are pretty incredible. I haven't had a vacation in four years," he admits.

"We have had some trying times between the floods and the investigations. But I've met some incredible people doing this job. It's educated me on things that I never looked into or understood before. It's been a lot of fun and heartbreak. I wouldn't trade it for anything," House says.

The heartbreaks resulted from the devastation wrought by three major flood events which impacted the Delaware and Neversink Rivers in September 2004, April 2005 and June 2006.

"When the first flood hit, we were overwhelmed in terms of who and how to ask for help. We kind of got through it and learned very quickly. Fortunately, I had well-trained people around me between Emergency Management, Fire, and Police. But you can't just read it from a manual and do it. What you're left with is a basic command structure. You literally have to be like the pitching coach at batting practice. You must accept that there will be issues you could not anticipate and put trust in others," he says.

The Town of Deerpark estimated over \$24 million in damages from the April '05 flood alone. House led Governor George Pataki on a tour of the essentially wiped-out Myers Grove community at that time and continues to handle reams of emergency funding documentation requests.

House's own property located along 300 feet of the Neversink River near Cudde-



Mark House, Town of Deerpark, NY

backville suffered damage as well, though road washouts and town responsibilities kept him away for days on end.

Of the floods, House reflects, "It's been a crash course in disappointment. We'll never get back to where we were. And there will be another flood; there are historical precedents for it. All we can do is be as prepared as possible," he says.

House has lived in Oakland Valley since 1988 with his wife of 22 years, Pamela, who is a teacher in Middletown. The couple has two sons, Randall, 20, a junior at St. Rose College in Albany studying music education, and Logan, 7, a second grader at Hamilton Bicentennial School.

The Monroe-Woodbury High School and Orange County Community College graduate obtained a Bachelor's degree in Spanish, with a minor in International Business, from Pace University in 1981.

After working in retail and sales, House was in the insurance industry for over 15 years, including ownership of the Robert Collins Agency in Pine Bush. He sold his interest with intentions of staying home full-time to raise Logan - until the opportunity arose six months later to run for supervisor.

House is a member of the Port Jervis-Deerpark Rotary Club, the Tri-State Rod & Gun Club, and previously served on the Neversink Valley Area Museum's board. The trained gunsmith enjoys hunting, fishing, rafting, guitar playing, model railroad-ing, and is restoring the second of two 20-year-old BMWs he bought on eBay.

While House hasn't decided whether he will seek a third term as Deerpark's supervisor in 2007, he also isn't ruling out higher political aspirations in his future.

"I always thought that we have an obligation, living in this society, to try to do something to leave things better. The reward is in trying and doing your best. Because of that, we grow," he says. ❖

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Power Line Fight Goes Federal

While opposition groups in eight New York State counties continue to rally on the local and state level against New York Regional Interconnect, Inc.'s (NYRI) proposal to construct a \$1.62 billion, 190-mile High Voltage Direct Current electric transmission line from Marcy to Rock Tavern, many have set their sights on Washington, D.C. as the ultimate battleground.

The Upper Delaware Council is working individually and as a non-governmental organization member of Communities Against Regional Interconnect (CARI) to fight the power line based on its proposed route through the Upper Delaware Scenic and Recreational River corridor.

Some recent developments include:

- Governor George E. Pataki on Oct. 3 signed legislation that severely limits the use of eminent domain for electric and gas transmission line projects in New York. The new restrictions took effect immediately.

- The UDC sent an Oct. 5 letter to the U.S. Department of Energy expressing concerns that the designation of National Interest Electric Transmission Corridors, as called for in its Congestion Study, could circumvent state jurisdictions over the siting of new power lines. It further requested exemption of all National Park System units from those potential designations.

- NYRI's attorneys advised the Public Service Commission (PSC) on Nov. 28 that the company expects to file supplemental information that PSC requested regarding the project's visual and environmental impacts, and alternative routes, "in approximately six months." NYRI also successfully requested the appointment of a mediator to facilitate seeking consensus among voluntary parties to the case on the scope and methodology of those analyses.



