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JASON R. OHLIGER - PARTNER  
ADMITTED IN NY, NJ AND PA  
OHLIGER@TRISTATETRIAL.COM

October 5, 2023

**VIA EXPRESS MAIL (R.R.R.)**

Honorable Kathy Hochul  
Office of the Governor of New York  
Capital Building  
Albany, NY 12224

Honorable Josh Shapiro  
Office of the Governor of Pennsylvania  
508 Main Capitol Building  
Harrisburg, PA 17120

**RE: Upper Delaware Council – Funding Emergency**

Dear Governors Hochul and Shapiro:

I am writing you in my capacity as the Solicitor for the Upper Delaware Council. The Council is a federation of municipalities on both sides of the Congressionally-designated Upper Delaware Scenic and Recreational River, of which the State governments are full voting members and the Federal government is a partner. The UDC is tasked by the United States Department of the Interior with providing land use review, as well as other services outlined in the 1986 Upper Delaware River Management Plan.

The UDC's existence is a unique collaboration between the States, the Federal Government, and the municipalities of the Upper Delaware River Corridor. Through its land use reviews and educational efforts, the UDC plays an important role in conserving and protecting the 55,745.5 acre Corridor. This role is to protect both the recreational and environmental values of the River, and it allows each member municipality to provide input reflecting its goals and values.

The River Management Plan provides for the following funding arrangement: a \$500,000.00 annual budget funded by contributions from the Federal and State Governments in a 60/20/20 ratio. This anticipates a \$300,000.00 contribution from the United States, and \$100,000.00 from each of the two participant States. This budget was contemplated in "1986 dollars", and has never been adjusted for inflation.

Most problematically, **neither New York nor Pennsylvania have ever contributed their share, and have therefore never fulfilled their important financial commitments.** Annually since 1988, the United States (through the National Park Service) has allocated its \$300,000.00 share, which is the **only** reason why the UDC has survived until now. It has run on austerity, and is now in a dire financial situation due to this chronic under-funding.

In the past, the UDC has attempted to seek relief by writing to State and Federal legislators, and those attempts have gone unfulfilled. Upon my review of the relevant documents, **I have reached the conclusion that this issue is properly directed to your offices,** since it was Executive Orders from the Governors of both States (attached) which direct your respective

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ZIMMERMAN | OHLIGER

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October 5, 2023

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environmental protection agencies to implement the River Management Plan. These directives to implement the Plan imply that the States must meet the financial commitments outlined in the Plan. It is therefore an implied mandate of those Executive Orders that annual funding of the River Management Plan should occur. I suggest that these allocations should properly be (and should have been since 1988) a line item in the budgets of the environmental protection agencies of both States.

Accordingly, we are making this appeal to each of you. It has been determined through an independent economic analysis that, if prompt attention is not given to this matter, the UDC will be required to cease its effective operations. **This outcome would implicitly violate the River Management Plan, and would put an end to this meaningful collaboration amongst our river communities.** Implementation of the River Management Plan would then default to the Secretary of the Interior, and would be out of the hands of those municipal stakeholders most intimately familiar with their communities. This outcome would violate the core purpose of this important intergovernmental partnership.

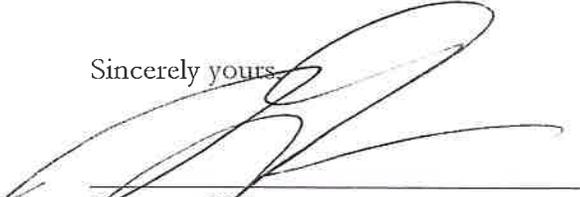
If the States meet their annual funding commitments, the UDC will be able to operate into the foreseeable future at its current capacity (which is already at a reduced staff compared to what is set forth in the Plan). If the States and Federal Government were to further provide inflation-based increases from this point forward, these funds would be used to cover increasing operational costs, fund important grants and educational programs, supplement available services, and foster awareness of issues and benefit the River Corridor.

**If your offices do nothing in response to this appeal, then the UDC will be rendered dysfunctional after thirty-five years of proven success, and the municipalities would lose their collective voice and role in protecting their River Corridor.** This appeal is effectively the UDC's **"last chance"** to secure the funding necessary to remain a functional organization, and it will remain functional with your cooperation and help.

