

**Upper Delaware Council  
Five-Year Operating Program  
for  
October 1st, 2020 to September 30th, 2025  
(Federal Fiscal Years 2021 – 2025)**



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# UDC FY 2021-2025 Operating Program

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## Executive Summary

The mission of the Upper Delaware Council is to conserve, enhance and promote the Delaware River corridor's natural and cultural resources and social and economic vitality, by fostering cooperation among public and private partners, to implement the River Management Plan<sup>1</sup>.

The UDC has identified 'Areas of Focus' for the FY 2021-2025 Five-Year Operating Program by way of strategic analysis through public surveying:

- Viability of the Council as a non-profit organization
- Communication infrastructure
- Economic development
- Maintaining quality of the resource
- Education and outreach
- River access and recreational opportunities
- Optimizing the UDC's working relationship with the National Park Service
- Responding to changing demographics in the region

The UDC has identified the following objectives to address these challenges:

### Operations Committee

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#### ❖ Public Affairs

- Foster public recognition and encourage the National Park Service, tourism associations, and other agencies active in the valley to assist in this endeavor.
- Work jointly with the NPS to develop presentations and programming around sustainability and environmental science for use in schools. Partner with groups like Leadership Sullivan to maximize efficacy.

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<sup>1</sup> This UDC Mission Statement was developed and approved per overwhelming consensus in the 10/3/20 UDC Strategic Planning Workshop. Subsequent to the Workshop there was significant interest expressed in the following alternative, via email comments: "The mission of the Upper Delaware Council is to advance the policies set forth in the River Management Plan cooperatively with its private and public partners. Its objective is to conserve, enhance and promote the corridor's natural and cultural resources, and expand its economic vitality."

- Pursue University funding for the creation of educational videos which demonstrate the history and value of the UDC & NPS. Work with the NPS to produce and distribute these videos.
- Establish & hold recurring UDC Community Roundtables to engage the community in ongoing discussions.
- Consider reinstituting a Friends support organization for volunteer advocacy outreach and event organization.
- Provide orientation to the Land and Water Use Guidelines through the newly-formatted Project Review Workbook & Instructional Video (pending release).
- Take UDC Meetings 'On the Road' to different town/ships; Identify and form relationships with venues that may be good candidates for hosting.
- Continue publication, mail distribution, and on-line posting of the newsletter, *The Upper Delaware*, currently published three times a year (Spring, Summer, and Fall/Winter) as a forum for river valley features, profiles, news, and UDC activities.
- Update the UDC Visitor Information Map and Guide for wide distribution.
- Expand the mail program database of property owners to receive *The Upper Delaware* quarterly newsletter as an educational publication of the Upper Delaware Council.
- Empower staff to develop and execute social media and marketing on the UDC's behalf, to promote the value of the organization.
- Build a presence on Instagram, Facebook, LinkedIn, Youtube, and Vimeo; Consider hiring a consultant to assist in strategy development.
- Track media engagement through analytics: Facebook, Instagram, UDC Website, and newsletter.

#### ❖ **Administrative Services**

- Issue advance notices for all publicly held UDC meetings to encourage community involvement.
- Encourage the NPS to meet with all town/ships.
- Establish a task force to develop a formal Succession Plan, which outlines current roles, future positions, and strategies that will bring visibility to the UDC as a desirable place to work.

#### ❖ **Fundraising**

- Request line-item appropriations in the State of New York and Commonwealth of Pennsylvania budgets to meet the 40% cost-share ratio for UDC operational aid outlined in the River Management Plan (annually).

- Provide a cost-benefit analysis of the UDC's services to its members to use as a justification statement for the request of state funding contributions from New York and Pennsylvania. Solicit resolutions of support from member towns and townships.
- Follow up on UDC's outline to the National Park Service to restore prior staffing levels to four full-time positions, conduct a wage comparisons study to adjust salaries for the three current positions, and include an automated Cost of Living Adjustment (COLA), through modification of the new Cooperative Agreement of FY 2021-2025.
- Commission a long-term UDC Business Plan to guide the UDC's fiscal operations and diversify funding sources; Contract with a firm to examine the UDC's long-term financial sustainability under present scenarios, and offer recommendations for options to potentially save on expenses, increase revenue, and pursue viable outside funding sources. Collate and extrapolate from the economic studies that have been done involving the Upper Delaware.
- Develop a List of Projects / Studies and associated budget numbers that the UDC plans to undertake when funds become available. Include consideration of the studies on page 28-29.
- Establish a Task Force to explore alternatives to current federal funding mechanism.
- Develop a list of projects that UPDE and UDC could pursue jointly and seek to finance through competitive federal funding programs or with any end-of-fiscal-year surpluses.
- Develop a list of potential funding sources that are not in direct competition with the National Park Service.
- Explore alternative funding sources: congressional funding, a membership-based fee structure, and resource-monetization.
- Offer grants to member municipalities for "bricks and mortar" projects. This would be similar to the popular Technical Assistance Grants now offered but would fulfill an identified need expressed by local municipalities to be able to do small construction projects.

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### Project Review Committee

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#### ❖ Substantial Conformance

- Retain an outside consulting firm to conduct and document substantial conformance review as needed.
- Review the Land and Water Use Guidelines and work with NPS to define "substantial conformance" standards more clearly.

### ❖ **Project Review**

- Implement training for the use and applicability of Project Review Workbook Version 2.0

### ❖ **Technical Assistance Projects**

- Work with the National Park Service to seek means of expanding funds available, and amount and scope of the UDC's Technical Assistance Grants program (i.e. cultural historic protection, and communication infrastructure).

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## **Water Use/Resource Management Committee**

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### ❖ **Recreation**

- Pursue funding to conduct a Recreational Use Study to better understand current and future recreational use patterns.
- Encourage the National Park Service to conduct landowner surveys to assess recreational use patterns.
- Work with the National Park Service, New York and Pennsylvania Departments of Transportation, and other entities, as requested, to develop new public accesses, river rest stops, and fishing accesses where appropriate.
- Continue to support active river access projects like the Callicoon Riverside Park, and the Highland River Access facility improvements through the Local Waterfront Revitalization Committee.
- Encourage the New York State Department of Environmental Conservation to grant public access to Upper Delaware islands through ownership agreements or conservation easements if these properties are acquired.
- Actively publicize beautification efforts in the river valley to promote scenic values.
- Purchase "Life Jackets Save Lives" yard signs and stakes for a river safety campaign.
- Purchase new life vests for NPS Upper Delaware Scenic and Recreational River loaner stations.
- Accompany all plans to increase recreational use with ongoing plans for maintenance, trash collection, and enforcement, to mitigate negative impacts.

- Develop itineraries for the Upper Delaware Scenic and Recreational River Valley for the National Geographic MapGuide ([www.ScenicWildDelawareRiver.com](http://www.ScenicWildDelawareRiver.com)).

#### ❖ **Natural and Cultural Resources**

- Advocate for an updated Land Use Pattern Study (originally included in the RMP).
- Use GIS mapping to better understand the past, present, and future evolution of the river corridor.
- Work with law enforcement (through NPS and Town of Deepark) to remediate Hawk's Nest violations.
- Organize and execute Upper Delaware Litter Sweep, scheduled for April 2021.
- Explore working partnership with Upper Delaware Scenic Byway and the New York State Department of Transportation to conduct graffiti cleanups and otherwise.
- Take an active role in efforts to control aquatic, plant, and insect invasive species.

#### ❖ **Economic Development and Tourism**

- Establish a Task Force focused on the improvement of regional communication infrastructure—cellular and broadband for commerce, convenience, and emergency services.
  - Research and revisit existing regulations related to communication and infrastructure.
  - Work in tandem with river valley counties and learn from their successes (i.e. Wayne and Sullivan)
  - Pursue funding and outside grants to conduct a survey of existing service areas & hire a consultant to develop a plan which fills in service gaps without necessarily building cell towers within the corridor.
- Pursue funding (from NPS or otherwise) to conduct an Economic Study to help create a roadmap for economic growth.
- Advocate for new river access points and public facilities in the river corridor as appropriate, and in accordance with spacing and capacity guidelines.



## Five-Year Operating Program

Fiscal Year 2021-2025 presents a unique set of philosophical and operational contexts and challenges, many of which could not have been foreseen by the River Management Plan's (RMP) authors when it was finalized in 1986, or the Upper Delaware Council Inc. (UDC) when it was established in 1988. With the UDC in its third decade of operation, the development of this Five-Year Operating Program represents a critical moment of reflection and careful strategic planning to enable the successful execution of the Upper Delaware Council's mission: To conserve, enhance and promote the Upper Delaware River corridor's natural and cultural resources and social and economic vitality, by fostering cooperation among public and private partners, to implement the River Management Plan.

The UDC's fundamental responsibility is to oversee the cooperative management of the Upper Delaware Scenic and Recreational River corridor and to assure substantial conformance with the Land and Water Use Guidelines. The River Management Plan, as approved by the Secretary of the Interior on September 29, 1987 under the authority of Section 704(c) of P.L. 95-625 National Parks and Recreation Act, as amended, and P.L. 90-542, as amended, describes how existing local and state laws and authorities will be used to protect the values of the Upper Delaware. It stipulates the agreement between all levels of government to carry out the enabling legislation, while also outlining planning goals and objectives, and assigning management responsibilities.

This five-year program offers an effective way for the UDC to maintain direction as it carries out its duties under the River Management Plan and its Cooperative Agreement with the U.S. Department of the Interior, National Park Service (NPS), while offering a long-range vision to inform and guide the Council's policies in an evolving context. The 'Committee Tasks' outlined in this document for each of the Council's three standing committees – Operations, Project Review, and Water Use/Resource Management – detail ongoing and new initiatives substantiated to carry out the fundamental mission, goals and responsibilities of the UDC, while also addressing the 'Areas of Focus' that have been identified for FY 2021-2025, specifically.

Contemporary challenges identified in this Five-Year Plan include inadequate regional communication infrastructure, lack of clarity on present economies and future economic development opportunities, maintaining the quality of the resource while optimizing river access and recreational opportunities, expanding the UDC's reach and reputation via increasingly important new platforms like social media, and response to increased interest in the area and changing demographics. Ongoing challenges that the UDC will address in this five-year period include optimizing the Council's working relationship with the National Park Service and securing adequate funding for the UDC to remain a viable organization for generations to come.

The 'Implementation' section of this Operating Program outlines the actions and initiatives the UDC intends to take in FY 2021-2025 to address these priority issues while continuing to successfully manage and oversee effective implementation of the River Management Plan of 1986.

# Mission, Goals, Function

## Mission

The mission of the Upper Delaware Council is to conserve, enhance and promote the Delaware River corridor's natural and cultural resources and social and economic vitality, by fostering cooperation among public and private partners, to implement the River Management Plan.<sup>2</sup>

This must be carried out in a manner consistent with the River Management Plan, the Upper Delaware enabling legislation, and the Wild and Scenic Rivers Act. The Council is the driving force behind the River Management Plan: it must maintain an active presence in the river valley; and it must be the primary entity through which local, state, and federal agencies resolve their differences and agree upon joint actions affecting the river valley.

## Goals

The River Management Plan establishes the following goals:

### Operational Goals:

- ◆ Foster a public recognition of the Upper Delaware River Valley as a place with its own identity, continuing history, and a destiny to be shaped by its residents
- ◆ Encourage maximum local government official, private landowner, private group, and citizen involvement in the management of the Upper Delaware
- ◆ Provide for the effective and continued operation of the Upper Delaware Council as a community-based non-profit organization working in close contact with its members and the property owners of and visitors to the river valley

### Project Review Goals:

- ◆ Conserve the resources of the Upper Delaware primarily through the use of existing local and state land use controls and voluntary private landowner actions consistent with local land use ordinances

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- ◆ Protect private property rights, and allow for the use and enjoyment of the river corridor by both year-round and seasonal residents
- ◆ Provide for planned growth, consistent with local ordinances, to ensure optimum use of existing public services, while maintaining and conserving the essential character of the river valley

#### **Water Use / Resource Management Goals:**

- ◆ Protect and enhance the Upper Delaware River's outstanding values: its free-flowing nature, excellent water quality, and aquatic ecosystem
- ◆ Protect and maintain the unique scenic, cultural, and natural qualities of the Upper Delaware River corridor, including its rare and endangered plant and animal species and rare natural habitats
- ◆ Provide for the continued public use and enjoyment of a full range of recreational activities, as is compatible with the other goals
- ◆ Maintain and improve fisheries and wildlife habitat to ensure the continued public enjoyment of hunting, fishing, and trapping, consistent with state laws

### **Function**

Since the UDC's role is to oversee the implementation of the River Management Plan (RMP), it would naturally follow that the goals contained in the RMP would become the primary goals of the UDC.