VISIT WASHINGTON: Congressman Maurice D. Hinchey, Jr., at right, requested a briefing from organizations battling the proposed New York Regional Interconnect high-voltage transmission line. Making the trip to Washington, D.C. on Dec. 7 were, pictured from the left, William E. Douglass of the Upper Delaware Council; Bryan Faehner of the National Parks Conservation Association; Troy Bystrom of the Upper Delaware Preservation Coalition; and Eve Ann Schwartz of STOP NYRI. Douglass, Bystrom and Schwartz also represented Communities Against Regional Interconnect (CARI) in the meeting. (Contributed Photo by Pat Carullo, UDPC)

- Congressman Maurice Hinchey (D-NY) renewed his pledge in a Dec. 7 meeting to seek amendments to the Energy Policy Act of 2005, particularly the section giving the Federal Energy Regulatory Commission (FERC) the power to use eminent domain to acquire land for transmission lines.

- CARI officially requested a re-hearing on FERC's regulations for filing permit

applications to site interstate electric transmission corridors, alleging in its Dec. 15 application that FERC's Nov. 16 Final Rule was "arbitrary and capricious, an abuse of discretion, or otherwise not in accordance with the law..."

- The UDC forwarded a \$10,000 payment on Dec. 20 toward legal expenses incurred by the Upper Delaware Preservation Coalition, Inc. in the NYRI case, as a share of a \$50,000 grant that Senator John J. Bonacic secured for the UDC to study and review the impacts of the NYRI project. ❖

Training Offered for Planners & Zoners

Municipal planning and zoning officials in New York State must comply with a new law that took effect on Jan. 1, 2007.

The legislation establishes a minimum, annual training requirement of four hours for all members of local planning and zoning boards.

A pamphlet on where free training can be obtained is available by contacting the New York State Legislative Commission on Rural Resources at (518) 455-2544 or by e-mail at ruralres@senate.state.ny.us. ❖

Delaware River Water Trail Plan Out

After a four-year, collaborative effort to develop a water trail for the Delaware River, the Delaware River Greenway Partnership (DRGP) has completed phase one of the project with the release of a draft concept plan.

The water trail consists of the freshwater segment of the river extending from Hancock, NY to Trenton, NJ/Morrisville, PA, a distance of 220 miles.

The concept plan - which may be reviewed at www.drqp.org - incorporates strategies for additional or improved river access, overnight accommodations, safety for paddlers, signage needs, marketing tools, and web site development, geared toward the benefit of boaters.

DRGP has also published the first water trail guide for the Delaware River. It presents an overview map with major public access points, key natural and historic sites and towns, tips on water safety, and other useful information. Waterproof recreation maps are being produced by the Delaware River Basin Commission.

Phase one of the water trail project was funded by grants through the Pennsylvania Department of Conservation and Natural Resources and the National Park Service. In Phase 2, DRGP will pursue additional grants to enable the implementation of the concept plan's recommendations. ❖

Senator Supports River Towns and Rt. 97 Scenic Byway Visitor Center

New York State Senator John J. Bonacic (R-42nd District) demonstrated his ongoing support of the river valley by announcing on October 24 that he has secured \$525,000 from the FY 2006-07 State budget to fund projects in the Upper Delaware Council's eight New York member towns.

The largest individual share - \$250,000 - is earmarked for construction of the proposed Upper Delaware Scenic Byway Visitor Center in Cochection.

The funding also includes \$50,000 to the Upper Delaware Scenic Byway, Inc. for promotion and improvements along the Route 97 highway corridor.

The Towns of Hancock, Fremont, Cochection, Tusten, Highland, Lumberland and Deepark will each receive \$25,000 in supplemental community aid.

The Town of Delaware opted to direct a \$50,000 grant to the Delaware Youth Center, to help re-build the facility following the devastating June 2006 flood.