Finally, I have also attached a 1988 letter from U.S. Representative McHugh, which articulately states the purpose and importance of the UDC. Representative McHugh prophetically warned the Conference of Upper Delaware Townships to take the Plan seriously so that, "fifty years from now . . . the Upper Delaware [will still be] a quality river." The UDC (as successor to the Conference) has heeded this warning, and now humbly asks that the participant States do as well.

The UDC appreciates your consideration of this request, and is hopeful that you will demonstrate your commitment to the Upper Delaware Scenic and Recreational River as an important environmental and recreational resource. We request to meet with each of your offices to answer any questions that you may have, and to provide complete information about this funding crisis. Please contact me to arrange such meetings, and with any other questions or concerns that you may have.

Sincerely yours



Jason R. Ohliger



**Commonwealth of Pennsylvania  
GOVERNOR'S OFFICE  
EXECUTIVE ORDER**

Subject <b>Upper Delaware Federal Scenic River</b>		Number <b>1989-2</b>
Date <b>February 16, 1989</b>	Distribution <b>B</b>	By Direction of  <b>Robert P. Casey, Governor</b>

- WHEREAS, the Commonwealth of Pennsylvania is one of the foremost states in the nation in the battle to improve the quality of our environment; and
- WHEREAS, there is a need to ensure the wise use of the valuable and unique natural resources of Pennsylvania; and
- WHEREAS, the Federal Scenic Rivers Act, (P.L. 90-542, 16 U.S.C. 1271) provides the Congressional declaration that certain selected rivers of the nation, with their immediate environment, possess outstandingly remarkable scenic recreation, geologic, fish, wildlife, historic, cultural, and other similar values shall be preserved in a free flowing condition and they and their immediate environment shall be protected for the benefit and enjoyment of future generations; and
- WHEREAS, the Commonwealth of Pennsylvania supports the designation of the Upper Delaware as a component of the Federal Scenic Rivers System; and
- WHEREAS, the Upper Delaware Amendments (P.L. 95-625, 16 U.S.C. 1274) provides that the Secretary of Interior shall publish land and water use control measures to be developed and implemented by the appropriate officials of the states of New York and Pennsylvania; and
- WHEREAS, several state departments and agencies have authority for enforcing rules and regulations affecting the Upper Delaware Scenic River Management Plan.

NOW, THEREFORE, I, Robert P. Casey, Governor of the Commonwealth of Pennsylvania, by virtue of the authority vested in me by the Constitution of the Commonwealth of Pennsylvania and other laws, and in furtherance of the purposes and policies of the Pennsylvania Constitution, Article 1, Section 27, and the Pennsylvania Scenic Rivers Act (P.L. 1277, Act No. 283 as amended by Act 110, Section 8) direct that the following steps be taken:

**1. Designated state agency.**

- a. The Department of Environmental Resources is designated as the lead agency for implementing and administering the state aspects of the **Upper Delaware Federal Scenic River** designation for the Commonwealth of Pennsylvania.
- b. The Department of Environmental Resources shall be the single state agency to receive and administer any federal grants for implementing the management program of the Upper Delaware Federal Scenic River.

c. The Department of Environmental Resources' Division of Scenic Rivers shall provide technical advice and assistance in the administration of this program, coordinate its activities with other agencies involved in the program, and act as a forum for conflict resolution among agencies in connection with their responsibilities under this order.

## **2. Program objectives:**

a. The objectives of the Upper Delaware Federal Scenic River designation are to:

(1) 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 and natural habitats.

(2) Maintain and enhance the corridor's social and economic vitality and its diversity consistent with efforts to protect the recognized values of the river corridor.

(3) Conserve the resources of the Upper Delaware primarily through the use of existing local and state land use controls and voluntary private landowner actions with local land use ordinances.

(4) Protect private property rights and allow for the use and enjoyment of the river corridor by both year round and seasonal residents.

(5) 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.

(6) Maintain and improve fisheries and wildlife habitat to ensure the continued public enjoyment of hunting, fishing, and trapping consistent with state laws.

(7) Foster a public recognition of the Upper Delaware River Valley as a place with its own identity, continuing history, and destiny to be shaped by its residents.

(8) Provide for the continued public use and enjoyment of a full range of recreation activities as is compatible with the other goals.