The RMP assigns the following management functions to the Upper Delaware Council:

1. Coordinate the management of the river and the river corridor with the responsible agencies; use its powers as a forum to secure enforcement of existing laws and ordinances which affect the resources of the river and the river corridor; and serve as an intermediary in resolving landowner concerns, management issues, and conflicts.
2. By contract to the Secretary, review relevant local plans, laws, and ordinances and for monitoring the enforcement of these ordinances by the towns and townships and to so advise the Secretary as to its reviews and recommendations; in conjunction with this function, the Council may request the Secretary's approval of a cooperative agreement under which the Department of the Interior would provide professional services to the Council, as may be necessary for the Council's review and monitoring activities.
3. Serve as an intermediary minimizing the need for the use of full fee title acquisition by any governmental agency, by seeking the advice of the affected town or township, and others as appropriate; and by making recommendations to the affected property owner,

the agency proposing such purchase, and others, to explore and utilize other feasible alternatives to such purchase.

4. Oversee plan implementation through the review of town and township relevant plans, laws, and ordinances for their consistency with the Land and Water Use Guidelines, the Wild and Scenic Rivers Act and the Special Provisions for the Upper Delaware, and make recommendations regarding town and township compliance, noncompliance, or compliance with recommended modifications.
5. Review proposed town or agency actions affecting the river and river corridor for their consistency with P.L. 95-625 and the management plan.
6. Make recommendations to individuals, the towns and townships, states, the Secretary, the Delaware River Basin Commission, and appropriate others, regarding proposed actions which may affect the designated river corridor.
7. Make recommendations to the National Park Service concerning contracting for law enforcement, trash removal, or other purposes required to implement the plan.
8. The Council may review and make recommendations on the annual work program for the preservation of natural, cultural, and archeological resources. The program will be submitted to the Council for implementation primarily by the National Park Service. All such annual programs will be consistent with this Plan and the Guidelines. The Council may also make recommendations concerning funding through existing federal and state programs for preservation, research, or establishment of a museum.
9. The Council will guide and make recommendations on the annual work program for river recreation management. This program, to be carried out primarily by the National Park Service with the guidance and recommendations of the Council, includes the licensing of commercial livery operations and all other water use management activities described in the Water Use Program. However, management of hunting, fishing, trapping, and the use of eel weirs will continue under existing state and federal laws. This program must be consistent with the River Management Plan. The work program will be submitted annually to the Council.
10. The Council may, upon request, provide technical river-related assistance to the towns and townships, landowners, and others as appropriate; assistance may include, but need not be limited to, financial aid, legal aid, planning, and advisory services.
11. Review projects, and encourage intergovernmental review of projects, that would have an impact on the river corridor requiring review under the New York State Environmental Quality Review Act or requiring federal environmental review under the National Environmental Policy Act.
12. Make recommendations to federal and state agencies that own or lease lands that are either within, adjacent, or contiguous to the river corridor, concerning the management of such lands in a manner consistent with this plan; such recommendations shall be consistent with the views of the town or township within which such lands are located.

13. Actions as necessary to assure the continued operation of the Citizens Advisory Council after its scheduled date of termination in 1989.
14. Undertake other functions, consistent with applicable state and federal regulations, as may be agreed upon by the members.

The UDC is a party to FY 2021-2025 Cooperative Agreement with the National Park Service, under which the UDC is also responsible for the following tasks:

1. The UDC shall carry out the statement of work in accordance with the terms and conditions stated herein. The UDC shall adhere to Federal, state, and local laws, regulations, and codes, as applicable.
2. Review, coordinate, and provide direction for all aspects of Plan implementation. On an annual basis, the UDC will submit a consolidated annual work plan representing the proposed specific activities of the UDC and UDC Committees that is consistent with the functions and management responsibilities described in the statement of work, to be mutually agreed upon prior to obligation of annual funds.
3. Review all relevant local plans, laws, and ordinances for the purpose of recommending to the Secretary of Interior whether such local plans, laws, and ordinances substantially conform to the Plan. There are five parts to this review process:
  - a. The determination of substantial conformance
  - b. The review of ordinance amendments
  - c. The review of significant projects
  - d. The review of challenges and variances
  - e. The review of enforcement programs (see #5 below)
4. Provide recommendations to the NPS for the purpose of making a final determination regarding whether local plans, laws, and ordinances, ordinance amendments, challenges and variances, and significant projects substantially conform to the Land and Water Use Guidelines and Plan. Recommendations will include town and township compliance, noncompliance, or compliance with modifications recommended by the UDC. Recommendations as provided for in the River Management Plan will also be provided to the NPS regarding enforcement if the UDC finds that a substantially conforming ordinance(s) is not being adequately enforced and is unable to effectively resolve the problem.
5. Make an annual review of the adequacy of each town's enforcement program within the river corridor area, by examining building permits issued, variances granted, and any patterns of ordinances, amendments or project approvals which may have a bearing on the purposes for which the Upper Delaware was designated a Scenic and Recreational River. Most importantly, the UDC will examine the pattern of actual land use changes which have occurred as compared to the Land and Water Use Guidelines and the towns' ordinances, subject to the availability of funding.

6. If the UDC finds that a substantially conforming ordinance(s) is not being adequately enforced, it shall notify the town and make appropriate recommendations for correction of the problems which have occurred. It shall also offer to provide the town such legal and technical assistance as may be required to effectively resolve the problem. No later than six months following any such notification (but not before the town has had sufficient opportunity to respond), the UDC shall make a follow-up evaluation to ascertain if the situation has been corrected.
7. Maintain all permanent and current records of the Plan including development approvals, letters of interpretation, meeting records, transcripts, minutes, substantial conformance and project review documentation, and other information related to plan preparation and implementation.
8. Provide Technical Assistance Grants to UDC member municipalities, subject to the availability of funds, for the purposes described above in the statement of work.

In addition, the UDC and NPS, jointly, agree to:

1. Work cooperatively to review local plans, laws, ordinances, ordinance amendments, challenges and variances, and significant projects prior to an initial determination from UDC of whether it substantially conforms with the Land and Water Use Guidelines.
2. Work cooperatively to provide training related to management of Upper Delaware Scenic and Recreational River for local, county, state, and Federal agencies and the public as necessary and appropriate.

## Areas of Focus

The UDC has identified the following ‘Areas of Focus’ for the FY 2021-2025 Five-Year Operating Program by way of strategic analysis through public surveying. The Survey, conducted from 9/15/20 - 9/21/20, was sent by direct email to 129 recipients on 9/15 and to the general public via media release and posting to the UDC website on 9/17/20. This offered public opportunity for members of the community to identify and rank strengths, weaknesses, opportunities, and threats of particular importance to the UDC in the five-year period addressed by this document. The Survey garnered response from 45 people at a 34.9% return rate, and informed primary discussion at the UDC’s Strategic Planning Workshop held on 10/3/20. What follows is a brief summary of each Area of Focus to be addressed in this Operating Program.

### **UDC Viability – Funding & Succession**

As a non-profit organization, the UDC faces the problem of having numerous responsibilities but limited time and financial resources. Since the UDC is organized as a non-governmental, 501(c)(3) entity, it has limited recognition by the state governments, although the State of New York and the Commonwealth of Pennsylvania are charter, voting members of the Council. Specifically, the New York State Department of Environmental Conservation signed a Memorandum of Understanding on January 29, 1988 agreeing to establish the Upper Delaware Council and Governor Mario M. Cuomo issued Executive Order No. 169 on March 22, 1993 directing that “all state agencies shall act consistently with the River Management Plan to the extent permitted by applicable law”, an order which has been reaffirmed with each subsequent administration. The Pennsylvania Department of Environmental Resources signed a Memorandum of Understanding on February 18, 1988 representing the Commonwealth’s agreement to establish the UDC. Governor Robert P. Casey, Jr. issued Executive Order No. 1989-2 on February 16, 1989 directing all agencies and departments to act consistently with the goals, policies, and objectives of the River Management Plan. On July 19, 2003, the Upper Delaware Federal Scenic River order was permanently added to the Pennsylvania Code, Subchapter MM, “to remain in effect as long as the Upper Delaware Scenic River Management Plan is in effect.”

The UDC’s viability and effectiveness is thus jeopardized by a flat-level \$300,000 federal appropriation that has remained static since 1988 with two exceptions for special projects, and the failure of the two member states (New York and Pennsylvania) to contribute their 40% cost-ratio shares of the UDC’s operating budget as envisioned in the 1986 River Management Plan. The UDC has presented formal requests to the State of New York and Commonwealth of Pennsylvania to each contribute \$100,000 line-item appropriations to improve public outreach efforts, increase funding available through its competitive Technical Assistance Grants program, and enhance land use planning and project review services for its member municipalities. These requests have been consistently denied since the UDC’s founding, leaving the UDC to operate at 60% of its federal budget for over 32 years.

Current funding inadequacies present a viability concern that is two-fold: (1) The ability of the UDC to adequately meet its obligations to the RMP and NPS Cooperative Agreement at its current level of funding and staffing support, and (2) the ability to maintain the UDC as a desirable and competitive organization that has value to its members and future generations. It is unreasonable to expect that the Council can survive, much less thrive, on 32-year-old status-quo funding as operating expenses exponentially increase each year. The UDC has been forced to reduce its staffing and programming while striving to meet the core management functions that are broadly outlined in the National Park Service Cooperative Agreement.

To address this problem, the UDC outlined a proposal to the National Park Service to restore prior staffing levels to four full-time positions, conduct a wage comparisons study to adjust salaries for the three current positions, and include an automated Cost of Living Adjustment (COLA) in the new Cooperative Agreement of FY 2021-2025 (See Appendix C).

Two task forces are envisioned: (1) A new funding task force overseen by the Operations Committee will address the issue of fiscal viability by continuing to pursue this increase in federal funding, while researching supplemental revenue streams that are neither dependent on or in competition with the NPS. Avenues to explore include congressional funding, a membership-based fee structure, and the monetization of resources. (2) A second task force will be devoted to developing a Succession Plan for the UDC, outlining current roles, future positions, and strategies that can bring visibility to the UDC as a desirable place to work.

### **Communication Infrastructure -- Broadband & Cellular for Commerce, Convenience, and Emergency Services**

Cellular service and broadband Internet coverage must be addressed to facilitate communications for business development, convenience, and emergency services. Inconsistent cellular service has proven to be a challenge when seeking emergency help on the river and for the ability of emergency responders to communicate among themselves. This concern is heightened in the wake of the novel coronavirus public health pandemic that was declared in March 2020. Lack of communications infrastructure also remains a major roadblock for economic development, adversely affecting existing business operations and a consideration of consequence to any new ventures considering establishment in the area.

To address this issue, the UDC will establish a task force within the Water Use/Resource Management Committee devoted to expanding areas of service in the region. It is important to note that some counties, including Sullivan, are having success in the efforts to make communications improvements, and working with these counties may be advantageous. Paramount will be to conduct a survey of existing service areas, and to develop a plan to fill-in regional service gaps—one that does not necessarily require the erection of new cell towers in the river corridor. The introduction of 5G technology may offer alternative solutions. Should the development of this plan require help from a consultant, the funding task force will pursue grants/alternative funding opportunities to do so.



## **Economic Development of the Region**

Tourism has been of historic importance to the region's economic growth; visitation continues to increase, recreational opportunities expand, and the regional arts community continues to thrive. The area understands, however, that it cannot rely solely on any one industry to sustain its future.

