

The Upper Delaware

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

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In This Issue...

This issue of *The Upper Delaware* celebrates a host of anniversaries. It's the 25th anniversary of the National Wild and Scenic Rivers Act, the 15th anniversary of the Upper Delaware's designation into the system of protected rivers established by that Act, and the fifth anniversary of the Council's operation! You'll find in this issue of *The Upper Delaware*:

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UDC News

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Most land along the Upper Delaware River is privately owned. Please don't litter or trespass.



Vice President Al Gore chuckles at actor Michael Keaton's antics at a conference celebrating the 25th anniversary of the National Wild and Scenic Rivers Act. The November conference was sponsored by American Rivers and a variety of federal and nonprofit organizations. Photo by Bill Douglass.

Fifteen Years of Flowing Free

Nobody knows the exact day that the Delaware River was born, when it first started cutting its present channel in its measured trot to the sea. But this past October did mark a birthday of sorts for the river, because fifteen years ago Congress declared that dams would not be built on the Upper Delaware, and that the river and its immediate environments will be protected for the benefit and enjoyment of present and future generations—forever.

The idea of keeping a river flowing free and damless was first tested early in this century, when the great conservationist John Muir fought to block construction of a dam to flood California's Hetch-Hetchy valley. Old photographs show that the valley was as beautiful as the nearby Yosemite valley, maybe more so. Geologically, it was one of only three such places in the world

(including Yosemite). Muir lost the fight, the valley was drowned, and he died broken-hearted soon thereafter.

Fortunately, the most recent wave of river conservation has met with more success. It began as isolated fights against dam projects around the country. In the 1960s, a new awareness of ecology, a booming interest in river recreation, and a movement to protect fish and wildlife changed attitudes of citizens, politicians and agency officials. At a UDC dinner banquet some years back, Stewart Udall, Secretary of the Interior under the Kennedy and Johnson Administrations, described his change in thinking about rivers:

"We began by talking and arguing among ourselves, because we had a lot of people in our circle who knew a lot about dams. Dams were already built at

(Please see "Fifteen Years" on page 2...)

the best dam sites...Then as we talked we began saying, 'To have a balanced policy for this country for rivers, shouldn't we also decide what stretches of river should be left alone?' Out of that discussion came the Wild and Scenic Rivers bill, which my people had a big role in drafting. President Johnson presented it in his State of the Union message in 1965 to Congress."

Udall continued, "One of the key people in getting the legislation passed was John Saylor, a great favorite of mine. He was from Johnstown, Pennsylvania. The Chairman of the Interior Committee, my friend Wayne Aspinall, walked off the floor when President Johnson proposed the bill and said it was the craziest idea he'd ever heard of. He balked at it for years, but Saylor was a big, rough man and he said, 'Wayne, the country wants that bill, and you held it up for three years, and the country's getting impatient and I'm getting impatient.' Finally, the legislation moved out."

The Wild and Scenic Rivers Act (W&SRA) was passed October 2, 1968. It instantly designated eight rivers as components of the National Wild and Scenic Rivers System, and listed 27 more as study rivers for potential addition to the system. The Upper Delaware was one of those 27 study rivers.

A Decade of Debate

In 1969, in accordance with the W&SRA, an interagency task force was formed to study the river and determine its eligibility for inclusion in the system. This started a decade of study and debate. Public meetings were held in May, 1970, to explain the findings of the study. Local sentiment was against inclusion in the system.

Things were relatively quiet for a couple of years, until two public informational meetings were held to explain an informational brochure and a revised Upper Delaware study. The second of these was held at the Delaware Valley Central School near Callicoon where approximately 500 people attended. A local newspaper columnist wrote, "The Upper Delaware residents are really mad this time, and are organizing on both sides of the river." Soon after this

meeting local organizations known as river associations began to take shape. Local river associations formed in Equinunk-Lordville, Callicoon, Damascus, and other places. These groups carried a lot of power and began meeting with the Bureau of Outdoor Recreation and Department of Interior officials, as well as with their Congressmen. Many local citizens worked hard to ensure that whatever legislation was proposed would protect both the river and private property rights.

The next four years brought round after round of meetings, draft documents, and negotiations. Residents emphasized the need for local management and control, including zoning regulations, and expressed concern with the high levels of recreation use the study was projecting. Other major issues involved the corridor boundary and federal land acquisition. In May, 1977, President Carter included a proposal for designation of the Upper Delaware in his environmental message to Congress. The bill that ultimately passed Congress was introduced by Congressman McHugh and signed into law on November 10, 1978, by President Carter as part of PL 95-625, the National Parks and Recreation Act of 1978.

