



Upper Delaware Council

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Upper Delaware Council Cooperative Agreement #P20AC00940 Fiscal Year 2023 Performance Progress Report

Project Title: **Collaborative Management through Implementation of the Upper Delaware River Management Plan**

Report Period: **10/01/2022 to 9/30/2023**

Submission Date: **January 26, 2024**

Upper Delaware Council Representatives and Alternates effective 9/30/23

** indicates a change from Fiscal Year 2022, explained below the chart*

<i>Municipality/Partner</i>	<i>Representative</i>	<i>Alternate</i>
Town of Hancock, NY	Fred Peckham	Timothy Newman
*Town of Fremont, NY	James A. Greier	Dennis Bernitt
Town of Delaware, NY	Harold G. Roeder, Jr.	Vacant
Town of Cochection, NY	Larry H. Richardson	Sean Nearing
*Town of Tusten, NY	Evan Padua	Susan Sullivan
*Town of Highland, NY	Andy Boyar	Vacant
Town of Lumberland, NY	Nadia Rajsz	Frank Guzman
Town of Deerpark, NY	Virginia Dudko	William Dudko
Damascus Township, PA	Jeffrey R. Dexter	Steve Adams, Joseph Canfield, and Scott Rutledge
Berlin Township, PA	Alan Henry	Paul Henry
Lackawaxen Township, PA	Doug Case	Vacant
Shohola Township, PA	Aaron Robinson	1 st – Roger Saumure 2 nd – Patricia Jeffer
Westfall Township, PA	Michael Barth	Vacant
*State of New York	Ryan Coulter, Region 3 Fisheries Manager, NYS Department of Environmental Conservation	Chris VanMaaren, Region 4 Fisheries Manager, NYS Dept. of Environmental Conservation
Commonwealth of Pennsylvania	Timothy Dugan, Delaware State Forest District Forester, PA Department of Conservation and Natural Resources (DCNR)	Christine Dettore, Regional Advisor, PA DCNR Bureau of Recreation and Conservation

Working together to conserve the Upper Delaware Scenic and Recreational River

*Town of Hancock • Town of Fremont • Town of Delaware • Town of Cochection • 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*

Delaware River Basin Commission (non-voting)	Steven J. Tambini, Executive Director	Kristen Bowman Kavanagh, Deputy Executive Director
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Federal partner:

*National Park Service (non-voting partner)	Gay Vietzke, Regional Director, NPS Region 1	Lindsey R. Kurnath, Upper Delaware S&RR Superintendent
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Board Member and NPS Transitions: Upper Delaware Council members are the municipalities (15 eligible local governments, the State of New York, and Commonwealth of Pennsylvania) that border along the Upper Delaware Scenic and Recreational River. Each member town, township, and state agency appoint representatives and alternates to serve their interests on the Council. Participation on three standing committees is voluntary. *Town of Fremont:* Alternate Pamela Reinhardt served from Jan. 2021-Jan. 2023, then was replaced by Supervisor Brian Brustman through June 14, 2023, when the town board appointed Dennis Bernitt as the alternate. *Town of Tusten:* Susan Sullivan, prior Representative since January 2010 and Alternate since October 13, 2009, switched roles effective January 9, 2023 with Evan Padua, who had been the Tusten Alternate since May 1, 2018. *Town of Highland:* Alternate James Gutekunst retired from the board on October 21, 2022. *State of New York:* The New York State Department of Environmental Conservation Commissioner appointed Ryan Coulter as Representative and Chris VanMaaren as Alternate effective June 1, 2023, following a vacancy since the February 22, 2022 retirement of former Representative Bill Rudge. *National Park Service:* Lindsey R. Kurnath entered duty as Superintendent of the Upper Delaware Scenic and Recreational River on January 15, 2023, succeeding Superintendent Joseph A. Salvatore who had died on July 27, 2022. Kara Deutsch from the Delaware Water Gap National Recreation Area served an Acting Superintendent detail from September 25, 2022 through January 15, 2023.

Officers: The Election of Officers for the 2023 calendar year took place by ballot on January 5, 2023 with **Aaron Robinson** (Shohola Township) elected as Chairperson; **Virginia Dudko** (Town of Deepark) as Vice-Chairperson; and **Alan Henry** (Berlin Township) as Secretary-Treasurer. Shohola Township Board of Supervisors Chairperson Gregory Hoepfer administered the oaths of office during a symbolic swearing-in ceremony on February 2. The new executive slate succeeded the 2022 officers who served until the UDC’s 2023 annual meeting: Chairperson Andy Boyar (Highland); Vice-Chairperson Aaron Robinson (Shohola); and Secretary-Treasurer Alan Henry (Berlin).

UDC Staff: The UDC employed three full-time professional staff in Fiscal Year 2023 to carry out the directives and policies set by the UDC board, whose members are appointed by their municipalities or agencies. The positions were held by: Executive Director Laurie Ramie (hired April 21, 1997 as Public Relations/Fundraising Specialist until her June 8, 2012 promotion as Executive Director); Resources and Land Use Specialist Kerry Engelhardt, P.E. (hired November 22, 2021); and UDC Administrative Support Stephanie Driscoll (hired July 10, 2023 to succeed Secretary Ashley Hall-Bagdonas, employed from October 15, 2018 to March 31, 2023).

Upper Delaware Council Mission Statement:

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.

Fiscal Year 2023 accomplishments are organized under the appropriate tasks and subcategories from the Upper Delaware Council-National Park Service Cooperative Agreement.

Cooperative Agreement Task 1: Review, coordinate, and provide direction for all aspects of implementation of the Upper Delaware River Management Plan, consistent with the functions and responsibilities of the UDC described in the Plan.

A. Financial Administration

- The Upper Delaware Council’s Operations Committee oversees financial administration, including the budget, accounting, reporting system, and insurance issues, meeting on the 4th Tuesday of each month to review expenditures, approve payments summarized on an abstract of bills, receive a monthly and year-to-date financial statement, and assure compliance with all federal, state, and agency filing and reporting requirements.
- A first-ever “Upper Delaware Council State and Federal Partnership Summit” was convened on 2/23/23 to draw attention to the unadjusted status since 1988 of the 60% Federal cost-share and the failure by the State of New York and the Commonwealth of Pennsylvania to ever remit the 40% States’ shares of UDC operational funding outlined in the Cost and Phasing section of the 1986 *River Management Plan for the Upper Delaware Scenic and Recreational River*. (See Educational Outreach section.)
- The UDC maintains policies for General Commercial Liability which names the National Park Service as an additional insured; Directors & Officers Liability through Travelers Casualty Insurance; Workers’ Compensation through the New York State Insurance Fund; State Disability Insurance through ShelterPoint, brokered through Mike Preis Insurance Agency, Inc.; and optional health insurance policies for employees.
- The Executive Director oversees the development of SF-424 Application for Federal Assistance packages including budgets, work plans, narratives, and certification forms for submission to the National Park Service via the GrantSolutions.gov software program to execute Cooperative Agreement modifications on requested schedules; and annually updates the UDC’s active registration to administer federal assistance awards through the System for Award Management (SAM.gov) before the 3/8 expiration date.
- The UDC maintains independent contracts for accounting and bookkeeping services (Beck, Gogolski & Co., CPAs, Honesdale, PA); payroll preparation (Sentinel Payroll Solutions, Honesdale, PA); and fiscal year financial audits or reviews, federal, and state tax filings (Eckersley & Davis LLP, CPAs, Scranton, PA). Effective March 9, 2023, the UDC enrolled in a direct deposit system through Kotopay for its bi-monthly payroll.