With a movement away from urban centers like New York City resultant from the COVID-19 pandemic, the region's population and second-home market is in a marked period of expansion. It is expected that rural areas like those that fall within the river corridor will see a spike in interest and investment in the coming years.

An Economic Study should be conducted to better understand the economic history of the region, the impact that this spike in interest and investment will incur, and potential areas of economic growth. A Regional Economic Development Strategy informed by this study should then be developed. A strategy built around the Upper Delaware as the centerpiece may be successful in drawing small businesses that would benefit from being located near a national wild and scenic river. Paramount to growth in the economy will be the expansion of communications infrastructure.

## **Maintaining Quality of the Resource**

The Upper Delaware River is considered among the best big river fishing areas in the eastern United States. The river corridor is abundant with permanent and migratory wildlife populations, ranging from species of trout and shad, to black bears, deer, and bald eagles. A major focus of the UDC is to protect and enhance these species and the resources they need to flourish in the corridor, while maintaining the pristine quality of the river and the treasured rural character of our communities.

Increasing developmental pressures and the impacts of repetitive flooding pose a threat to the ecological integrity of the river valley. Additional threats include graffiti, litter, congested use of public river access areas, invasive species, runoff from land disturbance, and insufficient releases from New York City reservoirs that impact fish, river biodiversity, and recreation.

The UDC will continue to advocate for a more equitable regime of Delaware River flows and releases to protect the local fishery and river recreation industry, cognizant of the significant economic impact that these activities simultaneously generate in the region. The UDC also will explore a partnership with the Upper Delaware Scenic Byway & New York State Department of Transportation to conduct graffiti cleanups, work with law enforcement (NPS and Town of Deerpark Police Department) on NYS Route 97 Hawk's Nest Drive violations, participate in planning revisions that seek to improve FFMP (DRBC), and take an active role in efforts to control aquatic, plant, and insect invasive species.

## **Education & Outreach, Speaking with ‘One Voice’**

Building consensus for the UDC to speak as a strong, unified voice is essential to fortifying the organization’s various positions and community credibility. With the passage of time and the steady influx of new residents, visitors, board members, community leaders, agency staff, and legislative representatives, there is a constant need to raise awareness about the compelling history of the Upper Delaware Scenic and Recreational River and the stewardship role that every stakeholder shares in its management. Introducing or re-orienting people to the content and applicability of the River Management Plan and the Land and Water Use Guidelines, and the value of the UDC, is an ongoing educational priority for the Council.

The UDC acknowledges the growing importance of social media and public relations as a platform for education, outreach and self-promotion, and will continue to lend new focus to this form of engagement in FY 2021-2025.

Publication of “The Upper Delaware” newsletter, regular issuance of meeting notices and news releases, and maintenance of an actively-updated website will continue to assist the UDC in informing and educating the general public about its activities and river valley issues. The Council will encourage further public engagement by taking UDC meetings ‘on the road’ to neighboring town/ships.

## **River Access & Recreational Opportunities**

Current recreational uses of the river include canoeing, rafting, kayaking, tubing, fishing, swimming, camping, hiking, biking, eagle watching, and sightseeing. The river has been heavily used for these activities for over 30 years, with an estimated annual recreational use well beyond 250,000 persons.

Recreational opportunities may be enhanced by providing new river access points and basic facilities such as public restrooms, which meet the needs of recreational users in a discrete manner in keeping with the natural, scenic, and rural character of the area. The Water Use / Resource Management Committee will continue to advocate for the enhancement of existing river access points and facilities, and the strategic establishment of new ones. Active river access projects include the Highland River Access facility improvements through the Local Waterfront Revitalization Committee for the Upper Delaware Corridor, the Callicoon Riverside Park in the Town of Delaware, and the expansion and improvement of the Long Eddy access point in the Town of Fremont.

The driving force of the UDC’s interest in river recreation is in the wise use of resources, promotion of public safety, and enforcement of applicable laws. The intent is to manage and improve the existing use of the river, while effectively maintaining it as a natural and cultural resource. Another intent is to protect landowners from the negative impacts of river use and to provide for their continued lawful use of the river, while still ensuring responsible river recreational opportunities for the general public. Thus, all plans to increase recreational use and experience are to be accompanied by ongoing plans for trail maintenance, trash collection, rule enforcement, and negative impact mitigation.

## **Relationship between the UDC & the National Park Service**

The UDC and the National Park Service do much of their work hand-in-hand. For this reason, it is of critical importance that the two organizations establish and maintain workflows which allow them to work in synergy. To address this issue, the UDC will continue to provide orientations to NPS new staff and seasonal hires as a regular procedure, and encourage the NPS to meet with each town/ship on an annual basis. The UDC also sees a need to formalize a procedure with the NPS which maximizes the efficiency of new policy adoption. The Operations Committee will work towards this goal.

Notably, the first quarter of FY 2021 marks the start for a new NPS Superintendent and Community and Land Use Planner. The UDC will set meeting(s) with incoming team members to ensure a mutual understanding between both parties and work towards optimizing the working relationship and execution of their respective responsibilities.

Recent questions raised by the NPS regarding conformance definitions should be addressed jointly by the NPS and UDC in the five-year period covered by this Plan, including confirmation that ‘substantial conformance’, as identified in the River Management Plan, is the guiding metric for project review analyses. The UDC will also work with the NPS to clarify the funding of Technical Assistance Grants.

Of ongoing consideration is the UDC’s ability to meet the obligations of its Cooperative Agreement with the National Park Service under its current level of funding and staffing support. The Operations Committee funding task force will pursue increased federal funding allocation through the NPS in addition to exploring alternative funding sources that are not in competition with the NPS to begin addressing this concern.

## **Responding to Changing Demographics**

The river valley is experiencing a shift in demographics partly resultant from a spike in interest in the area and a major influx of new residents. To address this changing context, the UDC proposes to re-conduct the Land Use Pattern Study included in the River Management Plan, use GIS mapping to understand how the river corridor has changed over time and is projected to change in the future, and develop a list of desired supplemental studies that may assist in garnering a better understanding of demographic trajectory of the region.

## Implementation

The Five-Year Operating Program is envisioned as a broader overview of the Upper Delaware Council's management responsibilities and goals that the organization intends to pursue during this management period. The objectives which follow include a detailed action and are targeted for FY 2021-2025 or cited as ongoing as they are continuous in nature. All objectives relate directly to the River Management Plan goals addressed by each committee, and to the Areas of Focus identified for FY 2021-2025.

### Operations Committee

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The Operations Committee is responsible for public affairs, administrative services, and fundraising. An emphasis on developing internal and external educational programs, diversifying the UDC's funding base, and bringing attention to the UDC's accomplishments through marketing and social media outreach, highlight the new objectives.

#### Operations Committee **Objectives:**

##### ❖ **Public Affairs**

Public affairs governs the way our organization wants to be perceived by its public, how that perception is conveyed, how the organization seeks feedback from the public, and how the organization responds to the feedback it receives. The goal of this segment is to increase awareness of the UDC's accomplishments and enhance its overall image through avenues like educational outreach, public speaking, exhibits, special events planning, distribution and regular updating of UDC literature, and representation at appropriate venues.

##### ➤ *Education / Outreach*

##### FY 2021-2025:

- Foster public recognition of the river valley as a place with its own identity, continuing history, and a destiny to be shaped by its residents, and encourage the National Park Service, tourism associations, and other agencies active in the valley to assist in this endeavor.
- Work jointly with the National Park Service to develop presentations and programming around sustainability and environmental science for use in schools. Partner with groups like Leadership Sullivan to maximize efficacy.
- Pursue University funding for the creation of educational videos which demonstrate the history and value of the UDC & NPS. Work with the NPS to produce and distribute these videos.

Ongoing:

- Make presentations in conjunction with NPS at local government meetings on partnership roles and responsibilities assigned in the River Management Plan for the Upper Delaware Scenic and Recreational River.
- Work with NPS to help inform rangers, other employees, and volunteers about their role in the Upper Delaware Scenic and Recreational River corridor and orient them to the unique circumstances of management approaches here.
- Continue to provide information, advice, and guidance to environmental organizations, river associations, government officials, educational institutions, media representatives, and citizens, upon request.

➤ *Special Events / Exhibits*

FY 2021-2025:

- Establish & hold recurring UDC Community Roundtables to engage the community in ongoing discussions.
- Consider reinstituting a Friends support organization for volunteer advocacy outreach and event organization.
- Provide orientation to the Land and Water Use Guidelines through the newly-formatted Project Review Workbook & Instructional Video (pending release).

Ongoing:

- Co-sponsor conferences and training sessions.
- Organize an annual awards ceremony to provide recognition to those who are working to enhance the river valley or protect its resources.
- Sponsor an annual family raft trip to facilitate direct recreational contact with the river.

➤ *Public Speaking / UDC Representation*

FY 2021-2025:

- Take UDC Meetings ‘On the Road’ to different town/ships; Identify and form relationships with venues that may be good candidates for hosting.

Ongoing:

- Regularly contact local, state, and federal legislators and officials to keep them informed of river valley issues through correspondence, meetings of the Government Officials Liaison Subcommittee and other staff efforts.

- Encourage UDC representatives to provide briefings on UDC activities, the River Management Plan and the Land and Water Use Guidelines at local government meetings.

➤ *Distribution & Updating of UDC literature (print & electronic)*

FY 2021-2025:

- Continue publication, mail distribution, and on-line posting of the newsletter, *The Upper Delaware*, currently published three times a year (Spring, Summer, and Fall/Winter) as a forum for river valley features, profiles, news, and UDC activities.
- Update the UDC Visitor Information Map and Guide for wide distribution.
- Expand the mail program database of property owners to receive *The Upper Delaware* quarterly newsletter as an educational publication of the Upper Delaware Council, which would necessitate additional funding to cover records input, printing, and postage.

Ongoing:

- Maintain print copy mailing list database.
- Issue news releases to local media over and above meeting notices, when appropriate.
- Update media list on an annual basis.
- Produce and distribute electronic copies of the River Management Plan as the supply demands.
- Prepare an annual report summary of UDC activities to post on the UDC website.

➤ *Social Media / Public Relations / Marketing*

FY 2021-2025:

- Empower staff to develop and execute social media and marketing on the UDC's behalf, to promote the value of the organization.
- Build a presence on Instagram, Facebook, LinkedIn, YouTube, and Vimeo; Consider hiring a consultant to assist in strategy development.
- Track media engagement through analytics: Facebook, Instagram, UDC Website, and newsletter.

Ongoing:

- Review the Upper Delaware Council's Communications and Outreach Plan and revise it as necessary.

❖ **Administrative Services**

Administrative services include financial and personnel systems, list management, office management, response to requests to information, training, meeting management, and general coordination with the Council's membership, accountants, attorneys, partners, and consultants.

➤ *General*

Ongoing:

- Review the UDC's organizational bylaws for any necessary updates.
- Re-examine and refine the role and functions of the UDC in terms of its services, partnerships, and desired leadership issues (annually).
- Regularly update the UDC's Website ([www.upperdelawarecouncil.org](http://www.upperdelawarecouncil.org)).
- Oversee, in cooperation with the Building Sub-committee, any necessary maintenance, repairs, and renovations to the Council office building and property.
- Regularly archive and digitize the Council's administrative records.

➤ *Meetings*

FY 2021-2025:

- Issue advance notices for all publicly held UDC meetings to encourage community involvement.
- Establish meeting(s) with incoming National Park Service Superintendent and Community and Land Use Planner, with the goal of optimizing the potential of working relationship and execution of respective responsibilities.
- Encourage the NPS to meet with all town/ships.

Ongoing:

- Prepare for the four regularly scheduled Council/Committee meetings per month (held on the 1st Thursday, 3<sup>rd</sup> Tuesday, and 4<sup>th</sup> Tuesday), the special Project Review meeting on the Technical Assistance Grants program (2nd Tuesday of Sept.), and any other special meetings. Assemble and distribute required meeting materials. Issue a news release 10 days in advance to announce each meeting.
- Hold regular staff meetings to organize agendas for upcoming UDC meetings and discuss issues.
- Draft and distribute meeting minutes for all Council/Committee meetings (monthly) and the special Project Review meeting on the Technical Assistance Grants program.