Unique Provisions

The legislation for management of the Upper Delaware is quite different than the provisions guiding management of most other components of the system. Most other system components are in National Forests, Parks or Wildlife Refuges where streamside lands are federally owned. But on the Upper Delaware, nearly all land is privately owned. (This is referred to as a private-land river.) The so-called "special statutory provisions" of the Upper Delaware legislation include: limiting federal land acquisition; authorizing the Secretary of Interior to provide technical assistance to the states and local governments; enabling the Secretary of Interior to provide financial assistance to aid in planning, local law enforcement, and the removal of solid waste from the river corridor; and adding several requirements to be met

(Please see "Fifteen Years" on page 8...)

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The Upper Delaware is the free quarterly publication of the Upper Delaware Council, a 501(c)(3) non-profit organization of member governments from New York and Pennsylvania directly affected by the management plan for the Upper Delaware Scenic and Recreational River. Contact the UDC for more information.

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River Valley Home To Historic Districts

What's your favorite image of an historic district? Savannah's wrought iron fences and gracious pastel houses? Cape May's colorful gingerbread-trimmed Victorians? The elegant brownstones of old New York? Cochecton's simple 19th century rural charm?

The special quality of the Upper Delaware's historic architecture may not be as famous as that of Savannah, Cape May, or New York City, but it has resulted in three nationally recognized historic districts: Damascus, Parsonage Road (Cochecton), and Milanville. Two more districts, at Equinunk and Lordville, await formal designation.

These districts have been recognized through a multiple property nomination—"Historic and Architectural Resources of the Upper Delaware Valley, New York, and Pennsylvania"—to the National Register of Historic Places.

Damascus Historic District draws historic significance from its association with the Newburgh-Cochecton-Great Bend Turnpike and the Delaware River

crossing associated with that important early highway. Its architecture includes some fine examples of classic and Victorian styles, including the Tuscan Villa style Luther Appley House, the Greek Revival Style Philip O'Reilly House, the Renaissance Revival Damascus Baptist Church, and the Greek Revival Methodist Church.

Parsonage Road Historic District, in Cochecton, is an unusually intact nineteenth century residential neighborhood. Its buildings range from the simple Federal styling of the B.T. Mitchell House (built around 1820) to the towered and shingled Queen Anne style of the William Appley House (circa 1900).

Milanville Historic District bears the marks of the timber, tanning, and wood distillation industries that once fueled the economy of the river valley. Highlights of its historic architecture include an Italianate Style schoolhouse, the tannery's company store, and the Gothic Revival home of a sawmill owner.

Not yet formally designated, Equinunk (PA) and Lordville (NY) are both believed to be eligible for National Register historic district status.

Heritage Alliance Sponsors

The Upper Delaware Heritage Alliance is the local sponsor of the National Register project which incorporates these historic districts. Staff support in the form of research, documentation, and technical assistance, is provided by National Park Service Cultural Resources Specialist Mary Curtis.

This kind of historic district designation in no way restricts property owners' use of their private property. However, it does limit inappropriate state and federal impacts. Designation is considered an important honor, sought by many but given to few, and it often inspires property owners to restore and maintain their homes in keeping with this historic status.

The Upper Delaware Council would like to thank Mary Curtis for contributing this article. ♣

MILANVILLE, Pa., from Skinners Falls, N. Y.



The Milanville Historic District circa 1900. The large building on the right is a tannery. Local hemlock trees were stripped of their bark, and tannin extracted. Many of the skins used in local tanneries were shipped from South America. Photo courtesy of Clarence and Margaret Poland.

Promises to Keep

Some people believe that when Congress makes law, it never thinks beyond the next election year. But it was clearly thinking about forever twenty five years ago, when it passed the National Wild and Scenic Rivers Act, stating:

"It is hereby declared to be the policy of the United States that certain selected rivers of the Nation...shall be preserved in their free-flowing condition, and that they and their immediate environments shall be protected for the benefit and enjoyment of present and future generations."

Since 1968 this law has been used to protect 152 rivers and 10,500 river miles from dams and overdevelopment. Be they creeks or bayous or rios or forks or rivers, the components of the National

Wild and Scenic Rivers System reflect the geographic diversity of our nation. Above the Arctic Circle, the mountain-ringed Noatak flows through one of the largest basins in America still untouched by man. In the Southwest, desert rivers like the Verde flow, linear oases, endless bolts of water-laced green cloth unfurling through slickrock canyons, past mesas, sagebrush, cacti. There are blackwater swamp rivers, cold northern river/lake systems, whitewater canyon-cutting torrents and lazy pastoral streams.