The announcements made at three press conferences throughout the 42nd District on Oct. 24 represented the seventh consecutive year that the senator has secured significant state aid for river valley communities and projects.

"This latest round of grants is certainly appreciated. He has directed more state aid to the Delaware River corridor than any other senator," said Town of Cochection Supervisor Sal Indelicato.

The senator said that those priorities are very deliberate on his part.

"For too long, the vast majority of funding in the State budget for things like parks and tourism was being directed north to the Adirondacks. This area was getting short-changed. We are finally getting our fair share," he said.

Investing now in the river valley will pay off in the future, he believes.

"This is a gem we want to take care of and assure that it grows intelligently, so that we may preserve this river corridor for generations," Bonacic said.

Larry H. Richardson, chairperson of Upper Delaware Scenic Byway, Inc. and treasurer of the Cochection Preservation Society (CPS), was delighted with the \$250,000 pledge for the visitor center.

It will allow the byway committee to jump start the capital project for which Congressman Maurice Hinchey (D-NY) had also secured a \$600,000 earmark in the 2005 Federal Transportation Bill. The County of Sullivan is serving as local project sponsor to administer the funding.

The facility is slated to be built on a five-



VALLEY BOOSTER: NYS Senator John J. Bonacic, left, announced a \$475,000 funding initiative for river corridor projects in Sullivan County during an Oct. 24 press conference held at the Cochection Erie Depot site, the future home of the Upper Delaware Scenic Byway Visitor Center. At right is Town of Cochection Supervisor Sal Indelicato. (UDC Photo by Laurie Ramie)

acre parcel along Route 97 owned by CPS. It will complement the 1850s Erie Depot station that CPS volunteers saved from demolition in 1992, moved, and restored.

"We're very proud of this location. The Upper Delaware Scenic Byway plan identified this as the best place for a visitor center," Richardson said.

Planners are seeking to construct an architecturally innovative and environmentally "green" building that will be sensitive to the site's historic integrity. Interior space will be included for visitor information, reservations planning, public restrooms, exhibits, a classroom, theater, and offices.

The Upper Delaware Scenic Byway was designated in 2002 as a component of the New York State Scenic Byways System based on legislation co-sponsored by Senator Bonacic.

"The Delaware River is a special place. If you doubt it, come stand along a bridge and watch for an eagle. The Delaware is tops in our region for natural beauty. Telling the world about its heritage and making it more tourism-friendly with resources like the Visitor Center are important to me. I know this will help boost tourism, and thus jobs, in the river valley," Bonacic said. ❖

BRIDGES, continued from Page 1

Fahs-Rolston Paving Corp. of Binghamton is \$120,000.

The debate over the bridge's future continues with the formulation of a PA response to a NYS Historic Preservation Office letter objecting to the replacement option. If no resolution is reached between the states, the matter may be turned over to the National Advisory Council on Historic Preservation for arbitration.

Barryville-Shohola Bridge

Bids were let for replacement of the Barryville-Shohola Bridge in December of 2003 and site preparation work by Fahs-Rolston began in February 2004.

Despite complications caused by three floods and the contractor's request to modify the original design, PennDOT District 4-0 Assistant Executive for Construction Richard Cochrane said that the project remains on track for expected completion by June 2007.

Traffic was redirected to the evolving bridge as of Oct. 23 to allow demolition of the old structure to begin, a necessary action to clear the way for additional work.

The new bridge, built slightly upstream, wider, and longer than its 1941 predecessor, will feature four spans with weathered brown steel beams, architectural faux stone treatment on the piers and abutments, sidewalk balconies with interpretive signage, and ornate pedestrian railings.

The final cost is expected to be about \$9.5 million. Preliminary engineering work and a required archeological study done at the site starting in 1996 cost \$2 million.

Kellams-Stalker Bridge

Good news came for those inconvenienced by the June 27, 2006 emergency closure of the Kellams, NY-Stalker, PA Bridge, which reopened sooner than expected on Oct. 13.