➤ *Financial*

Ongoing:

- Review, approve, and distribute the annual audit report (Nov.), Internal Revenue Service 990 form, and New York State Charities Bureau Form 500 (Feb. 15). Oversee the UDC's financial administration, including the budget, accounting system, reporting system, and insurance issues.
- Prepare and submit to the National Park Service Monthly Requests for Funds; Semi-annual Federal Financial Reports; Annual Application for Federal Assistance; Annual Progress Report on Work Plans; and Financial Management, Fund Control and Accountability Plan at beginning of each five-year agreement period, to satisfy U.S. Office of Management and Budget requirements.
- Support a National Park Service funding request to subsidize a thorough evaluation of the 1986 River Management Plan, pending since the Plan's 20<sup>th</sup> year of implementation in 2006. Convene a member retreat to consider revisions that will allow the plan to adapt to changing conditions and community needs (as funding permits).
- Prepare an annual work plan and budget for the UDC, as well as for incremental funding periods.

➤ *Personnel*

FY 2021-2025:

- Establish a task force to develop a formal Succession Plan, which outlines current roles, future positions, and strategies that will bring visibility to the UDC as a desirable place to work.



Ongoing:

- Continue to provide orientation to incoming National Park Service staff, as regular procedure.
- Continue the system of annual personnel evaluations consistent with the UDC Personnel Policy. The Personnel Sub-committee will continue to address personnel issues as they arise.
- Distribute UDC orientation packets to newly appointed representatives and alternates, and update contents as necessary.
- Offer appropriate training for staff and Council members to be prepared to react to new issues and technologies, and to promote self-education regarding policy issues at various levels, including Conflicts of Interest and Sexual Harassment Prevention.
- Offer support to the Upper Delaware Scenic Byway, Inc., as appropriate.

❖ **Fundraising**

The UDC is in a financial stalemate with its current federal funding mechanism. The limitations of federal funding make the development of alternative means of fundraising increasingly critical with each year that passes. Effective fundraising can provide additional funding for new and existing projects and programs. Monies raised can be used where federal funding is limited or restricted.

➤ *Secure Funding as Outlined in the RMP*

FY 2021-2025:

- Request line-item appropriations in the State of New York and Commonwealth of Pennsylvania budgets to meet the 40% cost-share ratio for UDC operational aid outlined in the River Management Plan (annually).
- Provide a cost-benefit analysis of the UDC's services to its members to use as a justification statement for the request of state funding contributions from New York and Pennsylvania. Solicit resolutions of support from member towns and townships.

➤ *Pursue Increased Federal Budget*

FY 2021-2025:

- Follow up on UDC's outline to the National Park Service to restore prior staffing levels to four full-time positions, conduct a wage comparisons study to adjust salaries for the three current positions, and include an automated Cost of Living Adjustment (COLA), through modification of the new Cooperative Agreement of FY 2021-2025.

Ongoing:

- Support the National Park Service Upper Delaware Scenic and Recreational River's requests for an increase in its base operating budget, including an increase in the UDC's annual allocation to address long-term financial and staffing needs, and to cover expenses for the major review of the River Management Plan.
- Organize a meeting of all the river valley's federal and state elected officials to collectively present information on the Council's current level of funding and accomplishment.

➤ *Prepare Supporting Documents*

FY 2021-2025:

- Commission a long-term UDC Business Plan to guide the UDC's fiscal operations and diversify funding sources; Contract with a firm to examine the UDC's long-term financial sustainability under present scenarios, and offer recommendations for options to potentially save on expenses, increase revenue, and pursue viable outside funding sources. Collate and extrapolate from the economic studies that have been done involving the Upper Delaware.
- Develop a List of Projects / Studies and associated budget numbers that the UDC plans to undertake when funds become available. Include consideration of the following studies identified:
  - ◆ Substantial Conformance Reviews: Retain an outside consulting firm to conduct and document substantial conformance reviews of PA townships; Review the Land and Water Use Guidelines and define "substantial conformance" standards more clearly.
  - ◆ 1986 River Management Plan Evaluation: Address recommendations in the Nov. 2014 Technical Review Report of the 1986 River Management Plan and evaluate need for additional changes; Develop a Supplement or other Amendment Procedure.
  - ◆ GIS Mapping Study of Land Use Changes in the Upper Delaware River Corridor; Contract a study to identify new land uses in the corridor since the 1981 publication of the Land and Water Use Guidelines that should be addressed, similar to the Renewable Energies draft position paper.
  - ◆ Contract a study to analyze cellular and broadband coverage gaps on the PA side of the river corridor.

- ◆ Contract to update the “Upper Delaware Scenic and Recreational River: Impact of River Management Plan on the Finances of Local Governments in New York and Pennsylvania” 11/6/1985 River Management Plan economic analysis.
- ◆ Purchase “Life Jackets Save Lives” yard signs and stakes for a river safety campaign.
- ◆ Purchase new life vests for NPS Upper Delaware Scenic and Recreational River loaner stations.
- ◆ Retain professional assistance for the UDC-NPS Project Review Workbook Version 2.0 roll-out and training.
- ◆ Update the 2017 “Visitor Information Map and Guide to the Upper Delaware Scenic and Recreational River: NY and PA” brochure.
- ◆ Contract a study to identify the key scenic views within the corridor.

➤ *Diversify UDC Funding Sources*

FY 2021-2025:

- Establish a Task Force to explore alternatives to current federal funding mechanism
- Develop a list of projects that UPDE and UDC could pursue jointly and seek to finance through competitive federal funding programs or with any end-of-fiscal-year surpluses
- Develop a list of potential funding sources that are not in direct competition with the National Park Service.
- Explore alternative funding sources: congressional funding, a membership-based fee structure, and resource-monetization.

➤ *Grant Funding*

FY 2021-2025:

- Work with the National Park Service to seek means of expanding the available pool of funds for the UDC’s Technical Assistance Grants program (i.e. cultural historic protection, and communication infrastructure).
- Offer grants to member municipalities for “bricks and mortar” projects. This would be similar to the popular Technical Assistance Grants now offered but would fulfill an identified need expressed by local municipalities to be able to do small construction projects.

Ongoing:

- Establish continuous review of available grant opportunities & match to projects “on the shelf”.
- Seek grant funding for operations, building renovations, and projects as they are defined by the committee and staff (as needed).
- Seek fees and accept donations to cover the UDC’s costs to administer any grants received for the benefit of member towns or other entities, such as the Upper Delaware Scenic Byway.

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### **Project Review Committee**

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The Project Review Committee is responsible for six key areas of land management:

1. Review of substantial conformance.
2. Review of proposed local development projects.
3. Review of projects proposed or permitted through state, regional, and federal agencies that may have an impact on the resources within the river corridor.
4. Review of local ordinance amendments, challenges and variances to determine their consistency with the River Management Plan and the Land and Water Use Guidelines.
5. Annual review of enforcement in each of the participating town/ships that has been found to be in substantial conformance.
6. Provision of technical assistance to participating town/ships and affected counties.

**Project Review Committee Objectives:**

❖ **Substantial Conformance**

The Council is responsible for the review of each participating town's and township's (town/ship) substantial conformance with the River Management Plan and the applicable sections of the Land and Water Use Guidelines.

To date, the Secretary of the Interior has officially determined that the New York Towns of Cohecton, Delaware, Deerpark, Fremont, Lumberland, and Tusten, and the Pennsylvania Townships of Lackawaxen, Shohola, Westfall, and Damascus are in substantial conformance. The Town of Highland was determined by the Secretary of the Interior to be out of substantial conformance with the Land and Water Use Guidelines on 12/27/2019

based on the town's adoption of its 2019 Zoning Law; efforts are underway to re-establish substantial conformance through implementation of recommended amendments. The Town of Hancock's substantial conformance review was completed and awaits the town's response before seeking a determination. The National Park Service is tasked with reviewing non-participating townships. The NPS reviews resulted in the determinations that Berlin (now a participating township as of Nov. 18, 2008), Buckingham, and Manchester are not in substantial conformance.

Substantial conformance reviews require a series of meetings, reviews, negotiations, and follow-up sessions with town/ship consultants, planning board/commission members, and town board members/township supervisors. This process can last for several months in each town/ship, longer if negotiations for ordinance revisions are protracted. Even if a town/ship is determined to be in substantial conformance, follow-up meetings may be held to continue to improve upon the local land use regulations.

Substantial conformance reviews are performed according to the procedures defined in the UDC's Project Review Workbook, approved March 3, 1988. Amendments to local ordinances and laws are reviewed to ensure that the town/ship continues to be in substantial conformance.

The Council's emphasis will be on completing all pending substantial conformance reviews, re-examining local ordinance amendments and new ordinances to confirm continued compliance, doing a year-end summary to create an administrative record, and conducting new reviews in any townships that may choose to join the Council.

➤ *Substantial Conformance Review*

FY 2021-2025:

- Retain an outside consulting firm to conduct and document substantial conformance review as needed.
- Review the Land and Water Use Guidelines and work with NPS to define "substantial conformance" standards more clearly.

Ongoing:

- Re-examine local ordinance amendments and review all new ordinances in participating towns and townships to confirm continued compliance with the River Management Plan's guidelines.
- Prepare a year-end summary of completed reviews to create an administrative record (annually).
- Conduct new reviews in any township that may choose to participate in the Council, if it was not found to be in substantial conformance by the National Park Service in their initial review, and if there are new or revised land use regulations which could affect its substantial conformance status. For those townships which choose to participate in the Council and have already been

found to be in substantial conformance by the NPS, conduct follow-up sessions with them to continue to improve their land use regulations (as needed).

## ❖ **Project Review**

The review of proposed developments is a major activity of the Project Review Committee. The Upper Delaware legislation, the River Management Plan, and the Land and Water Use Guidelines define five areas of review action: ordinance amendments; Class I and Class II (significant) projects; challenges and variances; enforcement programs; and relevant state and federal permitted projects that may have an impact on the river corridor.

The review of development projects in the river corridor is subject to two factors that govern the degree to which town/ship actions are reviewed: whether a town/ship participates in the Council and whether a town/ship is in substantial conformance with the Plan and Guidelines. Town/ships in substantial conformance are subject to reviews of Class II projects only, which concentrate on major development proposals, while town/ships not in substantial conformance are subject to review of Class I projects for which there is a far lower threshold as well as Class II projects.

### ➤ *General*

#### FY 2020-2025:

- Implement training for the use and applicability of Project Review Workbook Version 2.0

#### Ongoing:

- Prepare a monthly Discussion Items Report of current and pending projects to present to the Project Review Committee.
- Send an annual letter to advise and/or remind the local municipalities of their responsibility as River Management Plan partners to notify the UDC of proposed projects within the river corridor warranting the Council's review.
- Work with National Park Service Upper Delaware Scenic and Recreational River staff through the Issues Team to maintain an electronic database of local projects and provide regular status updates.
- Review and update the Land and Water Use Guidelines that are an attachment to the Upper Delaware Scenic and Recreational River enabling legislation (as needed).
- Perform river corridor boundary reviews as they relate to local zoning based on the River Management Plan mapping (as needed).

➤ *Project Review*

Ongoing:

- Review local challenges, appeals, and variances in participating town/ships.
- Formally incorporate the procedures, checklists, and transmittal forms from the Project Review Workbook to apply toward the review of local Class I and Class II projects (significant projects) in participating town/ships. Attend public meetings, request additional documentation, and make field visits when necessary.
- Review pertinent permit applications for state and federal permitted projects that may have an impact on the river corridor, such as natural gas activities, transmission line projects, and hydroelectric generation facilities (monthly).
- Continue to review each issue of the *Pennsylvania Bulletin*, New York's *Environmental Notice Bulletin*, local newspapers, and other sources of information to keep abreast of projects being reviewed by state and federal agencies and local governments.
- Continue to review, make recommendations, and take other appropriate action on projects requiring licenses or permits from the Federal Energy Regulatory Commission (as needed).
- Review, in cooperation with the other committees, any proposed land acquisition and facilities development by the National Park Service or other agencies (as needed).
- Issue written advisory comments on projects or regulatory changes proposed for or affecting the river corridor by the appropriate deadlines.
- Review proposals or projects by transportation interests that may affect the corridor, including highway, railroad, and bridge issues (as needed).
- Comment on proposals for natural gas applications, telecommunications facilities, and wind turbines in the river valley (as needed).