And the Upper Delaware Scenic and Recreational River rightfully belongs in this select company, with The One Hundred Fifty-Two. It is amazing that this place exists, almost a miracle, just hours from Midtown Manhattan, its headwaters connected to it through a pipe. The next time you are in New York, look at

The Reservoir in Central Park and know that the unexpectedly clear, beautiful water there, a surprise, where cormorants fish in the midst of noise and the millions, is mostly your water, from your river's headwaters, sent through the longest man-made tunnel in the world (105 miles long and 13.5 feet in diameter) to be held in that pond, then pushed through faucets and showerheads in brownstones and tenements.

With the Upper Delaware and the other Wild and Scenic Rivers, we've made a promise to our children: "We'll use these rivers for a while, but we won't ruin them. Their condition will not vary in time; while there may be development, it won't be enough to ruin the rivers' character, their essence. And one day these rivers and their names will be yours, kids, to take care of for a while." ♣ —KF

What's in a Name? (Part I)

The names of the rivers in the National Wild and Scenic Rivers System reflect our nation's complex cultural heritage. The names are a legacy of the original Americans, and of the European powers that subdued them and fought each other over the fabulous spoils of a continent. The names remain like cultural ghosts that live long after those who gave the names have left the rivers' waters and banks, vanished from the landscape. Through names, we remember the Native Americans who hunted and fished the Allagash and the Chattooga. The Voyagers' rivers flow cold through lush northern forests, the Au Sable, the Pere Marquette. The Spanish are still in the Southwest, in the Verde and the Rio Grande and the Pecos.

The story behind the Delaware River's name is a good example of how politics, conquest, settlement, and chance combine to give us a name on a map.

The Native Americans who lived along the river called themselves the Lenape, or ordinary (or original) folk,

and they called the Delaware River the Lenape Wihittuck, or river of the Lenape. Another Lenape name for the river was Kithanne, meaning "the main stream of the area."

The Europeans Arrive

Henry Hudson—surely the Dutch East India Company's "employee of the century"—passed up the chance to name the river, although he and the crew of the *Half Moon* were the first Europeans certain to have reached its mouth (on August 28, 1609). Later Dutch settlers near Delaware Bay called it the South River, in opposition to the North or Hudson River. Swedish settlers called it New Sweden River or Swede's River.

It was up to English Captain Samuel Argall to coin the name that stuck. In 1610 he and the crew of the *Discovery* sailed into Delaware Bay and called a point of land there Lawar in honor of Thomas West, Lord De La Warre, the first Governor of the Virginia Colony. Later, in a letter dated June, 1613 Argall referred to the bay as "De La Warre Bay."

England Wins

During the mid-1600s the Dutch, English and Swedes all called the river by different names. But by 1684 the English had subdued or politically absorbed the Dutch and Swedes, and the English name triumphed. By 1709 maps showed the river name in the shortened form, Delaware, possibly thanks to a transcription error.

Where does the element of chance come in here? As it turns out, Lord De La Warre was in Virginia for only one year beginning in 1610—which happened to be the year of Argall's visit to the Delaware. Had Argall's trip taken place a few months earlier or later, our river could well bear a different name.

So, our river is Lord De La Warre's namesake. But what type of a guy was he? Well, he was ill during most of his stay in the colonies and likely never saw the river that was named after him. But he kept the Jamestown Colony from disintegrating during a severe crisis.

(Please see "Name" on page 8...)



Three photos showing the diversity of America's rivers. Top left, Rainbow Falls on the Horsepasture River in North Carolina, an Appalachian stream protected as Wild and Scenic (photo by The Charlotte Observer). Above, the South Fork of the Owyhee River, Idaho and Oregon, a desert canyon river protected by Wild and Scenic designation only in its Oregon reach (photo by Ron Vlaskamp). Left, the Nenana River, an Alaskan River outside of Denali National Park not protected by Wild and Scenic designation (photo by Tim Palmer). Many Alaskan rivers are threatened by mechanized placer mining. All photos provided courtesy of American Rivers.