- The three elected UDC officers and the Executive Director as the chief fiscal officer are authorized signatories on the Council's checking and savings bank accounts held with Jeff Bank, completing a corporate resolution and signature cards annually. Each UDC check requires a documentation voucher and two signatures. A dedicated bank account for Upper Delaware Litter Sweep revenue and expenses is maintained by the Executive Director.
- The Executive Director electronically applies each month to the U.S. Treasury's Automated Standard Application for Payments (ASAP) system to draw down the Congressionally appropriated federal funds allocated through the Cooperative Agreement with the U.S. Department of the Interior National Park Service to reimburse the UDC budget for its authorized federal expenditures.
- The Fiscal Year 2022 Independent Accountants Audit Report, along with federal IRS Form 990, New York State tax filing and Charities Bureau Form 500, were presented to the UDC Operations Committee on 1/24/23, reviewed for submission of comments, and finalized on 2/2/23. A contract to conduct a financial review for Fiscal Year 2023 was approved with Eckersley & Davis LLP on 2/2/2023 via Resolution 2023-03.
- The UDC documents attendance by its town and township representatives and alternates through sign-in logs cross-referenced with approved minutes at regular and special meetings of the full Council and its three standing committees (Water Use/Resource Management, Project Review, and Operations) to provide remuneration at \$35.00 per meeting and home-to-UDC office roundtrip mileage reimbursement at the annual IRS-established standard rate for in-person meetings as per the organizational bylaws and the UDC Representative Participation Reimbursement Policy.
- Two grant programs were administered by the UDC during Fiscal Year 2023: Technical Assistance Grants (see Cooperative Agreement Task #6) valued at \$8,622.50 as awarded on 10/6/22; and River & Shoreline Clean-up Grants valued at \$7,040.13 as awarded on 5/4/23 (see Resource, Advocacy, Protection and Coordination section).
- On January 4, 2023, the UDC received the single largest private donation in its history of \$10,000 in memory of Robert Cella from Barryville, NY and in honor of UDC 2023 Chairperson and Shohola Township Representative Aaron Robinson, which provided the seed money to open an online brokerage investment account for UDC unrestricted funds.

A. Reporting

- The UDC prepared Fiscal Year 2023 SF-424 Application for Federal Assistance packages as follows: 3rd & 4th Quarters submitted 3/30/23 for \$150,000; then revised at the National Park Service's directive on 5/16/23 to add the 1st and 2nd Quarters for Fiscal Year 2024 for a \$300,000 funding advance request. The Cooperative Agreement modification was awarded on 6/9/23. Applications, audit threshold exemption statements, and 8/24 renewing liability insurance certificates are provided for National Park Service review and approval at the park unit and Region 1 levels through the GrantSolutions.gov federal financial award management system.

- The UDC’s Federal Financial Report (FFR) and Performance Progress Report (PPR) for Fiscal Year 2022 (10/1/21-9/30/22) were completed and submitted to the National Park Service through GrantSolutions on 12/28/22.
- The UDC provides the National Park Service with electronic copies of the Independent Accountants’ Financial Review Reports, all meeting notices, news releases, membership directory updates, new publications, and project review documents (see Project Review, Substantial Conformance, and Enforcement Programs sections).
- Implementation of tasks cited in the River Management Plan, quarterly work plans, and the Areas of Focus outlined in the current UDC Five-Year Operating Program covering October 1, 2020 through September 30, 2025, are ongoing.
- For public reporting purposes, the UDC publishes advance notice of all its Council and committee meetings on a pre-planned schedule in the form of news releases submitted to the NY and PA newspapers serving the Upper Delaware River Valley, its newsletter, and via online postings including the UDC website and social media. All regular UDC meetings are open to a general audience, with public comment opportunities provided on each agenda. Meeting minutes, directories, and publications are available on the UDC website.

B. Personnel and Training

- Under the directive to maintain adequate personnel levels sufficient to perform productively and carry out requirements of the NPS Cooperative Agreement, the UDC position descriptions for its current three full-time staff members include, but is not limited to: **Executive Director** – responsible for the non-profit organization’s administration, implementation of River Management Plan objectives, intergovernmental relations, grant program oversight, strategic planning, personnel supervision, budgeting, financial reporting, monthly activity reporting, contract management, monitoring of resource management issues, drafting documents, fundraising, special events planning including the annual awards ceremony, and public outreach including written communications and serving as editor of the tri-annual newsletter; **Resources and Land Use Specialist** – provides the primary technical support and coordination on land and resource management activities, performing reviews regarding the substantial conformance of developments, zoning changes, and proposals with the Land and Water Use Guidelines, preparing draft comments and monthly reports, monitoring activities with potential impacts on the river corridor’s resources, and managing the Technical Assistance Grants program; and Secretary (title changed to **Administrative Support** in July 2023) – provides a wide range of office administrative and clerical support, including meeting preparations, taking minutes, receptionist duties, managing records and databases, stocking supplies, maintaining equipment, and coordinating the annual raft trip and Upper Delaware Litter Sweep.
- All staff engage in responding to information requests from the Council membership, public education through such means as festival attendance and social media, website and literature maintenance, and serving as active members of relevant external committees and complementary mission organizations.

- A vacancy in the Secretary position occurred on 3/31/23. The job opportunity was widely advertised through workforce listings, newspapers, social media, and emailed notifications. Following the vetting of applications, interviews, and negotiation of an Employment Agreement, the UDC hired Stephanie Driscoll of Eldred, NY effective 7/10/23. A news release was issued on 7/13 to announce the new employee, whose six-month probationary period was due to end on 1/10/24. Training included a Wordpress Content Management System website maintenance training session with W Design principal Dorene Warner.
- Resources and Land Use Specialist Kerry Engelhardt obtained approval for UDC tuition payment to take two 10-week classes as a Geographic Information Systems (GIS) major through the Penn State University World Campus: “GEOG 482: Making Maps that Matter with GIS”, during the Summer 2023 semester (5/10-7/19) and GEOG 483: Problem Solving with GIS”, during the Fall 2023 semester (8/16-10/25). Completion of four classes is required to obtain a Postbaccalaureate Certificate of GIS.
- Training and information gathering opportunities were offered through participation in the 10/11-12, 2022 “Water, Water Everywhere” conference by Friends of the Upper Delaware River, Inc.; 11/3-4/2022 10th Annual Delaware River Watershed Forum by the Coalition of the Delaware River Watershed in Philadelphia; 1/18/23 “Our Shared Waters” Delaware River Basin Commission webinar; 2/14 “Powerful Advocacy Tips for 501(c)3 Organizations” webinar; 6/28 National Parks Conservation Association Community Roundtable; 7/26 “New York State Environmental Bond Act Opportunities” webinar; and 9/28-29 11th Annual Delaware River Watershed Forum in Wilmington, DE.
- A Personnel Subcommittee oversees annual staff performance appraisals, handles any complaints or inquiries regarding employment, conducts interviews and makes recommendations in the event of vacancies, and monitors adherence to the Upper Delaware Council Inc. Employment Practices and Staff Code of Conduct Policy.
- The staff convenes regular 3rd Monday monthly team meetings to review calendar entries of meetings, activities, and deadlines; develop the agendas for the four monthly meetings; and discuss issues. Meeting preparations include copying, collating and scanning reports and handouts to distribute meeting packets to all members. After each Council and committee meeting, the Executive Director distributes a Summary of Action Items with assigned responsibilities for staff or UDC membership. Minutes are drafted, approved, and distributed after every meeting.