➤ *Landfills*

Ongoing:

- Monitor regulatory and enforcement activity related to the management of landfills, sewage treatment plants, and other projects that directly affect or may affect the river corridor and take such actions as may be necessary to prevent adverse impacts (monthly).

- Monitor the implementation of the approved remediation plan for the Cortese Landfill and work with U.S. EPA, NYS DEC, NPS, the Town of Tusten, and citizens to ensure that adverse impacts from this site do not affect the environment. Continue to ensure that the Potentially Responsible Parties under the Superfund Final Remedial Plan monitor the resource impacts and help ensure that adequate safeguards are maintained following the clean-up.
- Continue to monitor the closure plan and monitoring process for the Barnes Landfill and work with DEC, NPS, the Town of Highland, and citizens to ensure that adverse impacts from this site do not affect the environment. Support efforts to find a long-term solution for the property's maintenance in light of the depletion of the escrow account.

### ❖ **Technical Assistance Projects**

The River Management Plan provides that the Council may, upon request, provide technical river-related assistance to the participating town/ships and others to assist in carrying out the Plan. This assistance may include financial aid, legal aid, planning assistance, advisory services, referral services, and other means. Work in this area is covered under the Council's Technical Assistance programming.

Most activity under this heading has been directed to providing a Technical Assistance Grant (TAG) Program. Typical purposes for which funding has been made available include:

1. Planning funds to town/ships to aid them in coming into substantial conformance with the Plan or update and improve land use regulations.
2. Planning funds for the completion of technical studies directly related to implementation of the Plan.
3. The preparation of educational materials such as maps, brochures, software, websites and guides that assist in implementation of the Plan.
4. Other projects which would directly enhance the goals of the Plan.

The UDC will continue to administer an annual, competitive TAG program as funding through its federal allocation allows.

#### ➤ *Technical Assistance Projects*

##### FY 2021-2025

- Examine ways to expand the TAGs in amount and scope, specifically for cultural historic protection and communication infrastructure.

##### Ongoing:

- Continue to review and propose revisions to, as necessary, the criteria for eligibility and ranking procedures for Technical Assistance Grants.



- Continue to administer the Technical Assistance Grants (TAG) program open to UDC-member town/ships and county governments on an annual basis. Update the TAG forms by June. Solicit applications by the end of August. Convene a special Project Review Committee meeting to review applications on the second Tuesday of September. Draft a resolution awarding the projects for approval at the Upper Delaware Council meeting in October. Review progress reports and prepare payment reimbursement requests as projects are completed.
- Offer training to local planning and zoning board members on the application of the River Management Plan and the Land and Water Use Guidelines to projects in the river corridor. Continue to provide additional technical assistance or appropriate referrals to participating town/ships and others as requested, depending on available time and resources.
- Provide information and referrals to individual property owners, local residents, and visitors through normal day-to-day contacts and using the Council's existing publications, such as the newsletter, Design Handbook, River Management Plan, etc., to encourage direct participation in management efforts by voluntary actions.
- Update the comprehensive directory of past Technical Assistance Grants projects on the UDC website annually.
- Meet periodically with town and township planning boards to reinforce working relationships and to discuss River Management Plan responsibilities.
- Identify, encourage, and educate about existing easement programs and other techniques to maintain scenic qualities in the river valley. Investigate how to address scenic and aesthetic issues in zoning through various available tools and methods.
- Work with conservation districts to explore alternative shoreline development techniques to protect against riverbank erosion problems. Ask the U.S. Soil Conservation Service to compile an information packet and to hold workshops in the area on simple, environmentally-sound, low-cost ways of stabilizing stream banks and conserving soil within the river corridor.
- Develop a resource library of materials offering models for development and best management practices.

## **Water Use/Resource Management Committee**

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The Water Use/Resource Management (WU/RM) Committee is responsible for supervising the Council's work in river recreation issues, water resources management, natural and cultural resources, fish and wildlife, unique land resources, threatened and endangered species, economic development/tourism, and pollution control and abatement. The River Management Plan places most of the responsibility for these activities in the hands of federal and state agencies, but it assigns the Council review and coordination responsibilities.

The WU/RM Committee is responsible for supervising the Council's work in:

- River recreation issues
- Water resources management
- Natural and cultural resources
- Fish and wildlife
- Unique land resources
- Threatened and endangered species
- Economic development/tourism
- Pollution control and abatement

### **WU/RM Committee Tasks:**

#### **❖ Recreation**

##### **➤ General**

##### **FY 2021-2025:**

- Pursue funding to conduct a Recreational Use Study to better understand current and future recreational use patterns.
- Encourage the National Park Service to conduct landowner surveys to assess recreational use patterns.

Ongoing:

- Participate in the annual meeting of the Upper Delaware River Safety Committee as coordinated by the National Park Service and review the National Park Service's Annual Recreation Plan to offer recommendations (annually).
- Offer comments on any proposed changes to the National Park Service's Commercial Use Authorization licensing system (as needed).
- Prepare an inventory and map reference for all public lands and commercial accesses fronting on the Upper Delaware River (ongoing).
- Work with other stakeholders to re-evaluate separation guidelines between river rest stops as advised in the RMP based on changing river uses (ongoing).

➤ *Public Access*

FY 2021-2025:

- Work with the National Park Service, New York and Pennsylvania Departments of Transportation, and other entities, as requested, to develop new public accesses, river rest stops, and fishing accesses where appropriate.
- Continue to support active river access projects like the Callicoon Riverside Park, and the Highland River Access facility improvements through the Local Waterfront Revitalization Committee.
- Encourage the New York State Department of Environmental Conservation to grant public access to Upper Delaware islands through ownership agreements or conservation easements if these properties are acquired (as needed).
- Actively publicize beautification efforts in the river valley to promote scenic values.

➤ *Safety*

Ongoing:

- Publish an updated "Emergency Response Guide for the Upper Delaware Valley" in cooperation with Central New York Railroad to distribute to emergency service providers. Participate in the U.S. Department of the Interior-funded project initiated by the National Park Service, "Delaware River Oil Spill Coordination Framework", which will include railroad safety as a component.
- Assist local emergency service providers with preparedness training for any incidents involving the transport of hazardous materials and toxic substances through the river corridor

- Provide guidance to support safety standards and training for river use, and assist the National Park Service in continuing an effective river user education program.
- Contact the National Park Service, Delaware Highlands Conservancy's Eagle Institute, Pennsylvania Game Commission, New York State Department of Environmental Conservation, New York State Department of Transportation, Pennsylvania Department of Transportation and others to assess the needs of eagle watchers in the river corridor and help provide a safer and more enjoyable experience.
- Assist with addressing safety regulations and shared roadway conflicts associated with bike routes. Advocate education and roadway improvements for bicycle safety in the river corridor.
- Support the seeking of financial assistance from transport companies and other entities to purchase appropriate emergency equipment for emergency response teams in the river corridor.

➤ *Initiatives and Programs*

FY 2021-2025:

- Purchase "Life Jackets Save Lives" yard signs and stakes for a river safety campaign.
- Purchase new life vests for NPS Upper Delaware Scenic and Recreational River loaner stations.
- Accompany all plans to increase recreational use with ongoing plans for maintenance, trash collection, and enforcement, to mitigate negative impacts.
- Develop itineraries for the Upper Delaware Scenic and Recreational River Valley for the National Geographic MapGuide ([www.ScenicWildDelawareRiver.com](http://www.ScenicWildDelawareRiver.com)).

Ongoing:

- Promote a carry-in, carry-out litter policy. Discourage the possession of glass containers and spray paint containers on the river to reduce problems associated with broken glass in and along the edge of the river and with graffiti.
- Work with the New York State Department of Transportation, county and local governments, and the Upper Delaware Scenic Byway, Inc. to improve (open up) scenic vistas along NYS Route 97.
- Assess the feasibility of establishing an Upper Delaware Trail System with footpath, bicycle trails, and roadway components to aid the interpretation of the

valley's resources and broaden the recreation industry in the Upper Delaware region by contacting the river valley towns and townships. Encourage the development of additional public hiking trails and winter recreation opportunities in the river corridor.

## ❖ **Water Resources Management**

### ➤ *General*

#### Ongoing:

- Monitor legal decisions on private property land use issues which may affect the Upper Delaware Scenic and Recreational River.
- Identify and assess the risk factors that could cause impairments to the river to avoid losing the values that qualified the Upper Delaware River for its enabling legislation and federal designation.
- Review and comment on the National Park Service's Resource Management Plan and monitor the activities of that agency's Resource Management Division.
- Make recommendations to federal and state agencies that own or lease lands that are either within, adjacent, or contiguous to the River corridor, concerning the management of such lands in a manner consistent with the River Management Plan. Such recommendations shall be consistent with the views of the town or township within which such lands are located (as needed).
- Attend the annual meeting of the New York-Pennsylvania Joint Interstate Bridge Commission which has jurisdiction over 10 bridges that cross the Delaware River between Hancock and Port Jervis, eight of which are located in the river corridor, and monitor and comment on proposals they are considering.

### ➤ *Water Quality*

#### Ongoing:

- Track water quality, flow, flood, and drought issues, review localized research, and recommend appropriate action. Work cooperatively with the DRBC and the states of New York and Pennsylvania, and New York City to protect and maintain the integrity of the Upper Delaware as a designated Scenic and Recreational River.

- Review, make recommendations, and take other appropriate action with regards to water quality impacts on any projects requiring licenses or permits from the Federal Energy Regulatory Commission, Delaware River Basin Commission, New York State Public Service Commission, Pennsylvania Public Utilities Commission, New York State Department of Environmental Conservation, Pennsylvania Department of Environmental Protection, and other regulatory agencies. Such projects include Millennium Gas Pipeline compressor stations, Tennessee Gas Pipeline, major electrical transmission lines, and natural gas exploration activities.
- Make recommendations to the states, National Park Service, and Delaware River Basin Commission to augment water quality monitoring of the Upper Delaware Scenic and Recreational River and its tributaries.

➤ *Water Flows*

Ongoing:

- Monitor management of the Delaware River Basin reservoirs. Make recommendations to the four basin states, New York City, the Delaware River Basin Commission, and the federal government concerning water releases and flows. Ensure that all decisions affecting water flows shall fully consider the values that qualified the Upper Delaware as a Scenic and Recreational River. Advocate for a better balance of river flows and releases.
- Monitor the actions taken at meetings of the Delaware River Basin Commission's special committees, including the Regulated Flow Advisory Committee, Flood Advisory Committee, the Subcommittee on Ecological Flows, and the Water Management Advisory Committee (of which the UDC holds one seat).
- Monitor security concerns for the protection of water supply systems in the Upper Delaware watershed.
- Review and comment on any proposed water resources development projects that may affect the free-flowing conditions of the river or its tributaries.
- Monitor any out-of-basin transfers of water, such as proposals by Orange County and Kiryas Joel to tap into the New York City Catskills Aqueduct.

❖ **Natural and Cultural Resources**

➤ *General*

FY 2021-2025:

- Advocate for an updated Land Use Pattern Study (originally included in the RMP).

- Use GIS mapping to better understand the past, present, and future evolution of the river corridor.

Ongoing:

- Make recommendations on the annual work program for the preservation of natural, cultural, and archeological resources implemented primarily by the National Park Service.

➤ *Natural*

FY 2021-2025:

- Work with law enforcement (through NPS and Town of Deepark) to remediate Hawk's Nest violations.

Ongoing:

- Support the Delaware Highlands Conservancy and other land trusts to protect critical habitat and ensure that critical lands such as steep hillsides and hunting club properties retain their undeveloped character.
- Work with the Upper Delaware Scenic Byway, Inc. to update the Enhancement Concept Plan (starting December 2020), suggest projects, and address issues related to Route 97 and its highway linkages (monthly).
- Investigate techniques for protecting large open spaces that zoning alone can't necessarily address. Develop a strategy for how to accommodate development while protecting the river valley's character, and what priority to assign to those objectives.