(9) Encourage maximum local government official, private landowner, private group, and citizen involvement in the management of the Upper Delaware.

b. The program will involve affected state agencies in order to ensure that existing authorities are used to implement the policies and management techniques identified as necessary for river management purposes.

## **3. Upper Delaware Council.**

The Secretary of the Department of Environmental Resources shall be the Commonwealth's appointed representative to the Upper Delaware Council.

## **4. Cooperation by state agencies.**

a. To the maximum extent permitted by law, all administrative departments, independent administrative boards and commissions, and other state agencies shall act consistently with the goals, policies, and objectives of the Upper Delaware Scenic River Management Plan and provide for adequate consideration of the national interest involved in planning for and siting of facilities and the use of resources in the Upper Delaware Scenic River corridor when such planning, siting, and uses are of more than local interest.

b. Each administrative department, independent administrative board and commission, and other state agencies shall notify the Department of Environmental Resources' Division of Scenic Rivers of any and all proposed activities having an affect upon Delaware River resources.

c. Conflicts among fiscal, development, service or regulatory activities of state agencies which have a direct and significant impact on the Upper Delaware River resources and cannot be resolved through available administrative mechanisms shall be resolved by the Governor.

**5. Force and effect.**

This Executive Order shall remain in full force and effect as long as the Upper Delaware Scenic River Management Plan is in effect.

**THE GOVERNOR**  
**Title 4—ADMINISTRATION**  
**PART I. GOVERNOR'S OFFICE**  
**[4 PA. CODE CH. 1]**  
**[EXECUTIVE ORDER NO. 2003-5]**  
**Upper Delaware Federal Scenic River**

June 22, 2003

*Whereas*, the Commonwealth of Pennsylvania is one of the foremost states in the Nation in the battle to improve the quality of our environment; and

*Whereas*, there is a need to ensure the wise use of the valuable and unique natural resources of Pennsylvania; and

*Whereas*, the Wild and Scenic Rivers Act, as amended, (P. L. 90-542, 16 U.S.C. § 1271) provides the Congressional declaration that certain selected rivers of the Nation, with their immediate environment, possess outstandingly remarkable scenic recreation, geologic, fish, wildlife, historic, cultural, and other similar values shall be preserved in a free flowing condition and they and their immediate environment shall be protected for the benefit and enjoyment of future generations; and

*Whereas*, the Commonwealth of Pennsylvania supports the designation of the Upper Delaware as a component of the Federal Scenic Rivers System; and

*Whereas*, the Upper Delaware Amendments (P. L. 95-625, 16 U.S.C. § 1274) provide that the Secretary of Interior shall publish land and water use control measures to be developed and implemented by the appropriate officials of the states of New York and Pennsylvania; and

*Whereas*, several state departments and agencies have authority for enforcing rules and regulations affecting the Upper Delaware Scenic River Management Plan.

*Now, Therefore*, I, Edward G. Rendell, Governor of the Commonwealth of Pennsylvania, by virtue of the authority vested in me by the Constitution of the Commonwealth of Pennsylvania and other laws, and in furtherance of the purposes and policies of the Pennsylvania Constitution, Article I, Section 27, and the Pennsylvania Scenic Rivers Act (P. L. 1277, Act 283, as amended by Act 110, Section 8, P. L. 379, May 7, 1982), do hereby designate the Department of Conservation and Natural Resources as the lead agency for implementing and administering the state aspects of the Upper Delaware Federal Scenic River designation for the Commonwealth of Pennsylvania.



*Governor*

**Fiscal Note:** GOV 03-6. No fiscal impact; (8) recommends adoption.

**Annex A**

**TITLE 4. ADMINISTRATION**  
**PART I. GOVERNOR'S OFFICE**

**CHAPTER 1. AGENCY OPERATION AND ORGANIZATION**

**Subchapter MM. UPPER DELAWARE FEDERAL SCENIC RIVER**

**§ 1.471. (Reserved).**

**§ 1.472. Program objectives.**

(a) The objectives of the Upper Delaware Federal Scenic River designation are to:

(1) 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 and natural habitats.

(2) Maintain and enhance the corridor's social and economic vitality and its diversity consistent with efforts to protect the recognized values of the river corridor.