- In compliance with New York State Department of Labor requirements for employers, the UDC reaffirmed its Sexual Harassment Prevention Policy by approving a 1/5/23 resolution which added two updates to: 1. Extend the Statute of Limitations to file a sexual harassment complaint with the Division of Human Rights from one year to three years; and 2. Introduce a toll-free and confidential sexual harassment hotline at 1-800-HARASS-3 to connect with pro-bono attorneys or submit a complaint. Staff and board members received a link to an approved “Your Workplace Should be Free from Sexual Harassment” training video to produce a Certificate of Completion, and an agenda item for interactive discussion was included on the 2/2/23 full Council meeting. The UDC also requires its voting members to complete and return a Conflict-of-Interest Disclosure Statement each calendar year.
- UDC representative and alternate appointments are confirmed annually as well as noting any interim changes to enable updates to written and electronic directories, distribution of orientation folders including the UDC Representative Participation Reimbursement Policy to outline expectations, the offer of training materials and foundational documents such as the River Management Plan and Project Review Workbook, and acknowledgement of service terms for departing delegates. Representatives and alternates are offered the opportunity to participate in relevant seminars and conferences.
- Under the goal of working with the National Park Service to help inform seasonal rangers, new employees, and volunteers about their role in the Upper Delaware Scenic and Recreational River and orient them to the unique circumstances of the cooperative management approach, the UDC Executive Director has traditionally been invited to make a presentation at an orientation session for NPS seasonal staff and interns. The UDC Resources and Land Use Specialist and NPS Community Planner share information and engage in collaborative project reviews when possible. The UDC Administrative Support is a contributing member of the NPS Water Safety Committee to assist with fostering partnerships and public education.

D. Educational Outreach

- PowerPoint presentations and videos of recorded meetings are posted online along with the minutes for the benefit of absent UDC members, media, and the public. The UDC regularly offers Zoom videoconferencing options for those who need or prefer to participate remotely.
- To raise awareness of the need to protect the scenic, recreational, cultural, and natural qualities of the Upper Delaware, the UDC distributes an Upper Delaware Scenic and Recreational River in NY and PA Visitor Information Map & Guide and other brochures/publications; participates in public interaction events; maintains a website at www.upperdelawarecouncil.org and active social media presence through Facebook, Instagram, X (formerly Twitter), LinkedIn, YouTube and Vimeo platforms; and responds to media requests for information, quotes, interviews, and photos.

- Outreach activities, displays, and presentations during Fiscal Year 2023 outside of the UDC-sponsored events included: 11/18/22 and 9/17/23 UDC presentations to the Sullivan County Chamber of Commerce Foundation's Leadership Sullivan classes; 11/15 "GIS is Everywhere" Day exhibit at the Sullivan County Government Center; 1/31 dedication of the Hancock High Speed Electric Vehicle Charging Hub; 5/20-28 Upper Delaware Shadfest: Festival of the Founding Fish; 6/16-19 Upper Delaware days of the Delaware River Sojourn; 7/14 Pike/Wayne Conservation Partners Legislative Breakfast; 7/15, 17th Annual National Park Service Zane Grey Festival; 7/21 Pike/Wayne Conservation Partners Homeowners Resource Fair; 7/23 33rd Annual Narrowsburg Riverfest; 8/2 Day on the Delaware at the Highland Access in Barryville; and 8/14 dedication of the Damascus Township Park Phase I.
- "The Upper Delaware", a 12-page newsletter composed and designed in-house by the UDC about the environment and people of the Upper Delaware River Valley in NY & PA, was released on 12/1/22 (Fall/Winter), 3/30/23 (Spring), and 8/2/23 (Summer), with publicity notifications of its availability and a description of the contents issued. The Council approved a contract on 11/3/22 with Courier Printing of Deposit, NY for printing, labeling, pre-sorting, and mailing services for the 10,000-copy order, with bulk mail distribution through the Callicoon, NY Post Office. The Administrative Support maintains the mailing database, Each issue is posted on the UDC website for download or online viewing. An index of articles and archives is maintained to utilize as a historic reference.
- When feasible, the UDC arranges monthly informative presentations on topics relevant to the Upper Delaware River Valley to start each full Council meeting or occasionally its committees. Fiscal Year 2023 programs were: 10/6/22, "Open Source Tools for Environmental Sensing" by Dr. Peter Marchetto from FieldKit; 11/3/22, "Thermal Stress on the Wild Trout of the Upper Delaware: A Report on the Performance of the FFMP's Thermal Mitigation Program" by Dr. Peter Kolesar, Columbia University; 12/1/22, "A 3-D Visualization of Land Use in the Upper Delaware Corridor: by Dr. Claire Jantz and Alfonso Yanez Morillo from the Center for Land Use and Sustainability at Shippensburg University, 1/5/23, "Water Resources and Environmental Considerations with Shale Gas Development in the Appalachian Basin" by David Yoxtheimer, Ph.D, P.G., Marcellus Center for Outreach and Research at Penn State University; 3/2/23, "The Tree of Outdoor Recreation" by Nathan Reigner, Ph.D., Pennsylvania's Director of Outdoor Recreation under the Department of Conservation and Natural Resources; 4/6/23, "Plastics: Damning the Delaware" by Rebekah Creshkoff of Beyond Plastics, Inc.; 5/4/23, "Update on the Delaware Aqueduct Shutdown" by Jennifer Garigliano, NYC Department of Environmental Protection; 7/6/23, "Update on the National Park Service's Water Safety Initiatives" by Upper Delaware Scenic and Recreational River Chief of Interpretation Ingrid Peterec and Law Enforcement Park Ranger Ron Babus; 8/3/23, "Introduction of Sullivan County Commissioner of Public Safety, Homeland Security, and Emergency Management Scott F. Schulte" by Scott Schulte; 9/7/23, "Stop Aquatic Hitchhikers!" by Catskill Regional Invasive Species Partnership (CRISP) Watershed Steward Program Manager Team Leader for Sullivan County Leeann Bruetsch and Assistant Program Coordinator Mary Keefe; and 9/19/23, "Federal Wild and Scenic Rivers Designation for the Lackawaxen River Proposal" by Christine Foland, Lackawaxen River Conservancy, at the Water Use/Resource Management Committee meeting.