➤ *Cultural*

Ongoing:

- Cultural resources in the river valley are protected consistent with the requirements of the National Historic Preservation Act, the National Wild and Scenic Rivers Act, the New York State Historic Preservation Act, and the Pennsylvania Historic Preservation Act. The UDC operates with the objective of fostering a widespread ethic for the preservation of historic homes, churches, bridges, railroad depots, Delaware & Hudson Canal features, and other culturally valuable local sites.
- Participate as a voting member on the D & H Transportation Heritage Council to promote awareness and protection of the Delaware & Hudson Canal historic remnants in the Upper Delaware River Valley and assist in the update of the 1968 National Historic Landmark Designation.

- Monitor development of the Upper Delaware Interpretive Center at the Zane Grey House and opportunities for historic exhibits at the Upper Delaware Scenic Byway Visitor Center at the Callicoon Depot.

➤ *Waste / Graffiti Removal*

- FY 2021-2025
- Organize and execute Upper Delaware Litter Sweep, scheduled for April 2021.
- Explore working partnership with Upper Delaware Scenic Byway and the New York State Department of Transportation to conduct graffiti cleanups and otherwise.

Ongoing:

- Make recommendations to the National Park Service concerning local law enforcement assistance and the discontinuance of their municipal contracts for the collection and disposal of solid waste.

❖ **Fish and Wildlife**

➤ *Management*

Ongoing:

- Assist in the coordination and review of fish and wildlife management activities in the Upper Delaware River corridor, at the request of the states.
- Provide input to government agencies to develop an optimum fisheries management program for the Upper Delaware River.

➤ *Regulations*

Ongoing:

- Monitor and comment on state and federal hunting and fishing regulations on issues such as eel weirs, shad creel limits, the late Canada goose hunting season, striped bass size limits, and trout management.

➤ *Invasive Species*

FY 2021-2025:

- Take an active role in efforts to control aquatic, plant, and insect invasive species.



## ❖ Unique Land Resources

### Ongoing:

- Work with the National Park Service to develop and implement a program to identify, inventory, and conserve unique landforms in the river corridor.
- Where unique landforms are identified on state-owned land within the corridor, ensure that the states provide consistent management and interpretation of these sites.

## ❖ Threatened and Endangered Species

### ➤ *Identification*

#### Ongoing:

- Coordinate the work of the townships, the states, the Delaware River Basin Commission, and the National Park Service to identify and protect endangered species and habitat within the river corridor. Members will inform the Council of their respective protection programs and efforts through their Council representatives.

### ➤ *Protection*

#### Ongoing:

- Continue to keep abreast of human impacts on the wintering and resident bald eagle populations and make recommendations as appropriate to help mitigate those impacts.

### ➤ *Non-Native Species*

#### Ongoing:

- Promote awareness of non-native species and eradication or mitigation strategies in the Upper Delaware River corridor.

## ❖ **Economic Development and Tourism**

### ➤ *Economic Development*

#### FY 2021-2025:

- Establish a Task Force focused on the improvement of regional communication infrastructure—cellular and broadband for commerce, convenience, and emergency services.
  - Research and revisit existing regulations related to communication and infrastructure.
  - Work in tandem with river valley counties and learn from their successes (i.e. Wayne and Sullivan)
  - Pursue funding and outside grants to conduct a survey of existing service areas & hire a consultant to develop a plan which fills in service gaps without necessarily building cell towers within the corridor.
- Pursue funding (from NPS or otherwise) to conduct an Economic Study to help create a roadmap for economic growth.

#### Ongoing:

- Participate in conferences, charettes, roundtables, or other useful events to formulate the river valley's economic development strategy.
- Participate on the Local Waterfront Revitalization Program for the Upper Delaware River Corridor Steering Committee as part of the state grant-funded project covering Hancock to Port Jervis, as coordinated by Sullivan County (monthly).

### ➤ *Tourism*

#### FY 2021-2025:

- Advocate for new river access points and public facilities in the river corridor as appropriate, and in accordance with spacing and capacity guidelines.

#### Ongoing:

- Continue to work with interested parties to explore the feasibility of railroad passenger excursions along the Upper Delaware River.

## ❖ **Pollution Control and Abatement**

### ➤ *Pollution*

#### Ongoing:

- Review and comment on any changes to or proposals for non-point source pollution regulations by the Delaware River Basin Commission (as needed).
- Investigate chemical herbicide and pesticide spraying programs based on any potential watershed impacts and make mitigative recommendations as necessary to the responsible agencies.
- Continue to monitor sites that were identified in the UDC's Toxics Identification and Control Campaign project and update as needed.

### ➤ *Landfills*

#### Ongoing:

- Monitor the clean-up plan for the Cortese landfill in the Town of Tusten and ensure that the National Park Service and the U.S. Environmental Protection Agency monitor any resource impacts.
- Monitor the closed Barnes landfill in the Town of Highland to monitor any resource impacts. Support efforts to find a long-term solution for the property's maintenance in light of the depletion of the escrow account.

### ➤ *Transportation*

#### Ongoing:

- Facilitate meetings to address maintenance and infrastructure concerns involving freight railroad transportation industry in the river corridor.

## Conclusion

This Five-Year Operating Program serves as a roadmap for the UDC to effectively optimize its position on the local, regional, state, and federal stages. In FY 2021-2025, the reputation gained from having accomplished many objectives cited in the *River Management Plan for the Upper Delaware Scenic and Recreational River: New York and Pennsylvania*, and from continuously providing a strong forum for our governmental members, must now be expanded upon. There must also be a focus on rallying all partners in the management of the Upper Delaware Scenic and Recreational River to work cooperatively and effectively to meet shared objectives, and on how to sustain the non-profit organization financially while addressing contemporary challenges that were not foreseen by the River Management Plan's authors when it was finalized in November 1986.

The objectives identified in this Five-Year Operating Program will be undertaken as time and funding allows, while continuing to meet the Cooperative Agreement with the National Park Service and execute on the UDC's mission to conserve, enhance and promote the Delaware River corridor's natural and cultural resources and social and economic vitality, by fostering cooperation among public and private partners, to implement the River Management Plan.

## Appendix A: UDC Management Overview

The enabling legislation that led the United States Congress to designate 73.4 miles of the Upper Delaware River as a component of the National Wild and Scenic Rivers System in 1978 called for the development of the River Management Plan. The Upper Delaware Council was incorporated in 1988 as the entity designated to provide for the timely implementation and continuing administration of that plan.

Eligible membership on the Council is limited in the River Management Plan to the 15 directly affected towns and townships that border on the Upper Delaware River, the two directly affected states (New York State and the Commonwealth of Pennsylvania), and the Delaware River Basin Commission (DRBC).

The CAC expired on February 6, 1999 when reauthorizing legislation introduced in Congress to extend the term for another 10 years was not approved. The DRBC, comprised of the four basin states of New York, Pennsylvania, New Jersey, and Delaware, and the federal government, has opted to serve as a non-voting member.

The National Park Service participates in Council activities as a full partner under the terms of the Cooperative Agreement, with no membership or voting rights.

To date, 13 out of the 15 local governments (eight New York towns and five Pennsylvania townships) have voluntarily joined the Council. The most recent additions both occurred in 2008 with Damascus Township and Berlin Township becoming members.

The Townships of Buckingham and Manchester in Wayne County, PA remain eligible to join. In non-participating townships, the UDC cannot provide financial or planning assistance; the National Park Service is responsible for directly reviewing their proposed laws, plans, and ordinances, and monitoring their enforcement.

Each member appoints a representative and alternate(s) to serve as its delegates during all proceedings of the Council. Representatives and their alternates serve at the pleasure of the appointing member, according to UDC bylaws originally adopted in 1988 and most recently updated on August 6th, 2020. The bylaws also specify procedures for the election of officers, meetings of the Council, and the overall governance framework.

### **Professional Staff and Contracting**

The River Management Plan calls for on-site staffing and authorizes the Council to contract for outside services as necessary to carry out the duties assigned to the Council.

The original staffing roster in the 1986 Plan outlined roles for five positions to include a Project Leader, two Planning Technicians, an Administrative Assistant/Office Manager, and a Secretary/Clerk-Typist.

From March 1989 to June 2012, the staffing structure evolved to four full-time positions with the titles of Executive Director, Senior Resource Specialist, Public Relations/Fundraising Specialist (formerly Public Relations/Communications Specialist), and Office Manager (formerly Secretary).

Since June 2012 the staffing structure has included three full-time positions: Executive Director (provides leadership to implement all Council activities, strategic planning, administrative oversight, and public affairs programs); Resource Specialist (title changed to Resources and Land Use Specialist, effective July 15<sup>th</sup> 2020; provides the primary technical support on land and resource management activities, and reviews of substantial conformance and local enforcement programs); and Secretary (provides a wide range of administrative and clerical support).

The Council may contract for professional, legal, and clerical services. Two accounting firms are retained independently, one to handle bookkeeping functions, payroll, routine tax filings, monthly bills to be paid, budget tracking, monthly statements to the Council, reimbursement reports, semi-annual financial reports and an Annual Application for Federal Assistance request to the National Park Service, and other related tasks. The second firm conducts an annual professional audit or financial review of UDC ledgers and financial management procedures, and manages annual tax filings. Attorneys licensed in New York and Pennsylvania are retained on an as-needed basis. Other outside consulting services may be retained from time to time as a specific project need arises.

## **Committee Structure**

Committee structure is critical to the successful operation of the Upper Delaware Council. The committees oversee various areas of operation for which the Council is responsible, and prepare reviews and recommendations for final action by the full Council at its monthly meetings. All meetings are open to the public. Council staff is responsible for supporting the committees' activities and carrying out the board's directives. Because the work flow travels through the three standing committees, this Five-Year Operating Program is divided into sections for each committee. The UDC also has a cyclical Nominating Committee, a Personnel Subcommittee, and a number of project-oriented subcommittees that meet as needed.

The **Operations Committee** is responsible for the overall administration of the Council. Functions assigned to it include administrative services; financial and personnel management; external education and public affairs; and fundraising.