UDC Awards Grants to Local Groups, Governments



Once again, the UDC has awarded grants to local governments to help them implement the River Management Plan. Says UDC Executive Director Bill Douglass, "This year's grants will help to protect the river, boost the local economy, and teach our kids about water conservation. Plus, they infuse cash into the towns and townships that receive them. Given the current state of the economy, that's very, very important. Sadly, four townships still don't participate in the Council and therefore aren't eligible for grants." [These townships are Berlin, Damascus, Buckingham and Manchester—Ed.]

This year's grant awards are worth \$25,000, bringing the award total to over \$300,000 over the past six years. Here's a summary of this year's awards:

- The Town of Delaware received two grants: a \$2,450 grant to update its zoning and master plan; and a \$7,600 grant to conduct a water conservation education program for the Delaware Valley Central School.

- Lackawaxen Township received \$2,750 to update its Comprehensive Plan.
- Westfall Township received \$2,250 to update its Comprehensive Plan.
- The Town of Cochection received \$1,100 to create a plan to guide the Cochection Preservation Society in the restoration and utilization of the Cochection Erie Railroad Station, and provide material to be used in applying for grants.

- Shohola Township received \$1,100 to prepare and print a map showing public roads, private developments, and points of interest in the township. This fills a need expressed by tourists, residents, and emergency service providers.

- The Town of Highland received \$4,800 to continue a training program for citizen-based water quality monitoring, and to expand Friends of the Upper Delaware projects. The training is conducted by the Audubon Society of New York.

- The Town of Lumberland received a \$2,950 grant to prepare a study of bicycling in the river corridor. The study will look at the feasibility, safety, difficulty, and appropriateness of various routes; examine public reaction to bicycling in the river corridor; and identify sources of funding for bicycle route markers and improvements. —KF

"This year's grants will help to protect the river, boost the local economy, and teach our kids about water conservation."

—Bill Douglass

Fine New Game Lands for the River

Its 2,746 acres includes the 46 acre spring-fed Cobey Pond, two miles of river frontage, a trout stream, 130 acres of wetlands and a variety of wildlife including bear, deer, turkey and grouse. It's the new Pennsylvania State Game Lands No. 316, dedicated July 11, 1993.

The story of how this gem of a game land came into being proves that, in life, anything is possible. Some years ago the land was purchased by Frederick "Rik" Luytjes who, it later turned out, was flying drugs from Colombia into the Scranton/Wilkes Barre Airport. The property was seized in 1990—along with a lot of other stuff Luytjes owned—under federal drug laws. Under a plea bargain agreement he got the land back on

the condition that he sell it to recoup court costs. The PA Game Commission wanted the land, but by 1992 its value



was \$3.75 million, more than it had to spend. So it struck a deal with the Lycoming Coal Company to permit mining on State Game Lands No. 75 in exchange for more than \$1,000,000. (The mining is being done in a way that will actually improve serious acid drainage problems at abandoned mines on the Lycoming County site.) Another \$1.6 million was provided by federal Pittman-Robertson Funds (derived from a tax on guns and ammo) and the balance by the Game Commission.

One hundred years from now, this story will just be part of our rich local lore, perhaps briefly remembered by a sportsman walking along Cobey Pond until a deer runs or a turkey flushes from behind some cover. —KF

UDC Conservation Update

Council Moves to Clean up Illegal Shack, Junk Yard

Certainly, the Council's had some big conservation triumphs, such as stopping a dam on Shohola Creek and blocking a plan to dump landfill runoff directly into the river. But many of the UDC's successes are small ones that add up to big protection for the river. Here are just a few such actions taken recently by the Council.

The UDC reviewed and commented on drafts of Lackawaxen Township's Zoning Ordinance. Changes made at the UDC's request will better protect the river and ensure a positive substantial conformance recommendation from the UDC.

The UDC notified Conrail of an illegal shack located on its property by the river in Hancock. Conrail is taking action to have it removed. The UDC also asked Conrail to look into a junkyard located on its property in Callicoon.

Orange County is considering two sites near the river corridor for the location of a new landfill. The Council opposed locating a landfill at these sites, pointing out that it was prohibited by the River Management Plan and Deerpark's zoning laws. Speaking of Deerpark, the UDC commented on proposed zoning changes to ensure that the town remains in substantial conformance with the River Management Plan and the Land and Water Use Guidelines.

The UDC supported New York Department of Environmental Conservation's proposal for augmented conservation releases from the Pepacton and Neversink Reservoirs. These releases were later unanimously approved by the Delaware River Basin Commission and the 1954 Supreme Court Decree parties. The releases would be tried on an experimental basis during 1993-1996.