- UDC staff serves on numerous liaison groups and steering committees to obtain and share informational resources including the National Park Service Water Safety Partners, Delaware River Sojourn, Delaware River Basin Commission’s Water Management Advisory Committee, Upper Delaware Scenic Byway, Local Waterfront Revitalization Plan for the Upper Delaware River Corridor, D&H Transportation Heritage Council, Delaware Highlands Conservancy Eagle Committee, Catskills Regional Invasive Species Partnership, Pike/Wayne Conservation Partnership, and Local History Roundtable.
- The 35th Annual UDC Family Raft Trip held on 8/6/23 and open to the public attracted 95 guests from throughout the tri-state region of NY, PA, and NJ (three children ages 4-12 and 92 people age 13 and above) for a scenic six-mile paddle from the Staircase Access in the Town of Lumberland, NY to Matamoras in Westfall Township, PA. Kittatinny Canoes provided the rafts, paddles, life vests, morning shuttles, and pre-launch safety briefings. To fulfill the mission of promoting stewardship of the Upper Delaware River through a direct recreational activity, The UDC provides coordination services with no profit by charging the discounted group rate per person offered by the host livery.
- The 35th Annual River Valley Awards sponsored by the UDC took place on 9/10/23 at Central House Family Resort in Beach Lake, PA with 121 guests and a keynote address by U.S. Congressman Marcus J. Molinaro (NY-19). The 2023 recipients were: Distinguished Service Award – James A. Greier, Town of Fremont UDC representative and public servant; Robin M. Daniels Memorial Lifesaving Award – Nancy Lauby and Tom Zibinski of Beach Lake, PA; Outstanding Community Achievement Award – Damascus Township Parks and Recreation Committee; Partnership Award – Highland River Access Update; Cultural Achievement Award – Ramona Jan and the Yarnslingers; Recreation Achievement Award – Delaware River Sojourn Steering Committee; Community Service Award – Richard H. Lowe III of Hancock, NY; Community Service Award – Tom and Cecilia Coacci of Damascus, PA; Volunteer Award – Cathy Daboul of Barryville, NY; Special Recognition Award – Rosie Starr of WJFF Radio Catskills 90.5 FM; Special Recognition Award – Nathaniel Pereira-Mendoza of Sullivan West High School; and Oaken Gavel Award – Andy Boyar, 2022 UDC chairperson from Town of Highland. A commemorative program was produced in-house to pay tribute through illustrated narratives to the honorees, which is posted online and shared through social media.
- The Scranton/Wilkes-Barre RailRiders featured the Upper Delaware Council as the “Community Organization of the Game” on 8/1/23 for the Minor Baseball League and Triple A-affiliate New York Yankees team’s game against the Rochester Red Wings at the PNC Field in Moosic, PA. The Council had a prime location on the concourse to table along with invited guests from the National Park Service Water Safety Team, participated in an on-field interview, and UDC Town of Tusten Representative Evan Padua threw out the ceremonial first pitch. \$5 from each sale of a 25-ticket block of reserved seats was donated to the UDC.
- In addition to subscribing to six newspapers, three conservation-oriented magazines, and numerous newsletters to scour for relevant articles, events, and legal notices, the UDC circulates information and grant opportunities to fellow conservation organizations, municipal members, and the public. Press releases issued by the NPS Upper Delaware Scenic and Recreational River are posted under “Partner News” on the UDC website and shared on social media.

- The UDC issued the following news releases during Fiscal Year 2023, beyond its routine advance committee meeting date notices: “Upper Delaware Council Grants Benefit Tusten Zoning”, 10/6; “UDC Will Present Wild Trout Thermal Stress Program by Dr. Peter Kolesar on Nov. 3”, 10/20; “Upper Delaware River T-shirts Make Great Gifts, Benefit UDC”, 11/22; “UDC Will Present 3D Visualization of Land Use in the Upper Delaware Corridor on Dec. 1”, 11/18; “Upper Delaware Council to Present Program on Shale Gas Development at Jan. 5 Annual Meeting”, 12/22; “The Upper Delaware Fall/Winter 2022 Newsletter Out”, 12/1; “Upper Delaware Council Elects 2023 Officers”, 1/5/23; “UDC Will Host Sexual Harassment Prevention Training on Feb. 2”, 1/20; “Upper Delaware Council to Swear in Officers on Feb. 2”, 1/26; “Upper Delaware Council Names Roster for 2023”, 2/13; “UDC Will Host PA Director of Outdoor Recreation at March 2 Public Meeting”, 2/21; “Upper Delaware Council Cites Fiscal Year 2022 Accomplishments”, 2/21; “Interest in May 20 Historic D&H Bus Tour of Port Jervis to Phillipsport Needed by April 1”, 2/23; “Sponsors Needed by April 15: Volunteers Needed for April 22-30, 2023 Upper Delaware Litter Sweep”, 3/14; “UDC Seeks Municipal Proposals for River & Shoreline Cleanups”, 3/21; “UDC to Host Plastics Damning the Delaware Presentation on April 6”, 3/24; “The Upper Delaware Spring 2023 Newsletter Out”, 3/30; “UDC Will Present Update on the Delaware Aqueduct Shutdown Postponement May 4”, 4/4; “Upper Delaware Litter Sweep Ready to Beautify River Valley”, 4/5; “Reserve by 4/15 for 5/20 D&H Canal Bus Tour”, 4/6; “UDC Announces Grants to Two Towns to Clean Up River and its Banks”, 5/5; “Callicoon-Damascus Bridge Ready for \$18M Rehab”, 5/19; “Upper Delaware Litter Sweep Grateful for 2023 Support”, 5/31; “Upper Delaware Council Technical Assistance Grant Applications due by Aug. 18”, 6/5; “UDC Welcome Public on Aug. 6 Raft Trip”, 6/12; “Upper Delaware Council to Host National Park Service Water Safety Presentation on July 6”, 6/21; “Upper Delaware Council Welcomes Stephanie Driscoll”, 7/13; “RailRiders to Promote Upper Delaware Council at Aug. 1 Game; \$15 Tickets Benefit Non-profit”, 7/13; “Upper Delaware Council to Host Sullivan County Commissioner of Public Safety on August 3”, 7/20; “UDC Seeks Nominations for 35th Annual River Valley Awards by August 18”, 7/25; “The Upper Delaware Summer 2023 Newsletter Out”, 8/2; “UDC Raft Trip Hosts 95 Paddlers”, 8/7; “Congressman Molinaro to Speak at UDC’s 35th Annual Awards Sept. 10”, 8/9; “Upper Delaware Council Hosts Stop Aquatic Hitchhikers Public Presentation on Sept. 7”, 8/18; “UDC Announces Honorees for 35th Annual River Valley Awards”, 8/24; “UDC Sets Sept. 12 Meeting to Review Grant Applications”, 8/31; “UDC 2023 Honorees at the 35th Annual River Valley Awards”, 9/11; “UDC Will Present Fall Dewatering Exercise for the Delaware Aqueduct Shutdown Oct. 5”, 9/22; and “Towns Complete River & Shoreline Cleanups”, 9/28.
- The UDC’s Government Officials Liaison Subcommittee (GOLS) is tasked with keeping local, state and federal legislators and officials informed of river valley issues through correspondence, meetings, and events. Welcome letters were sent to 2022 newly elected or redistricted officials representing the Upper Delaware River Valley jurisdiction including PA Governor Josh Shapiro, NYS Governor Kathy Hochul, U.S. Senator John Fetterman (PA), Congressman Marc Molinaro (NY), Congressman Pat Ryan (NY), NYS Senator Peter Oberacker, NYS Senator James Skoufis, PA Representative Joe Adams, NYS Assemblyman Joseph Angelino, and NYS Assemblyman Karl Brabanec, along with updating contact information on the UDC’s Directory of Political Representatives and responding to requests for information.