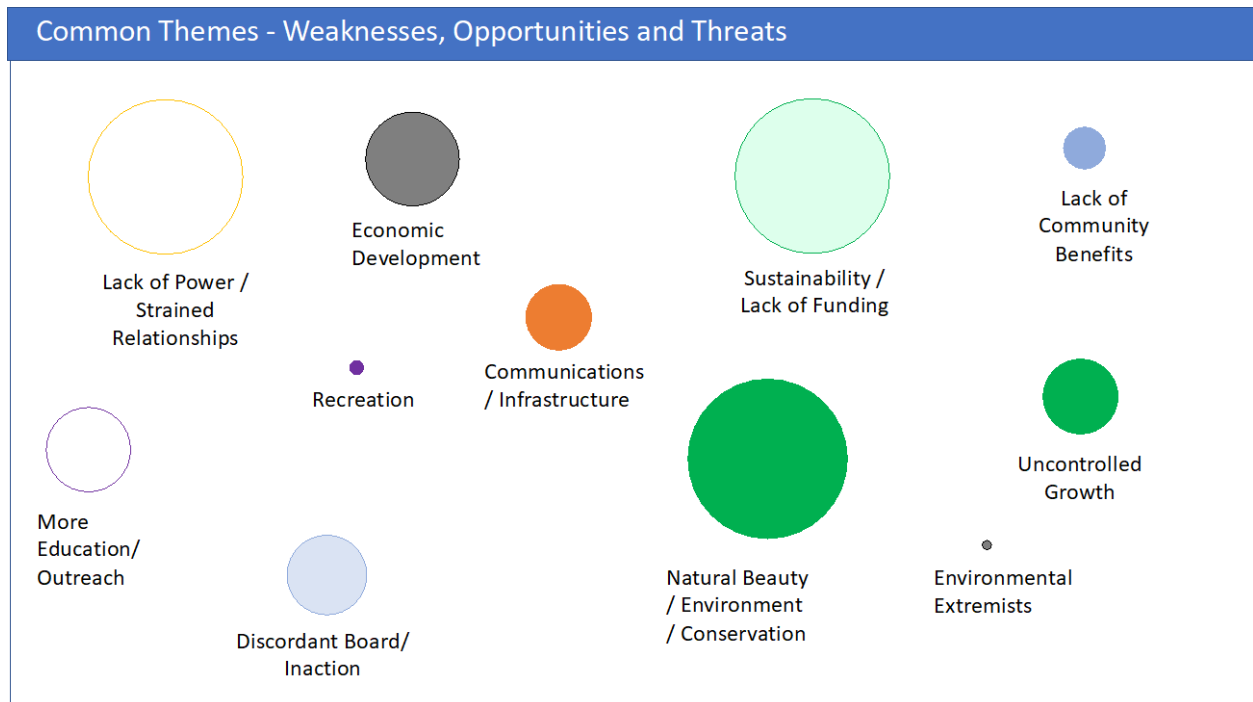
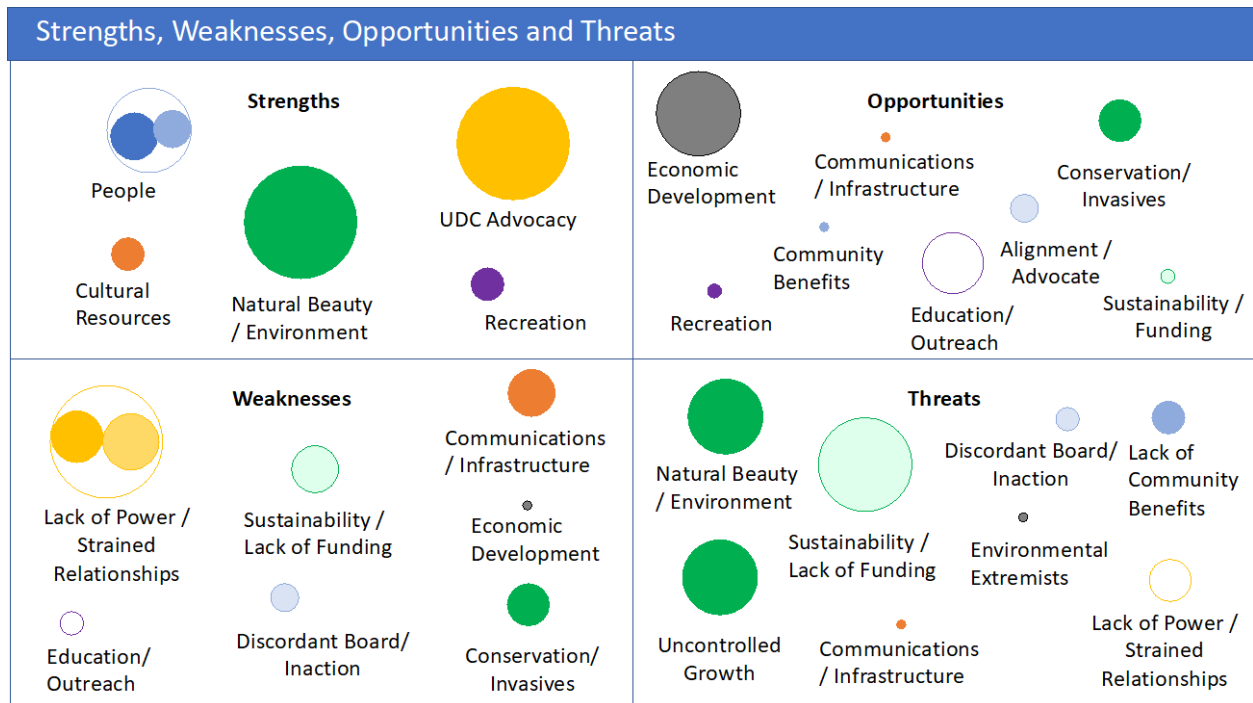
The **Project Review Committee** is responsible for reviews of substantial conformance, proposed development projects that may have an impact on river corridor resources, local enforcement programs for ordinances and variances, and technical assistance programs.

The **Water Use/Resource Management Committee** is responsible for supervising the Council's work regarding recreation issues, water resources management, natural and cultural resources, fish and wildlife, unique land resources, threatened and endangered species, economic development and tourism, and pollution control and abatement. It also reviews the development of facilities called for in the River Management Plan.

# Appendix B: 2020 UDC Strategic Planning Workshop Report

## UDC Initial Survey Results – A Visualization

*The larger the circle, the greater the number of replies as such*



## UDC Retreat Summary – Priority Issues & Potential Actions

*As identified and discussed at UDC Strategic Planning Retreat, 10.3.20*

<i>Priority Issue</i>	<i>Potential Actions</i>
<p><b>UDC Viability – Funding &amp; Succession</b></p> <p><i>The UDC’s current budget is unsustainable. New modes of funding and monetization need to be explored for the UDC to remain viable and maximize their value to the community.</i></p>	<ul style="list-style-type: none"><li>• Establish UDC Task Force to explore alternatives to current funding mechanism, i.e. Congressional, Membership-based, and Resource-monetization</li><li>• Approach Congress, not Executive Branch</li><li>• Secure funding from the two States (NY and PA) for the 40% cost-share of operating aid outlined in the River Management Plan</li><li>• Develop funding sources which are not in competition with the NPS</li><li>• Develop Business Plan</li><li>• Invest in public relations and marketing to promote the UDC’s value to the community</li><li>• Identify projects &amp; associated budget numbers that the UDC would undertake with an increase in funding or for any surplus funding opportunities that arise</li><li>• Assess the adequacy of UDC staffing levels and develop a succession strategy which promotes the UDC as a desirable place to work.</li><li>• Establish continuous review of available grant opportunities and match to projects “on the shelf”</li><li>• Expand Technical Assistance Grants (TAGs) in amount and scope (i.e. cultural historic protection, and communication infrastructure)</li></ul>



<p><b>Communication Infrastructure – Broadband &amp; Cellular for Commerce, Convenience, and Emergency Services</b></p> <p><i>Currently a major roadblock for the economic development of the region; Cell towers are restricted in the River corridor.</i></p>	<ul style="list-style-type: none"> <li>• Establish UDC Task Force to revisit existing regulations &amp; work with neighboring counties that have been successful in making headway on the issue (i.e. Wayne and Sullivan)</li> <li>• Research existing cell service areas on both river &amp; land; free app available to do so: Open Signal</li> <li>• Pursue funding / outside grants to hire an organization to conduct a survey documenting existing service areas &amp; create a plan which fills in service gaps without necessarily building towers within the corridor</li> </ul>
<p><b>Economic Development of the Region</b></p> <p><i>Tourism has been of historic importance to the region's economic growth, but an exploration of a diversified and sustainable local economy is needed.</i></p>	<ul style="list-style-type: none"> <li>• Pursue funding (from NPS or otherwise) for an Economic Study to better understand potential areas of economic growth</li> </ul>
<p><b>Maintaining Quality of the Resource</b></p> <p><i>Existing issues include graffiti, litter, congested use of some public river access areas, invasive species, runoff from land disturbance, and insufficient releases from NYC Reservoirs (impacts fish, river biodiversity, and recreation)</i></p>	<ul style="list-style-type: none"> <li>• Upper Delaware Litter Sweep (land-based clean-up rather than on the river as other groups do) scheduled for April 2021</li> <li>• Explore partnership with Upper Delaware Scenic Byway to conduct graffiti cleanups and otherwise; UDSB funding is less restricted than that of the UDC</li> <li>• Work with law enforcement (NPS and Town of Deerpark Police Department) for Hawk's Nest violations</li> <li>• Work with NYS DOT for graffiti removal</li> <li>• FFMP / river flows—participate in all planning revisions improving FFMP (DRBC)</li> <li>• Take active role in efforts to control aquatic, plant, and insect invasive species</li> </ul>

<p><b>Education &amp; Outreach, Speaking with One Voice</b> – Schools, towns/townships, &amp; general public</p>	<ul style="list-style-type: none"> <li>• Establish recurring Roundtables to engage the community in ongoing discussions</li> <li>• Work jointly with NPS to develop presentations and programming around sustainability and environmental science for use in schools and with professional groups like Leadership Sullivan</li> <li>• Pursue University-funding for educational videos demonstrating value of the UDC &amp; NPS in region</li> <li>• Facilitate more trainings with experts</li> <li>• Explore hiring social media consultant / public relations firm to increase outreach</li> <li>• Focus on improving image of the UDC</li> <li>• Demonstrate the value of the UDC for all townships and the federal-state-local Upper Delaware management partnership model to the community at large</li> <li>• Identify potential venues in different towns/townships to take UDC meetings “on the road” with goal of increasing visibility and promoting engagement</li> <li>• Track engagement through a tracker for visits to <a href="http://www.upperdelawarecouncil.org">www.upperdelawarecouncil.org</a> itself, newsletter views on website, and Facebook and Instagram accounts</li> <li>• Provide orientation to the Land and Water Use Guidelines through the newly-formatted Project Review Workbook and pending instructional video release</li> </ul>
<p><b>River Access &amp; Recreational Opportunities</b></p>	<ul style="list-style-type: none"> <li>• Promote new river access points and public restrooms in the river corridor; increased use may require increased</li> </ul>

	<p>investment in law enforcement (NPS? Towns?)</p> <ul style="list-style-type: none"> <li>• Develop itineraries for Upper Delaware Scenic and Recreational River and valley for the National Geographic <a href="http://www.ScenicWildDelawareRiver.com">www.ScenicWildDelawareRiver.com</a> MapGuide</li> <li>• All plans to increase use to be accompanied by ongoing plan for trail maintenance, trash collection and enforcement, to mitigate negative impacts</li> <li>• Under way: Active river access projects through Local Waterfront Revitalization Committee for the Upper Delaware River Corridor (i.e. Highland River Access facility improvements and Callicoon Riverside Park: county-town-NGO partnership)</li> </ul>
<b>Relationship between UDC &amp; NPS</b>	<ul style="list-style-type: none"> <li>• Formalize procedure to adopt new policies efficiently (i.e. Solar)</li> <li>• Work together to confirm "substantial conformance" as metric for project review analyses.</li> <li>• Clarify funding of Technical Assistance Grants (TAGs).</li> <li>• Establish meeting(s) with incoming NPS Superintendent and Land Use Planner to better understand each party &amp; optimize working relationship and execution of respective responsibilities (in context of Strategic Plan)</li> <li>• Provide orientation to Seasonals for NPS, as regular procedure</li> <li>• NPS meets with each town/township</li> <li>• All review foundation documents for</li> </ul>

<b>Responding to Changing Demographics</b>	<ul style="list-style-type: none"> <li>• Redo land use pattern study included in River Management Plan to understand land use values then v. now</li> <li>• Use GIS mapping to understand how the river corridor has changed over time and is projected to change in the future</li> <li>• Develop a list of desired studies &amp; request proposals to conduct said studies (i.e. Recreational Use study)</li> </ul>
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### **Updated UDC Mission Statement**

*Revision proposed at UDC Strategic Planning Retreat, 10.3.20*

**Conserve, enhance and promote the Upper Delaware River corridor’s natural and cultural resources and social and economic vitality, by fostering cooperation among public and private partners, to implement the River Management Plan.**

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*As submitted for Survey feedback: “Cooperatively fostering a vibrant economic and social community through implementation of the Upper Delaware Scenic and Recreational River Management Plan, while conserving, protecting, and enhancing the river corridor’s unique resource values for the enjoyment of present and future generations.”*

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## Appendix C: NPS Cooperative Agreement Funding Proposal



### Upper Delaware Council

P.O. Box 192, 211 Bridge Street, Narrowsburg, New York 12764-0192 • (Tel.) 845-252-3022 • (Fax) 845-252-3359  
[www.upperdelawarecouncil.org](http://www.upperdelawarecouncil.org)

January 9, 2020

Kristina Heister, Superintendent  
NPS Upper Delaware Scenic and Recreational River  
274 River Road  
Beach Lake, PA 18405

#### **RE: UDC-NPS Cooperative Agreement for Fiscal Years 2021-2025 Comments**

Dear Superintendent Heister,

The Upper Delaware Council (UDC) has reviewed the draft template for renewal of our organization's Cooperative Agreement (CA) with the U.S. Department of the Interior (DOI)/National Park Service (NPS) for the next five-year term starting October 1, 2020 and ending September 30, 2025. You requested our comments by February 1, 2020 in order to submit the proposed CA to the DOI for approval.