The DOT was forced to cordon off the crossing that links the Town of Fremont and Manchester Township after discovering that flood damage had rotated the cables of the 1890 suspension bridge by 15 degrees, undermining the supports.

While the original goal was to work on a repair scheme over this winter and then bid out the job, NYS DOT Region 9 Public Information Officer Dave Hamburg reports that time was saved when in-house staff developed and implemented their own repair procedures.

Work began on Oct. 3 and involved no disturbance to the river due to the use of a customized scaffolding system.

"The Region 9 bridge crew did a fantastic job. They worked 10-hour days until the project was finished. The work that was done actually improved the structural integrity and strength of the bridge," Hamburg said. ❖

Before the Next Flood: What Your Community Can Do

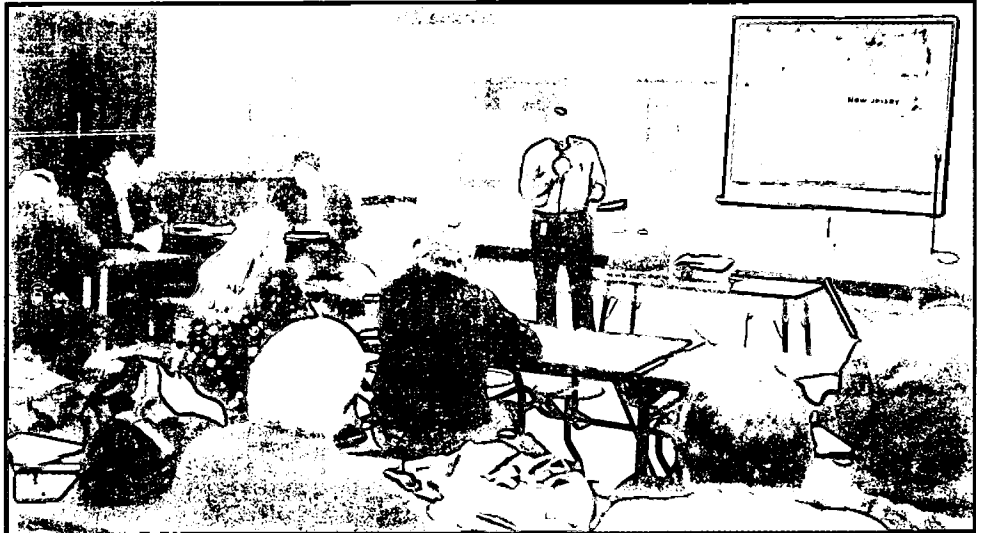
As intense rainfall deluged Hancock on Nov. 16, Town Supervisor Sam Rowe dryly told attendees at the "Before the Next Flood: What Your Community Can Do" workshop, "I think we've got about 20 minutes to come up with a plan."

The Visioning Committee of the Upper Delaware River Corridor sponsored two such workshops, one in Matamoras Nov. 15 and the next night in Hancock, where flash flooding from a localized storm led to temporary road closures around the area.

The bi-state sessions funded by the First National Bank of Jeffersonville brought together representatives from the Federal Emergency Management Agency (FEMA), U.S. Army Corps of Engineers, National Flood Insurance Program, Delaware River Basin Commission (DRBC), and county planning departments, to discuss steps that can be taken to help avoid or lessen the damage of floods.

The Delaware River experienced three major floods in 22 months, breaking a 50-year historical precedent.

"We've always been the drought river and the Susquehanna has been the flood



TECHNICAL ASSISTANCE: Kerry Wilson of the Pennsylvania Department of Community and Economic Development offered tips gleaned from his service as the State Coordinator of the National Flood Insurance Program to participants at the Visioning Committee's Nov. 15 flood workshop held at the Delaware Valley High School in Matamoras. (UDC Photo by David B. Soete)

river. We've learned otherwise these last three storms," noted DRBC Executive Director Carol Collier.