- The UDC approved adding its signature on an 11/22/22 letter by the Alliance for the Upper Delaware River Watershed to New York State Governor Kathy Hochul advocating for consideration of a dedicated funding stream through the Environmental Protection Fund to support Upper Delaware River projects.
- The 2/23 “Upper Delaware Council State and Federal Partnership Summit” held at the UDC office and via Zoom invited elected officials and agency representatives to participate in a crash course on the economic and environmental value of the Upper Delaware River Valley, and to learn about the imminent financial crisis the UDC faces due to intended but unattained allocations from both states to sustain operations and by the status quo federal share for 35 years to fulfill the legislatively mandated Council’s obligations assigned in the 1986 River Management Plan. Participants were provided with a historical background, overview of UDC operations, statistics, and a summary of the conclusion from the independent Fiscal Sustainability Plan (Crane Associates, Dec. 2021) which quantified that the UDC will be forced to eliminate a full-time position within 4-5 years based on the current trend of inadequate funding and increasing operational expenses. Activities included sending invitations on 2/8-9, holding a strategy session on 2/16 to develop the agenda, creating a PowerPoint presentation, updating NYS and PA UDC Operational Support fact sheets and briefing reports, assembling information folders which were distributed to absentees as well, circulating a link to the videotaped recording of the 50-minute session and a transcript of Chairperson Robinson’s comprehensive historic overview remarks, and doing follow-up correspondence including a 3/10 letter to NYS Assemblywoman Aileen Gunther (100th District), who personally attended the summit via Zoom, on the subject of her offer to arrange a meeting with the Assembly’s Ways and Means Committee. Media coverage included a 3/1 article by Kristin Barron in the *Hancock Herald*: “Upper Delaware Council Focuses on Funding Crisis at First-Ever Summit Meeting”; a 3/3 article by Derek Kirk in the *Sullivan County Democrat*: “Upper Delaware Council Calls on the States for Help”; and a 3/20 front page, illustrated article in the daily *Times Herald Record*, syndicated by USA Today from Peter Becker’s publication in the *Tri-County Independent*: “Upper Delaware Council Board Faced with 35-Year-Old Funding Dilemma.”
- The UDC had two Letters to the Editor published in the *River Reporter* and *Sullivan County Democrat* written on 3/10 and 3/17 to express appreciation to Sullivan County Legislature Chairperson Robert Doherty for publicly supporting UDC New York State funding and citing Assemblywoman Gunther’s advocacy on the Council’s behalf. On 11/22/22, the UDC had provided a written update of its funding dilemma situation at Assemblywoman Gunther’s request during a meeting with Delaware River Basin Commission staff.
- New York State Senator Peter Oberacker (51st District) traveled to the UDC office in Narrowsburg to meet with GOLS members and UDC staff on 7/6 for a discussion on an agenda of topics focused on funding, and received an appreciation letter for his time and attention.
- The UDC created an illustrated poster board and attended a Pennsylvania Legislative Breakfast on 7/14 sponsored by the Pike/Wayne Conservation Partnership at the Wayne County Conservation District office in Honesdale to discuss its services, contributions, and funding challenges with the federal and state officials in attendance.

- After meeting on 9/7 with the UDC to discuss strategies to address the operational funding deficits, UDC Solicitor Jason R. Ohliger wrote letters on 9/26 directed to PA Governor Shapiro and NYS Governor Hochul on the subject of “Upper Delaware Council Funding Emergency” that included copies of the states’ Executive Orders as an “implied mandate” that annual funding of the River Management Plan would occur and described the potential consequences if the UDC is rendered dysfunctional. A 1/11/1998 letter co-signed by Congressmen Gilman, McHugh, and McDade recognizing the national significance of the Council’s charge, its uniqueness, and its permanence as the driving force behind the Plan’s implementation was also enclosed. The 9/26 letters prompted a 10/12 UDC news release and additional media coverage.
- On the federal funding level, UDC Chairperson Robinson sent letters dated 3/7 to the river valley’s seven U.S. Congressional representatives on the subject of “Flaws and Remedy to Federal Funding of the Upper Delaware River Management Plan” which presented his analysis of the problem and offered options to explore such as enacting a new mechanism to fund the UDC through a direct line-item appropriation with a built-in annual inflationary index by the U.S. Department of the Interior.
- The UDC approved a new, two-page “Upper Delaware Council Funding Issue Fact Sheet” on 5/24 with sections summarizing History, Mission, The Problem, and Potential Solutions.
- Chairperson Robinson sent a letter to the *New York Times* on 6/8 suggesting consideration of writing a follow-up to their 3/19/1984 article, “Fury Aroused by Plan for Delaware” in which they reported on the controversial proposal to designate the Upper Delaware Scenic and Recreational River as a component of the National Wild and Scenic Rivers System to track what has become of it over three decades later.

E. General Operations

- Resolutions approved by the UDC board during Fiscal Year 2023 by number and date were: 2022-07: Approving Technical Assistance Grants for Fiscal Year 2023 (10/6); 2022-08: Awarding the Printing of “The Upper Delaware” Newsletter to Courier Printing for Fiscal Year 2023 (11/3); 2023-01: Authorizing Signatories for the Council’s Bank Accounts in 2023 (1/5); 2023-02: Reaffirming a Sexual Harassment Prevention Policy for 2023 (1/5); 2023-03: Entering into a Contract with Eckersley & Davis LLP for the Upper Delaware Council’s Fiscal Year 2023 Financial Review (2/2); 2023-04: Approval to Open a Vanguard Brokerage Account (4/25); and 2023-05: Approving 2023 River & Shoreline Cleanup Grants, 5/4.
- In September 2023, the UDC purchased Microsoft Surface Go tablets with stylus pens and cases for interested board members and staff to facilitate a more paperless goal for meeting materials. A policy for their use, maintenance, and UDC ownership was approved on 9/26. The Council contracts with Marshall’s Consulting and Lakeside Region Computers of Hawley, PA to assist with hardware and software computer system needs, repairs, registrations, virus protections, and license agreements.

- As per the UDC bylaws, the presiding chairperson appoints a Nominating Committee in November to develop a slate of candidates for the positions of chairperson, vice-chairperson, and secretary-treasurer, which is announced at the December meeting, with the election taking place in January. A swearing-in ceremony is arranged for the February meeting.
- Relationships are maintained with citizens and groups within the two UDC non-participating townships of Buckingham and Manchester, with an open line of communication to their Board of Supervisors, seeking reconsideration of their opting out of Council membership to date.

F. Building Maintenance

- The Operations Committee and staff oversees all necessary maintenance, repairs, and renovations to the UDC office building at 211 Bridge St. in Narrowsburg, NY, often performing them in-house such as the U.S. flag pole installation and outside lighting fixture replacements.
- Invasive plants and weeds on UDC property were removed and a perennial garden designed through a landscaping project completed in August 2023 by Leons Freddie from the Sullivan Renaissance Narrowsburg Beautification Group.
- September 2023 maintenance services included pressure washing of the building by Dan Wagner Window Cleaning. and carpet cleaning by Kestler Carpet Cleaning.
- The UDC contracts with Constable's Custodial Service for office cleaning every other week; AVM Remove It for garbage and recycling collection once per month; Bill's HVAC for repairs and maintenance of the oil-fired furnace and heat/air pump; and snow plowing and sanding as needed by Floyd Campfield Landscaping. Annual safety inspections take place by the NYS Department of Labor Division of Safety and Health Boiler Inspection Bureau for the furnace operation and by Cintas for the fire extinguishers and illuminated exit signage.

G. Resource Advocacy, Protection and Coordination:

- 1. Recreation Issues**
 - 2. Water Resources Management**
 - 3. Natural and Cultural Resources**
 - 4. Fish and Wildlife**
 - 5. Unique Land Resources**
 - 6. Threatened and Endangered Species**
 - 7. Economic Development and Tourism**
 - 8. Pollution Control and Abatement**
- The UDC approved letters of support needed by 3/16 applications for Delaware Watershed Conservation Fund grants by the Town of Tusten for an Open Space Conservation Plan and by the Delaware River Basin Commission for a Water Quality Research to Benefit Humans and Habitat project, which were both successfully funded, as well as a 3/28 support letter requested by Damascus Township for Damascus Township Park Phase 2 Improvements at the township-owned property.