A side-by-side comparison of CA #P15AC01769 in effect through September 30, 2020 to the proposed document titled "Collaborative Management through Implementation of the Upper Delaware River Management Plan" was conducted.

We found the reorganization and addition of five Articles and a Table of Contents to be structured well, and that the clauses appropriately reference relevant text from the River Management Plan (RMP) and associated legislation.

One sentence removed from the current draft which we would like restored under Article II – Project Goals and Objectives, is the following: "Nothing in this agreement shall apply to lands outside the park boundary." This jurisdictional limitation is an important distinction that is not directly stated elsewhere in the document.

Given the blanks that await insertion of language and the possibility of additional updates, the UDC reserves the right to further review and comment on the CA final draft prior to its execution. We note that the CA includes a procedure stating that the Agreement "may be modified at any time, prior to the expiration date", upon approval in writing by both parties.

Article II also states, "The objective of this Agreement is to: Provide support to the Recipient to adequately staff and operate the Upper Delaware Council, Inc. in order to carry out the roles and functions assigned to it in coordinating implementation of the Upper Delaware River Management Plan in partnership with the National Park Service."

#### ***Working together to conserve the Upper Delaware Scenic and Recreational River***

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

We therefore must express our dissatisfaction that Article XI specifies that “NPS will provide funding to the Recipient in an amount not to exceed \$300,000 for the Statement of Work described in Article IV and in accordance with the NPS approved budget.”

As you are aware, the UDC’s federal allocation has been frozen at \$300,000 since our 1988 incorporation with no inflationary adjustments or any other sustainable income sources which we do not consider to meet that objective’s standard of providing adequate resources.

It is completely unreasonable that an organization is expected to survive, much less thrive, on status-quo funding for 32 years as operating expenses increase exponentially each year. The Council has been forced to reduce its staffing and programming while striving to meet our core management functions that are outlined in the RMP and the Cooperative Agreement.

Simultaneously, we acknowledge information you provided in a Jan. 8 briefing to UDC Chairperson Larry H. Richardson and Executive Director Laurie Ramie in response to the discussion of a 1<sup>st</sup> draft CA comment letter that took place at our Jan. 2 meeting.

The UDC had proposed to negotiate a specifically described funding allocation increase to restore one staff position and build in a Cost of Living Adjustment to the CA through a commensurate increase in the park unit’s base funding to avoid impacting Upper Delaware Scenic and Recreational River (UPDE) operations. We felt this would be a justifiable request to DOI since UPDE has the obligation of funding a third-party 501(c)(3) management partner organization through a line item in its budget which is challenged by having approximately 80% categorized as fixed costs.

You advised, however, that:

- Due to operating on a two-year federal budget cycle, all requests for base budget increases for Fiscal Year 2021 had to be submitted by May of 2019, and;
- The current guidance is that only newly-designated national parks with high priority needs and established parks carrying out new responsibilities associated with the Natural Resources Management Act signed by President Trump in March 2019 are able to apply for base funding supplements.

Those constraints of timing and eligibility, unknown to the UDC until now, indicate that no change to the first year covered under this five-year Cooperative Agreement term is possible. While base funding increase requests for Fiscal Year 2022 would be due in April of 2020, you indicated that the same eligibility considerations are expected to apply.

You also stated that, if there was a viable opportunity to seek supplemental base funding, UPDE would need to address at minimum in its request: 1) the operational need, why it exists, and how the funding would be used; 2) the specific services that will be provided; 3) the impacts to UPDE if the request was not funded and what activities UPDE is willing to forego in order to fund it; and 4) how the expected outcomes align with NPS and Administration priorities.

While the UDC strongly believes that a federal allocation pass-through increase is long overdue, we are aware that our funding is intrinsically tied to UPDE’s budget under this current system. Seeking any increase obviously requires the UPDE superintendent to agree with and support our justifications. As federal funding recipients, both UPDE and UDC are prohibited from lobbying in any attempt to influence funding or legislation that could be required in exploring any feasible, alternative funding mechanisms.

We welcome your insight and guidance over our conceptual efforts to restructure our professional services and the possibility of instituting a Cost of Living Adjustment through a modification of the Cooperative Agreement as referenced in the background information at the end of this letter.

One avenue you have offered to assist with is developing projects that UPDE and UDC could pursue jointly and seek to finance through competitive federal funding programs or with any end-of-fiscal-year surpluses. While you had a different interpretation that some of the project ideas that the UDC has proposed in the past were not compatible with the River Management Plan, we are interested in resuming those discussions.

A particularly appropriate venue for that will be during a visioning retreat that the UDC intends to schedule in the early spring to inform the development of a new Five-Year Operating Plan for Fiscal Years 2021-2025 which NPS has requested by July 1, 2020, potentially coinciding with the annual Application for Federal Assistance package for the year starting October 1, 2020 although that timetable has not yet been confirmed due to the implementation of a new federal financial software system this summer that will require training blackout dates.

Given your imminent, temporary relocation from the Upper Delaware on January 30 to accept a 120-day detail at Gettysburg National Military Park and Eisenhower National Historic Site as Deputy Superintendent following your prior four months of service there as Acting Superintendent last April, we understand that you may not be available to directly participate in that process but we will continue our communications.

A required Five-Year Budget to accompany the draft Cooperative Agreement renewal will be forthcoming.

Sincerely,

*Larry H. Richardson*

Larry H. Richardson,  
UDC 2020 Chairperson

Cc: Gay Vietzke, NPS Interior Region 1 Regional Director, UDC Representative  
Michelle Blockberger, Upper Delaware Scenic and Recreational River Administrative Officer

U.S. Senator Charles Schumer, NY  
U.S. Senator Pat Toomey, PA  
U.S. Senator Kirsten E. Gillibrand, NY  
U.S. Senator Robert P. Casey, Jr. PA  
Congressman Antonio Delgado, NY-19  
Congressman Matt Cartwright, PA-8  
Congressman Sean Patrick Maloney, NY-18  
NYS Senator Jen Metzger, 42<sup>nd</sup> District  
PA Senator Lisa Baker, 20<sup>th</sup> District  
PA Rep. Jonathan Fritz, 111<sup>th</sup> District  
PA Rep. Michael Peifer, 139<sup>th</sup> District  
NYS Assemblywoman Aileen M. Gunther, 100<sup>th</sup> District  
NYS Assemblyman Clifford W. Crouch, 122<sup>nd</sup> District

Joy Oakes, National Parks Conservation Association Mid-Atlantic Senior Regional Director  
Sandra Meola, Coalition for the Delaware River Watershed, Inc. Executive Director  
Jeff Skelding, Friends of the Upper Delaware River, Inc. Executive Director

## **Background Information on UDC Funding Challenges:**

The 1986 *Final River Management Plan for the Upper Delaware Scenic and Recreational River* (RMP) which the Secretary approved as compatible with the Wild and Scenic Rivers Act under Section 704 of P.L. 95-625 assigns as a responsibility of the Department of the Interior/National Park Service: “Provision of funding, pending the availability of funds, for adequately staffing and operating the Upper Delaware Council” (page 36). Uniquely at the time, the federal government agreed to limit its jurisdiction and partner with New York State, the Commonwealth of Pennsylvania, and the local communities that comprise the UDC voting membership who in turn agreed to continue their stewardship over the 55,574.5 acres of primarily private property within the 1978 Congressionally-designated boundary.

The UDC was established to oversee the effective implementation of the goals and objectives of the RMP and the Land and Water Use Guidelines, while providing the forum for joint decision-making in the river corridor.

The 60+ tasks assigned to the Council in the RMP come with a cost. For 32 years, the Council has received no inflationary adjustments and has, in fact, been existing on 60% of the funding anticipated in a cost-sharing ratio with the two state governments due to the failure by either state to appropriate any operational support. Simultaneously, NPS direct contributions to the NY town and PA townships for services such as law enforcement and trash removal assistance that were part of the RMP negotiations have significantly declined or been eliminated completely.

Through extremely careful budgeting, the UDC has kept the doors open, but at the expense of having discretionary income to pursue worthwhile projects, provide more desired assistance to its municipal members, and offer industry-comparable wages to its employees. The RMP projected that fulfilling Council duties required the professional expertise of five full-time staff members supplemented by contracted services as needed. For the majority of the UDC’s tenure, four positions were active until 2012 when staffing was reduced for budgetary reasons to three – an Executive Director, a Resource Specialist, and a Secretary – with personnel expenses accounting for approximately 61% of the budget based on salaries that are not considered competitive to recruit and retain staff to carry out the directives of the board.

**The UDC proposes to restore prior staffing levels to four full-time positions and to conduct a wage comparisons study to adjust salaries for the three current positions.** This would include the creation of a new job title of Land Use Specialist to separate out certain functions from the Resource Specialist job. Salary adjustments will be determined based on prevailing personnel costs at the time of consideration.

The justification for creating the Land Use Specialist position is the emphasis that the Cooperative Agreement’s Statement of Work places on the UDC’s “primary responsibility” to review all relevant local plans, laws, ordinances, challenges, variances, and significant projects to determine whether they substantially conform to the approved River Management Plan.

Those duties include tracking, researching, reviewing, providing technical assistance regarding achieving compatibility with the Land and Water Use Guidelines, and preparing reports, comments and recommendations for the Council’s consideration to provide to the National Park Service and Secretary of the Interior for the final determination of substantial conformance in presently 13 out of the 15 eligible towns and townships, as well as monitoring State and Federal projects within the river corridor. It extends to administering the Technical Assistance Grants



program, attending municipal meetings as needed as well as Council and committee meetings, and currently providing lead technical support to the Water Use/Resource Management Committee.

Future goals for a Land Use Specialist are continue the project and zoning review responsibilities, and to provide ongoing support and training in the use of the soon-to-be available Project Review Workbook Version 2.0, work in collaboration with NPS and the UDC to update the Schedule of Compatible, Conditional, and Incompatible Land Uses in the Land and Water Use Guidelines, help finalize a position paper on renewable energies and identify other new land uses since 1986 for which review guidelines are not available, and help assure that the 1986 River Management Plan is meeting today's needs. It is a very demanding workload that has not provided sufficient time in a 40-hour work week to pursue periodic, comprehensive substantial conformance reviews of member municipalities that NPS states have not been adequately documented since approximately 1990.

The Resources Specialist role would evolve to offering more sciences-based support to the Council and its municipal members on conservation topics and assessment of impacts to the river corridor, as well as assisting the Executive Director with public relations and outreach functions that have been absorbed into that position and grant writing for identified UDC project goals. This position would have the lead technical responsibility for issues pertaining to Water Resources, Fish and Wildlife, Threatened and Endangered Species, Unique Land Resources, and Cultural Resources.

**The UDC also proposes to include an automated Cost of Living Adjustment (COLA) in the new Cooperative Agreement.** This would enable a simple, standardized system supported by the U.S. Bureau of Labor Statistics and based on increases to the Consumer Price Index to keep up with inflation.

To cover this increase without impacting UPDE's income to support your agency's excellent work, we believe that the park unit is justified in advising DOI that UPDE's current responsibility to fund the UDC through a line item in your budget warrants providing a commensurate increase in your base operating aid. Alternatively, a separate funding mechanism could be explored so that the UDC's allocation is independent of the UPDE budget. This may promote greater autonomy within the cooperative partnership model while maintaining all the present forms of accountability and transparency through approvals of budgets, work plans, and audit reports.

The UDC would like to work with NPS UPDE on framing this request most feasibly for the Department of the Interior review.

We believe that this operational increase is defensible after three decades of flat-level funding, and it will provide an immense value to our partnership by facilitating the accomplishment of shared goals to meet the cooperative management challenges and opportunities of the Upper Delaware Scenic and Recreational River that we are here to serve.