The UDC reviewed and supported Orange and Rockland Utility's plans to construct a park on lands they own near the Mongaup River. The theme of the park will be the Delaware and Hudson canal.

UDC Responds to Proposed Water Regulations

The Council recently reviewed and commented on the Delaware River Basin Commission's proposed non-point source pollution regulations which would apply to the entire Delaware River watershed above the Delaware Water Gap (excluding the NYC Reservoirs). While the UDC strongly supports the control of non-point source pollution to maintain the existing high water quality, the Council recommended to the DRBC that state, county or local programs be deferred to whenever possible to achieve the desired goal of no change in water quality in designated Special Protection Waters. This would avoid duplication of existing laws and regulations.

Furthermore, the Council asked that towns and townships that have adopted and are properly enforcing land use regulations that are in substantial conformance with the river plan and guidelines be exempted from DRBC requirements to submit non-point source pollution control plans for approval. This is because towns that are in substantial conformance already protect water quality. In fact, the Pennsylvania DER has patterned its non-point source management practices in their Special Protection Implementation Handbook after the UDC's own recommended practices, as illustrated in the *Design Handbook for the Upper Delaware Scenic and Recreational River* (1990). —DS

-----*(Please Cut or Tear Along Dotted Line)*-----

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("Fifteen Years," continued from page two)

by the River Management Plan, such as writing it in cooperation with local governments and other agencies, analyzing economic and environmental costs and benefits, and requiring a program for coordinated administration of the plan.

Getting Back to the Grass Roots

In a broad context, the legislation sets forth a management strategy much closer to that originally envisioned by the W&SRA. The W&SRA designed the program to have minimal reliance on acquisition and facilities development, and to establish viable working relationships with state and local governments. In his 1993 book, *The Wild and Scenic Rivers of America*, author Tim Palmer refers to the Upper Delaware as "the benchmark case" of private-land rivers. "Lessons of the Delaware were to establish partnerships of local, state, and federal agencies early in the process; to involve people fully; and to write a management plan before trouble arises, even before designation. 'We learned about bottom-up planning the hard way,' said Glenn Eugster. [Who was Director of the NPS Mid-Atlantic planning office and federal representative to numerous citizens committees.—Ed.] Government planners had once regarded 'public participation' as a matter of holding a series of meetings and talking with local officials;

now they realize that formal committees, citizen involvement in management decisions, and years of effort are required, and that the agency staff involved must have the right attitude."

Celebrate

When you stop and think about it, what this legislation has done here is to allow the people who live on and near this great river to continue to keep their land, run their businesses, and protect the river themselves through local controls and oversight of land use and water quality—just as generations before them have done. The difference is that now the Upper Delaware River has national recognition, and federal money is coming in to assist with law enforcement, trash removal, and for planning and technical assistance.

What happened next was the writing of the river management plan required by the Upper Delaware legislation, but that's another decade's worth of studies and meetings and even more debate. Maybe we'd best put that off for another issue of the newsletter! For now, let's just celebrate the fifteenth anniversary of the creation of the Upper Delaware Scenic and Recreational River.

This article was written by Bill Douglass, UDC Executive Director. ✦

("Name," continued from page four)

Though he left Virginia early in 1611 and never returned, he retained the Governor's title until his death in 1618.

What's in a Name? (Part II)

As this newsletter goes to press, we have learned of another interesting (though unconventional) theory on the origin of the Delaware River's name. In the 1950s a Lenape Indian language expert, a Professor C.A. Philhower whose papers now reside at Rutgers University, put forth the following alternative theory.

According to Philhower, a party of Lenape Indians were met by a party of Dutch near present day Trenton, New Jersey.

The Dutch asked the Indians who they were, and they replied *L Lenapi* or "ordinary (or original) folk." Not understanding the answer, the Dutch asked the question again, and received the more emphatic response *N Del-owe L Lenape*, or "I say to you that we are the original folk." Again misunderstanding the response, the Dutch reported to Lord De La Warre that his fame in the new world preceded him, and that a great river bore his name.

This article was written by Keith Fletcher. The Upper Delaware Council thanks Mary Curtis, George Fluhr, and the Minisink Valley Historical Society for the help they provided for this article. ✦

The UDC meets on the first Thursday of every month at 7:30 pm in the Tusten Town Hall in Narrowsburg, NY. Committees meet on the third and fourth Tuesdays of every month at the UDC office on Bridge Street, across from the Town Hall. Call the UDC at (914) 252-3022 for further information.

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