"The issues differ depending on where

you are in the river basin. There's not one answer for everybody. Even better reservoir management is not a silver bullet," she said, adding that hazard mitigation planning and an examination of flood plain ordinances are necessities for municipalities.

"The name of the game is to build right and to build high," offered Therese Grubb of FEMA.

In an initiative directed by the governors of the States of New York, Pennsylvania, New Jersey, and Delaware, the DRBC was authorized to form an interstate task force with the mission of developing a set of measures for alleviating and mitigating flooding impacts along the Delaware River and its tributaries.

The 30-member group held its first meeting on October 25 and was preparing to accept public input on its draft preliminary recommendations report in early 2007.

The states also collectively pledged \$500,000 to enable the DRBC to develop a Flood Analysis Model which will evaluate the feasibility of various operating alternatives for the basin's 15 reservoirs.

New York City agreed to an interim reservoir release regime. (See sidebar article).

In the meantime, the Philadelphia District of the U.S. Army Corps of Engineers continues work on its \$1 million federal study into the multi-jurisdictional use and management of water resources for the Delaware River Basin (DRB).

Updates on the progress of the DRB's Interstate Flood Mitigation Task Force may be found on-line at www.drbc.net. ❖

NYC Agrees to Reservoir Releases

The New York City Department of Environmental Protection (DEP) implemented a new release program on September 27 designed to allow its Delaware River reservoirs to hold more water during severe weather events, thereby lessening potential flood risk.

New York City makes releases when needed, as directed by the Delaware River Master, in order to maintain river levels downstream and to provide for fishery habitats. Under the agreement approved by all four basin states, downstream releases may be increased to over 20 times normal when the total storage of the Cannonsville, Pepacton and Neversink reservoirs exceeds 80% of capacity.

NYC DEP Commissioner Emily Lloyd said, "This agreement attempts to balance the various interests of areas downstream with the millions of people who rely on the Delaware River for drinking water, transportation and commerce. This new release program will be most effective when paired with prudent planning by the downstream communities, such as steps to improve flood preparedness and a close examination of the uses of the downstream flood plain."

The program will be in place until May 31, 2007, at which time New York City expects to announce a more comprehensive program of adaptive reservoir management.

Historically, releases have been made simply to meet flow targets at certain points in the river downstream. An adaptive program will take numerous additional factors into account, including ground saturation, long-term weather forecasts, and runoff into the reservoirs.

Lloyd credited Congressman John Sweeney, Delaware County Board of Supervisors Chairman Jim Eisel, and Colchester Town Supervisor Robert Homovich for working closely with her agency and New York State to help develop the new release program.

In a Sept. 1 reply to correspondence sent by the Upper Delaware Council, NYC DEP Acting Deputy Commissioner of the Bureau of Water Supply, David Warne, addressed the Council's flood mitigation inquiries pertaining to releases, dedicated voids, and raising the levels of the spillways at the Cannonsville and Pepacton Reservoirs.

Regarding voids, Warne pointed out that the goal of NYC reservoir operations is for them to be full as of June 1 to ensure an uninterrupted supply of drinking water. The spillways issue "is currently being investigated and is planned to be addressed during the major rehabilitation contract of these reservoirs scheduled to begin in 2012," he wrote. ❖

UDC Highlights Quarterly Activities

Upper Delaware Council (UDC) activities from mid-September to press time in mid-December 2006, not covered elsewhere in this issue, included:

FUNDING NEEDS

The UDC has requested consideration of inserting line items in the New York State and Pennsylvania Fiscal Year 2007 budgets to honor the 1986 Upper Delaware Scenic and Recreational River Management Plan's outline for each state to contribute \$100,000 annually.

Since 1988, the Council has operated with no direct state aid and the same \$300,000 annual federal appropriation administered through the National Park Service's Upper Delaware Scenic and Recreational River unit.

Auditors reviewing the FY 2006 books recently predicted that the UDC's cash reserves will be depleted in 3-4 years without any new revenue source to offset exponentially increasing expenses.