- A Joint UDC/NPS Telecommunications Subcommittee continued scheduling monthly work sessions, as available, under the goal to “Prepare a thorough review to determine the appropriate use of telecommunications towers in the river corridor in accordance with the River Management Plan and Land and Water Use Guidelines.” Specific objectives are to: “Evaluate the viability of better emergency communications within the river corridor” and “Develop a position paper for the Upper Delaware Council and National Park Service to guide the review of wireless telecommunication proposed projects and ordinances within the designated Upper Delaware Scenic and Recreational River.” The 11/3/22 work session featured a virtual presentation by TowerCo advising on the current wireless market, emergency communication networks, and displaying a map of existing coverage along the river corridor. Resources and Land Use Specialist Engelhardt presented the first draft of a position paper on 2/2/23 for discussion and refinement. Members shared research on emergency technologies, mapping links, and informational resources.
- The UDC regularly attends meetings regarding federal, state, county, and local resource management plans and policies that may affect recreational uses, habitat protection, and conservation of river corridor resources, providing comments as appropriate. These included a 10/27/22 Orange County Climate Resiliency Plan Update meeting, 11/9 Outdoor Regional Economy webinar, 2/9/23 Resource Management and Future Land Use Focus Group meeting for the Pike County Comprehensive Plan update; 5/10 Flexible Flow Management Program webinar by the Office of the Delaware Rivermaster; 5/18 Extreme Heat webinar by the NYS Department of Environmental Conservation, 5/25 introductory meeting for the Upper Delaware River Watershed Plan Steering Committee; and several educational sessions for development of a Neversink River Watershed Plan.
- As a member of the National Park Service Water Safety Committee, the UDC actively assists in strategizing to create an effective river user education program, provides guidance to support safety standards and training for river use, attended the 4/12 annual meeting for fishing guides in Hancock, hosted the 4/21 Water Safety Partners meeting at the UDC office, distributed lawn signs and posters to encourage life jacket wear while swimming, floating, fishing, and boating, and participated in social media safety campaigns. The UDC provided the forum for a 7/6 public presentation by NPS Upper Delaware Scenic and Recreational River rangers who reported on the 78 drownings that have been recorded on the river since 1980, with the one common theme that none of the victims were wearing properly fitted personal flotation devices. A new public safety announcement video, loaner life jacket stations, life jacket wear rate study, billboards, multilingual signage, product giveaways, and promotions such as at the 8/1 RailRiders game are tools to combat that statistic. The Upper Delaware Scenic and Recreational River convened a first-time, Post-Season Water Safety Partners meeting on 9/29, again hosted at the UDC office.

- Resource protection and beautification efforts are at the core mission of the UDC's 3rd Annual Upper Delaware Litter Sweep held from 4/22-30, with a series of land-based clean-ups organized throughout all 15 New York towns and Pennsylvania townships surrounding the Upper Delaware Scenic and Recreational River and its roadways. The UDC handles permitting, publicity, information exchanges to build a network of Litter Leaders and volunteers, purchase and distribution of supplies including grabbers, gloves, and bags, ordering team t-shirts, assistance with safety and disposal instructions, and updating schedules. A new commemorative orange t-shirt design of a litter-plucking turtle by Maggie Clauss at Platform Industries was popular. The 2023 event raised \$6,250 in donations, including a first-time \$2,000 allocation from UDC Town of Lumberland and Sullivan County Legislator Nadia Rajsz's District 2's Discretionary Funds. When Sullivan County opted to hold a Fall Roadside and Trails Litterpluck through 10/31, the UDC extended its offer of t-shirts and supplies to those participants. The Council also continues to offer Litter Clean-up Kits year-round for anyone to borrow for free.
- Specific accomplishments of the UDC's 2023 River and Shorelines Clean-up Grants Program for pollution control were that the Town of Deerpark Highway Department conducted three multi-day sweeps after the Memorial Day, Independence Day, and Labor Day holidays to pick up debris along a 2.9-mile section of the Hawk's Nest area of the New York State Route 97 Upper Delaware Scenic Byway. Their expenses for labor, transportation, supplies, and disposal fees were \$5,640.13. The Town of Lumberland hired local contractor Ann Steimle for \$1,400 to collect trash every other week through river patrols along the town's river banks from Camp Tel-Yehudah to the Mongaup River Access.
- The UDC is a founding, non-voting member of the Upper Delaware Scenic Byway, Inc. non-profit organization with goals to protect the region's outstanding character, heritage, and beauty, while encouraging economic development through tourism and recreation. The UDC offers its Narrowsburg office as meeting and records storage space for the volunteer committee which convenes monthly to discuss issues of relevance to the NYS Route 97 communities, highway safety needs, road and bridge repairs, tourism, and administers grants for Scenic Vista Enhancements, Signage, Culture & History, and Butterfly Habitat Promotion. The byway also contributes to the Upper Delaware Litter Sweep.
- Promotion of eagle viewing etiquette, monitoring, and habitat protection for this iconic species that thrives in the Upper Delaware River Valley occurs through staff participation on the Delaware Highlands Conservancy's Eagle Conservation Committee, providing resource conservation recommendations to agencies, and publicizing articles and events.
- The UDC occupies the designated Watershed Organization member seat on the Delaware River Basin Commission's Water Management Advisory Committee, for which there are three meetings per year, and also attended the 8/16 meeting of the Regulated Flows Advisory Committee. Staff reports back to the Water Use/Resource Management Committee on highlights.

- Public river access developments during Fiscal Year 2023 focused on: several visits to the Highland River Access in Barryville to monitor the grant-funded construction for site amenities and functionality improvements under the oversight of Sullivan County Division of Planning and partners; a review of the NYS Department of Environmental Conservation's (DEC) conceptual site plan updates for the Long Eddy River Access in the Town of Fremont; and an agreement by the NYS DEC (future owners) and The Conservation Fund (present) that they will consider the UDC's proposal to construct a low-profile, concrete, segmented ramp to facilitate boat launching at the silt-prone Ten Mile River Access in the Town of Tusten, The NYS DEC appraised Sullivan County's Callicoon Riverside Park property pending development in the Town of Delaware to construct a new trailered boat launch facility.
- The UDC arranged public presentations related to the 6/28 announcement by the New York City Department of Environmental Protection that they would delay the repairs of the Delaware Aqueduct leaks by one year to October 2024 to explain the rationale, next steps, and the Fall 2023 dewatering exercise.
- As the Decree Parties of New York State, Pennsylvania, New Jersey, Delaware, and the City of New York jointly announced on 5/8 the approval of an amendment to the Flexible Flow Management Plan that will be in effect through 5/31/2028, the UDC continues to track the effectiveness of this reservoirs operating system regime and application of thermal stress relief protocols on Upper Delaware River flows and habitat.
- Legal decisions and regulations pertaining to private property land use or environmental impacts are reviewed regularly, including proposed legislation and rulemaking involving natural gas developments in the Commonwealth of Pennsylvania after New York State banned drilling in 2015. The Delaware River Basin Commission approved a final rule on 12/7 (Resolution 2022-04) prohibiting the discharge of wastewater from High Volume Hydraulic Fracturing to water or land in the Delaware River Basin and clarifying the circumstances in which water may be exported from or imported into the 13,579-square-mile Basin.
- The UDC is a consulting party to the Federal Energy Regulatory Commission's relicensing process for the Mongaup Hydropower system by Eagle Creek Renewable, for which negotiations proceeded.
- The annual meeting of the New York-Pennsylvania Joint Interstate Bridge Commission took place on 5/10, with the UDC issuing a news release to summarize capital construction contracts, inspection reports, and maintenance plans. Highlights were approval of an \$18,150,000 major rehabilitation plan for the 1961 Callicoon, NY-Damascus, PA Bridge to begin in Fall 2023; a \$1,092,500 appropriation for the advancement of the 1902 Skinners Falls, NY-Milanville, PA Bridge's Planning and Environmental Linkages Study to determine an alternative to repair, replace, or remove it; and approval of \$460,000 to replace the open grid deck and other work on the 1939 Port Jervis, NY-Matamoras, PA Bridge expected to start in the Summer of 2024.