Letters sent in November to the river valley's New York representatives and in early January to Pennsylvania lawmakers explained the financial hardship and offered an allocation plan for the \$100,000.

Each of the UDC's member municipalities submitted resolutions in support of the funding requests.

MANDATORY PFDs

The Pennsylvania Fish & Boat Commission (PFBC) has proposed a regulation change that would mandate that all persons on board boats less than 16 feet long, and in all canoes and kayaks, must wear Personal Flotation Devices (PFDs) from Oct. 1-May 31.

PFBC contends that a disproportionate number of boating fatalities occur during these cold water months, despite reduced river recreation in the off-season.

In a Nov. 2 comment letter, the UDC suggested "that more discussion with all stakeholders may be needed, together with more safety education of the general boating public, and that the issue of consistency with other state regulations on border waters be addressed."

CONSERVATION DESIGN

The UDC supported Shohola Township's innovative efforts to implement conservation design provisions through amendments of its land use ordinances.

"The basic principle of subdivision and land development in the Township will now base design on land capability, and encourage flexibility of design for subdivisions. New developments will be based on the existing resources, a site analysis plan, and a four-step design process. This will result in providing developers with a variety



HAWK'S NEST HISTORY: A new book, "Hawk's Nest: Newspaper History of the Road" was released at the end of November 2006 by the 1863 Schoolhouse Press. Compiled by Town of Deepark Historian Norma Schadt, the 150-page, soft-cover book is a collection of newspaper articles about the riverside Hawk's Nest section of New York State Route 97 in the Town of Deepark. Included are articles dating back to the mid-1800s which tell the story of the road's development from the time it was a single-lane dirt track, to its official completion on Aug. 30, 1939, to its 2002 dedication as an important feature of the Upper Delaware Scenic Byway. Many of the photos accompanying the articles have never appeared in print. The Hawk's Nest has been featured in national television commercials and on the cover of magazines. Thousands of visitors stop at the pull-offs to enjoy the view throughout the year, with each season exhibiting its own individual character and beauty. The Hawk's Nest book is available for a \$15 donation to the Upper Delaware Scenic Byway, Inc. Copies are available at the Deepark Town Hall and Town of Deepark Museum in Huguenot, the Upper Delaware Council or Delaware Valley Arts Alliance office in Narrowsburg, or by calling (845) 754-8070. The book project was made possible through state grants secured by Senator John J. Bonacic, and administered by the Upper Delaware Scenic Byway, Inc. and the Upper Delaware Council, Inc. (Contributed Photo by Orange County Tourism)

of options for subdivisions, and in some cases will even allow them to construct more homes than could be constructed under the old two-acre minimum lot size, but most importantly, will preserve the environment of the Township by protecting areas of open space within subdivisions," the UDC commented in a Nov. 2 letter directed to the Shohola Township Board of Supervisors, which passed the amendments following a Nov. 9 public hearing.

POWER LINE #2

Indications of a tentative proposal by PJM Interconnection, LLC to develop a high-voltage transmission line through an area that could include Pike and Wayne Counties, PA, came to light recently.

PJM has applied to the U.S. Department of Energy (DOE) to request a National

Interest Electric Transmission Corridor (NIETC) designation for a region it has defined as the "Delaware River Corridor."

This pathway, which includes portions of the states of Ohio, West Virginia, Pennsylvania and New Jersey, is proposed to enhance transmission capability for service to load centers in the eastern portions of PJM's mid-Atlantic area, principally the urban areas of Newark and other densely populated areas of northern New Jersey, and as a conduit for electricity exports to New York City and surrounding areas.

PJM urges designation of the Delaware corridor by 2014 "to ensure reliable delivery of economical sources of energy to the indicated eastern load centers", according to its DOE filing.

The UDC is monitoring the proposal. ❖

Violations Levelled in Derailment

The Federal Railroad Administration (FRA) has issued 13 violations against New York, Susquehanna & Western (NYS&W) Railroad Company based on its investigation into the October 13, 2005 derailment that occurred near Parker's Glen in Shohola Township, PA.

While a handling error was identified as the cause of the 127-car train's derailment, the report's sharpest rebuke was reserved for railroad personnel's alleged failure to identify seven cars' worth of hazardous materials and to quickly share that information with local emergency responders.

"The first and most serious failure is that of the train crew's lack of awareness of what hazardous materials they were transporting," reads the FRA investigator's memo dated Oct. 27, 2005. "The second failure is that of the NYS&W dispatch center that failed to transmit, by any means available, the train's hazardous material cars and where they should be located in a timely manner."

"This failure (over one hour) to provide immediate response documentation caused fire officials to declare precautionary evacuations, invoke mutual aid agreements, and recall a volunteer responder force that would have been made completely unnecessary had the NYS&W timely complied with the regulatory requirements ..." the report continued.

No hazardous materials were released and there were no injuries in the accident.

Shohola Township recently received a copy of the FRA's report in response to its Freedom of Information Act filing. NYS&W now has the opportunity to respond to and request a settlement of the FRA's recommended enforcement actions. ❖

In Memoriam: Lewis J. Schmalzle, 83

Upper Delaware Council (UDC) Town of Highland Representative Lewis J. Schmalzle died on October 31, 2006 at Bon Secours Community Hospital, Port Jervis, at the age of 83.

"Lew" was appointed to the UDC in 1994 after having worked with the Conference of Upper Delaware Townships in the late 1980s to craft the River Management Plan for the Upper Delaware Scenic and Recreational River.

He was elected twice, in 1996 and 2002, to chair the UDC board and served as secretary-treasurer in 2001.

During his tenure on the Council, Lew was an active member of all three monthly standing committees and nearly all of its subcommittees, including Personnel, Building, and the Government Officials Liaison Subcommittees. He earned the UDC's Volunteer Award in 1993, and the Oaken Gavel Award in 1997 and 2003.

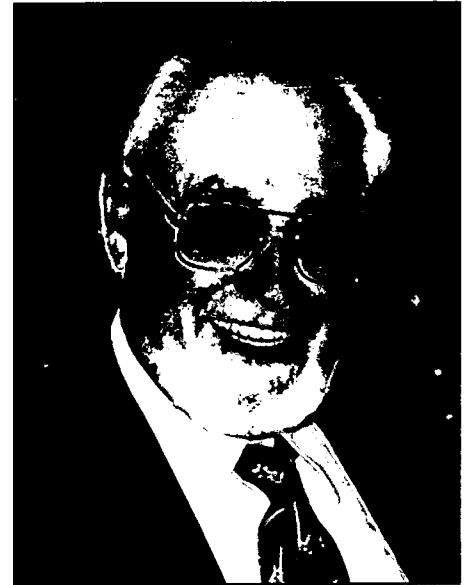
The son of the late J. Lewis and Sophie (Vogelbacher) Schmalzle, he was born Nov. 25, 1922 in Shohola, PA. He moved to Barryville, NY in 1947.

A veteran of World War II, Lew's jobs over the years included carpentry, highway construction work, poultry farming, insurance sales, and a long stint as a train engineer for the Erie-Lackawanna Railroad Company, based in Port Jervis.

Following his retirement from the railroad, Lew continued to work as property caretaker for the York Lake Association.

Lew was a member of the: Barryville United Methodist Church for 75 years; Port Jervis Lodge #328, Free and Accepted Masons, for over 60 years; River Valley Chapter #33 of the Order of the Eastern Star; Yulan Rod & Gun Club; and American Legion, Eldred.

Prior to serving on the UDC, Lew was a member and 10-year chairman of the Town of Highland Planning Board, as



Lew Schmalzle, Town of Highland

well as former secretary and treasurer for the United Transportation Union, Local 1200, Erie R.R. He loved to hunt, fish, travel, camp, and volunteer in his community.