- UDC Executive Director Laurie Ramie sits on the Project Advisory Committee for the Skinners Falls, NY-Milanville PA Bridge which has been closed since 10/16/19 after failing an emergency inspection. Its third meeting took place on 1/19. Updates included the review of a Coordination Plan for Public and Agency Involvement. Phase 1 of a Historic Bridge Rehabilitation Analysis was released in May 2023, prompting the UDC to comment in a 6/23 letter to the Pennsylvania Department of Transportation, “Since the bridge was posted at 9-tons from its original construction until 2007, the ability to increase its functionality to 10 tons while retaining its existing alignment, historic characteristics, and unique ornamentation, is a winning prospect.”
- In its Cultural Resources role, the UDC participates as a voting member in quarterly meetings of the D&H Transportation Heritage Council committed to promoting appreciation and preservation of the historic resources of the Delaware and Hudson Canal Company, and the Gravity Railroad of the Pennsylvania Coal Company, and of those industries and communities that owed their existence to these organizations. Executive Director Laurie Ramie serves as the elected secretary. Having obtained 501(c)3 status, the corporation established a Board of Trustees which held its inaugural meeting on 4/4 hosted at the UDC office and the D&H Transportation Heritage Council adopted a set of revised bylaws on 7/26 that change the full Council meeting schedule to three times a year and Trustees to four times a year.
- Unique land resources are largely addressed through the Geologic Resource Mapping Inventory Project for the Upper Delaware River that the New York State Museum and Geological Society conducted through multiple phases.
- Threatened and endangered species, and mitigation of invasive species, are reported on regularly, with Northern Snakehead fish, Knotweed plants, and Spotted Lanternfly insects being of particular relevance during Fiscal Year 2023. NYS DEC Fisheries staff reported this summer catching four adult Northern Snakehead measuring up to 29” in length in the Delaware River south of Callicoon. UDC staff participated in a 9/11 Northern Snakehead Management Strategies meeting. The Council hosted a 9/7 presentation by Catskill Regional Invasive Species Partnership representatives on avoiding the spread of aquatic invasive species.
- The UDC has been a member of the National Parks Conservation Association’s Scenic Wild Delaware River Geotourism Council since 2016 to promote small businesses, unique attractions and conservation sustainability projects. Staff participated in a 6/28 Community Roundtable program featuring the superintendents from the National Park Service Upper Delaware Scenic and Recreational River and Delaware Water Gap National Recreation Area.
- Executive Director Laurie Ramie was among the speakers at the 8/2 Day on the Delaware sponsored by the Alliance for the Upper Delaware River Watershed at the newly refurbished Highland River Access at which U.S. Congressman Molinaro and NYS Assemblywoman Aileen Gunther offered remarks on the importance of New York State support for the watershed and their support for the continued funding of the Delaware River Basin Restoration Program.

- On 9/18, the UDC issued an updated “Economic Impacts of Tourism Statistics” based on the most recent Visitor Spending Effects Report produced by the National Park Service and USGS to quantify the economic value of the river valley. The 2022 report found that 270,718 visitors spent \$13.5 million through recreational pursuits which supported 129 jobs in the tourism sector and generated labor income of \$7 million. Accounting for \$11.3 million worth of value-added income, the total economic input contributed to Upper Delaware gateway economies was \$17.1 million. The four largest sectors were 1) lodging, 2) restaurants, 3) gas, and 4) groceries.
- UDC Resources and Land Use Specialist Kerry Engelhardt is an active member of the Delaware River Sojourn Steering Committee and Upper Delaware day planner who assisted with the logistics of the 6/16-23 paddling, programs, and camping experience to promote stewardship under the theme of “Running Free”. Admiral presentations honored NPS Chief of Interpretation Ingrid Peterec, NPS Resource Management Chief Don Hamilton, and UDC 2022 Litter Sweep Coordinator Ashley Bagdonas. Sojourners paddled from Hancock, NY to Callicoon, PA non-contiguously for the first three days, with optional camping at the Northeast Wilderness Experience Campground in Equinunk, PA which also provided shuttle services and catering by Konrad’s Kitchen of Glen Spey.
- In terms of pollution control and abatement, the UDC received progress reports through National Park Service staff on the Oil Spill Preparedness federally funded project coordinated by the U.S. Environmental Protection Agency and consultants to enhance protocols for emergency response agencies along the Delaware River through tabletop exercises, training drills, and plan development. The UDC also contributed information for a series of articles in the *River Reporter* on railroad safety.

Cooperative Agreement Task #2: Review all relevant local plans, laws, and ordinances for the purpose of recommending to the Secretary of the 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; and e) The review of enforcement programs.

A. Project Review/Substantial Conformance

- The UDC Resources and Land Use Specialist (RLUS) and the Project Review Committee conduct timely reviews of all relevant local plans, laws, and ordinances; ordinance amendments, challenges and variances; and significant projects within the river corridor by a 45-day clock to vote on recommendations that are in turn presented to the full Council for whether they substantially conform to the Land and Water Use Guidelines of the River Management Plan.
- The UDC reviews each issue of the Pennsylvania Bulletin, New York’s Environmental Notice Bulletin, local newspapers, and other information sources to keep abreast of projects being reviewed by state and federal agencies and local governments.

- The RLUS prepares a monthly Discussion Items Report tracking land use development projects; any significant water withdrawals or discharges requiring Delaware River Basin Commission docket approvals; transportation proposals for highways, the railroad, and bridges; and related updates, which is presented at the 4th Tuesday monthly Project Review Committee meetings. Research involves requesting voluntary submissions of reviewable projects in the river corridor; scanning through legal notices and project articles in newspapers; attending meetings and public hearings; requesting additional documentation; and making field visits when necessary.
- Technical assistance through the distribution of Project Review Workbooks at planning and zoning meetings and presentations to municipalities about the roles and responsibilities assigned to them in the River Management Plan occurs as the opportunities arise.
- A series of 24” by 36” maps depicting the 1978 Congressionally designated boundaries of the Upper Delaware Scenic and Recreational River in each UDC member municipality continued to be printed with assistance from the National Park Service and county GIS departments. The framed maps were presented to each town and township as a tool to consult to physically visualize which parcels are within the corridor, most recently in Tusten, Delaware, Hancock, Lumberland, and Deerpark.
- Project review activity, in approximate chronological order through 9/30/23, included: Lackawaxen Township – Substantial Conformance Review 2022-11: Zoning Ordinance amendment to add Boat, Golf Cart & RV Storage/Winterization Businesses as a conditional use in certain zoning districts, which the UDC recommended on 2/2 and NPS requested additional information on 3/16, followed by a UDC recommendation made on 7/6; Town of Highland – Short-Term Rental permitting consultations; Town of Cohecton – Comprehensive Plan Supplement, approved by the town on 2/8; Lackawaxen Township – Substantial Conformance Review 2023-01 for a Masthope Plank Road home construction 128’ from the river’s edge, approved at the 3/2 UDC; Damascus Township – Ground-mounted solar system under 35kW and proposed hunting cabin with no pressurized water or septic, each deemed not to require a formal review; Town of Tusten – 6/12 Zoning Board of Appeals meeting to hear a challenge in the Bar Veloce application and Substantial Conformance Review 2023-04: Narrowsburg Veterinary, recommended 7/6; Town of Highland – Substantial Conformance Review 2023-05: Fred Reber minor subdivision, Barryville, no review required; Substantial Conformance Review 2023-07: Eve Fisher and Andrew McGrath retail wine shop in Barryville, UDC recommended 7/6; Shohola Township – Substantial Conformance Review 2023-06: Advanced Recycling, UDC recommended 7/6; Town of Tusten – Substantial Conformance Review 2023-08: Narrowsburg Car and Dog Wash, UDC recommended 9/13, and Substantial Conformance Review 2023-09: Green Acres Gunsmith, Town of Tusten, UDC recommended 9/13; Town of Highland – Substantial Conformance Review 2023: 10: The Loosey Kit cannabis cultivation and processing, Town of Highland, UDC recommended 9/13. There were no formal Land Use Complaints lodged in Fiscal Year 2023.