Survivors include his beloved family, Clara (Vollmer) Schmalzle, his wife of nearly 60 years; two daughters, Sharon Barnes and her husband, Larry, of Gouldsboro Point, Maine, and Ginny Dudko and her husband, William, of Sparrowbush; one son, Donald and his wife, Cindy, of Ellenville; four grandchildren; and four great-grandchildren.

Funeral services were held November 3, 2006 at the Barryville United Methodist Church with Rev. Nancy Vonderhorst officiating. Arrangements were handled by the Knight-Auchmoody Funeral Home, Port Jervis.

Memorial donations may be made to the Barryville United Methodist Church or to the Eldred American Legion. ❖

New Subscribers and Address Changes Welcomed

If you have friends or colleagues who would be interested in receiving our free newsletter, we will be happy to add them to the mailing list. Please also advise us of any address changes to help update our records. Return this notice to the Upper Delaware Council, P.O. Box 192, Narrowsburg, NY 12764, call (845) 252-3022 or e-mail udcramie@hvc.rr.com.

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Eagles Thriving in the Upper Delaware

Though the number of wintering bald eagles observed along the Upper Delaware River in 2006 was down from the previous year, the majestic birds continue to thrive in the river valley.

The New York State Department of Environmental Conservation (DEC) participated for the 27th consecutive year in the National Mid-Winter Bald Eagle Survey and recently released its report.

Counts were conducted from Jan. 4-18, 2006 from the air and the ground. Approximately 100 survey routes were covered throughout the state by about 125 DEC staffers and public cooperaters.

State-wide, 442 bald eagles were tallied, including 252 adults and 190 immatures, with no distinction made between "resident" bald eagles and the wintering population. In 2005, 441 eagles were observed.

Along the main stem of the Delaware River, from Port Jervis to Hancock, 93 eagles (31 adults, 62 immatures) were recorded, compared to 114 observed in 2005. The reduction was solely in adult birds, of which there were 21 less found.

"Occupation of the Upper Delaware by bald eagles in winter is consistent, yet variable; availability of food and ice conditions obviously plays a role in this," states the report compiled by NYS DEC Endangered Species Unit Leader Peter Nye.

The 93-birds figure compares to the record year of 2000, when 145 eagles were counted, and a decade earlier with a total of just 30 in 1996.

Despite the 2006 decrease, the Upper Delaware River continues to host the highest number of wintering bald eagles of any other NYS region, including the Mongaup River, Hudson River, St. Lawrence River, Lake Champlain, and Allegheny River.

"On a landscape scale, these critical wintering habitats are highly specialized and



FOR THE NEST: On a foggy September morning on the Upper Delaware Scenic and Recreational River near Narrowsburg, this bald eagle attempted to feather his nest with a new twig but had trouble picking it up with either his talons or beak. The sound of an engine revving up caused the eagle to abort his home improvement project. (UDC Photo by David B. Soete)

few, requiring concerted attention and conservation by landowners and resource managers in order to ensure their availability into the future," Nye writes.

"Significant, dedicated set-asides of remaining Delaware River corridor habitats will be required to ensure perpetuation of sensitive wildlife and scenic beauty for the next generation," the report concludes.

In the Mongaup River System, 35 eagles (13 adults, 22 immatures) were observed, compared to 75 in 2005, down significantly due to the de-watering of the Swingin

g Bridge Reservoir.

To celebrate the birds' success, the Delaware Valley Eagle Alliance held the 6th Annual EagleFest in Narrowsburg on Jan. 13, 2007, with raptor demonstrations, guest lectures, Native American programs, guided viewing, exhibits, films, and art.

For information on EagleFest, call (845) 252-6509 or visit www.narrowsburg.org. To learn more about eagles in general, contact The Eagle Institute at (570) 685-5960 in PA, (845) 557-6162 in NY, or log on to www.eagleinstitute.org. ❖

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 for specific meeting dates and agendas.

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