- The Special Use Permit application by Northgate Resorts to redevelop the Kittatinny Canoes Campground approximately 250-acre property in Barryville into Camp FIMFO Catskills through a \$44.9 million proposal remained pending before the Town of Highland Planning Board lead agency during Fiscal Year 2023. The board turned over what it deemed to be a complete project site plan to the UDC for review in July 2022. Activity this period included: UDC attendance or monitoring of planning board meeting monthly agendas to ascertain whether this project would be discussed; a 1/26 letter to Michael Sussman, Esq. responding to questions on the UDC's review of Camp FIMFO review; the UDC's review of a docket before the Delaware River Basin Commission by Sun NG Kittatinny RV LLC for the Camp FIMFO upgrade which will generate 29,080 gallons per day of wastewater to be disposed through nine existing and 16 proposed septic systems; discussion of a 5/25 letter from the National Park Service requesting the UDC to arrange a meeting with the Town of Highland and applicant to present the NPS substantial conformance review finding, which was attempted but not accepted by all parties; however, the NPS agreed to the UDC's request to provide an advance briefing at a 6/13 special Project Review Committee public meeting with 55 participants present. The NPS issued its final determination on 7/17, which opposed the UDC's 9/2/22 recommendation that the plan substantially conforms to the Land and Water Use Guidelines. The 45-day review clock was repeatedly extended to request additional information from the applicant, including requests by NPS on 9/9/22 and 2/17/23. The NPS found that the proposal was technically consistent with the Schedule of Uses in the guidelines but did not meet 3 of 22 objectives regarding permanent structures, existing patterns of land use, conserving the essential character of the river valley, and providing "relatively small" facilities. In addition, the increased intensity of use was cited as a factor, noting that 146 park-model recreational vehicles would be occupied for a maximum of 180 days a year. The 29-page determination of non-conformance was made "without prejudging any possible future submissions presenting a revised proposal for consideration." The UDC board commissioned Shepstone Management Company to conduct an analysis of the substantial conformance reviews prepared by the UDC and NPS which had reached different conclusions. Principal Tom Shepstone provided his opinion report on 9/18. The Town of Highland Planning Board voted on 9/27 to require the applicant to prepare a full Draft Environmental Impact Statement under the NYS Environmental Quality Review Act.

Cooperative Agreement Task #3: 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 Plan will also be provided to the NPS regarding enforcement if the UDC finds that a substantially conforming ordinance is not being adequately enforced and is unable to effectively resolve the problem. If the UDC finds that a substantially confirming ordinance 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.

- Recommendations of substantial conformance are duly provided to the National Park Service following the RLUS's presentation of a project analysis to the Project Review Committee, which provides a recommendation to the full Upper Delaware Council for a vote. That recommendation is then transmitted to the NPS through the issuance of reports with cover letters and supporting documentation to make the final determination.
- The NPS concurred with UDC substantial conformance recommendations (in approximate chronological order through 9/30/23) for: 2023-01, Masthope Plank Road home construction, Lackawaxen Township (4/13); 2023-02: Big Eddy Brewing in Narrowsburg, Town of Tusten (5/15); 2023-03: Lackawaxen Township Zoning Ordinance Amendment to remove conditional use permit requirement for single family homes constructed in the river corridor and visible from the river (6/9); 2022-11: Lackawaxen Township Zoning Ordinance Amendment on Boat, Golf Cart & RV Storage Businesses (8/17); 2023-04: Narrowsburg Veterinary, Town of Tusten (8/17); 2023-06: Advanced Recycling, Shohola Township (8/17); and 2023-07: Eve Fisher & Andrew McGrath retail wine shop, Town of Highland (8/17).

Cooperative Agreement Task #4: 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 purpose 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.

B. Enforcement Programs

- Each UDC member municipality was requested to provide all zoning activity which occurred within the river corridor boundaries during the 2022 calendar year of Jan. 1-Dec. 31 to produce the Upper Delaware Council Annual Code Enforcement Report.
- Due to the length of time it took to receive information back from the 13 towns and townships, the 2022 report was not released until after this report period on 12/1/23. It documented a total of 189 permits, variances, ordinances, and zoning changes within the Upper Delaware Scenic and Recreational River boundaries, compared to 149 in 2021, 84 in 2020 and 85 in 2019.

Cooperative Agreement Task #5: 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.

- The UDC maintains a database of electronic and paper files stored on UDC hard drives, external storage, file cabinets, and a professionally assembled records management system in the UDC attic. Ongoing filing occurs according to the specifications and schedules in the Records Management Needs Assessment Final Report and Policy & Procedures Manual.

- Minutes for all regular and specially called meetings of the Upper Delaware Council and its three standing committees are produced, with copies distributed electronically, posted on the UDC website with presentation links, preserved in a fireproof safe, and made available as audio or video files when available.

Cooperative Agreement Task #6: Provide Technical Assistance Grants to UDC member municipalities, subject to the availability of funds, for the purposes described in the statement of work.

C. Technical Assistance

- The Resources and Land Use Specialist administered the Fiscal Year 2023 Technical Assistance Grants (TAG) program, which was open to all member municipalities and the five river valley counties competitively through an application process. Applications were due by 8/19 of the prior fiscal year, followed by a special meeting of the Project Review Committee on 9/13.
- One grant was awarded via Resolution 2022-07 approved on 10/6 in the amount of \$8,662.50 to the Town of Tusten for a project to Integrate Tusten Zoning Law Updates into an Online, Indexed Document.
- The Town of Tusten submitted its Mid-Term Progress Report by the 2/17 deadline and completed its project by the 8/19 deadline, with payment approved at the 8/22 Operations Committee meeting.
- Since 1988, the UDC has awarded \$930,274.50 to fund 262 projects related to implementation of the River Management Plan and the Land and Water Use Guidelines.
- The comprehensive directory of past TAG projects is updated on the UDC website annually and news releases are issued to announce each project's accomplishments.
- The UDC offers an instructional video to orient users of the Upper Delaware Scenic and Recreational River Project Review Workbook Version 2.0 on its You Tube and Vimeo channels and works with Shippensburg University's Center for Land Use and Sustainability and the National Parks Conservation Association on the roll-out of Geographic Information Systems mapping tools.
- Member municipalities, conservation organizations, and individual property owners approach the UDC regularly to request information, with the UDC particularly encouraging local governments to involve the Council early in the development of new or amended ordinances to facilitate their reviews.