(3) Conserve the resources of the Upper Delaware primarily through the use of existing local and State land use controls and voluntary private landowner actions with local land use ordinances.

(4) Protect private property rights and allow for the use and enjoyment of the river corridor by both year-round and seasonal residents.

(5) 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.

(6) Maintain and improve fisheries and wildlife habitat to ensure the continued public enjoyment of hunting, fishing and trapping consistent with State laws.

(7) Foster a public recognition of the Upper Delaware River Valley as a place with its own identity, continuing history and destiny to be shaped by its residents.

(8) Provide for the continued public use and enjoyment of a full range of recreation activities as is compatible with the other goals.

(9) Encourage maximum local government official, private landowner, private group and citizen involvement in the management of the Upper Delaware.

(b) The program will involve affected State agencies to ensure that existing authorities are used to implement the policies and management techniques identified as necessary for river management purposes.

**§ 1.473. Upper Delaware Council.**

The Secretary of the Department of Conservation and Natural Resources is the Commonwealth's appointed representative to the Upper Delaware Council.

**§ 1.474. Cooperation by State agencies.**

(a) The Department of Conservation and Natural Resources is the single State agency to receive and administer Federal grants for implementing the management program of the Upper Delaware Federal Scenic River.

(b) The Department of Conservation and Natural Resources, Division of Greenways and Conservation Partnership, shall provide technical advice and assistance in the administration of this program, coordinate its activities with other agencies involved in the program, and act as a forum for conflict resolution among agencies in connection with their responsibilities under this subchapter.

(c) To the maximum extent permitted by law, all administrative departments, independent administrative boards and commissions, and other State agencies shall act consistently with the goals, policies and objectives of the Upper Delaware Scenic River Management Plan and provide for adequate consideration of the National interest involved in planning for and siting of facilities and the use of resources in the Upper Delaware Scenic River corridor when the planning, siting and uses are of more than local interest.

(d) Each administrative department, independent administrative board and commission, and other State agencies shall notify the Department of Conservation and Natural Resources, Division of Greenways and Conservation Partnership, of proposed activities having an affect upon Delaware River resources.

## THE GOVERNOR

(e) Conflicts among fiscal, development, service or regulatory activities of State agencies which have a direct and significant impact on the Upper Delaware River resources and cannot be resolved through available administrative mechanisms will be resolved by the Governor.

**§ 1.475. Force and effect.**

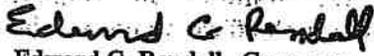
This subchapter shall remain in effect as long as the Upper Delaware Scenic River Management Plan is in effect.

**§ 1.476. Rescission.**

Executive Order 1989-2 is rescinded.

(Pa.B. Doc. No. 03-1394 Filed for public inspection July 18, 2003 9:00 a.m.)

**COMMONWEALTH OF PENNSYLVANIA**  
**GOVERNOR'S OFFICE**  
**EXECUTIVE ORDER**

Subject: <b>Upper Delaware Federal Scenic River</b>	Number: <b>2003-5</b>
Date: <b>June 22, 2003</b>	By Direction of:  <b>Edward G. Rendell, Governor</b>

WHEREAS, the Commonwealth of Pennsylvania is one of the foremost states in the nation in the battle to improve the quality of our environment; and

WHEREAS, there is a need to ensure the wise use of the valuable and unique natural resources of Pennsylvania; and

WHEREAS, the *Wild and Scenic Rivers Act, as amended (P. L. 90-542, 16 U.S.C. 1271)* provides the Congressional declaration that certain selected rivers of the nation, with their immediate environment, possess outstandingly remarkable scenic recreation, geologic, fish, wildlife, historic, cultural, and other similar values, shall be preserved in a free flowing condition and they and their immediate environment shall be protected for the benefit and enjoyment of future generations; and

WHEREAS, the Commonwealth of Pennsylvania supports the designation of the Upper Delaware as a component of the Federal Scenic Rivers System; and

WHEREAS, the *Upper Delaware Amendments (P. L. 95-625, 16 U.S.C. 1274)* provides that the Secretary of Interior shall publish land and water use control measures to be developed and implemented by the appropriate officials of the states of New York and Pennsylvania; and

WHEREAS, several state departments and agencies have authority for enforcing rules and regulations affecting the Upper Delaware Scenic River Management Plan.

NOW, THEREFORE, I, Edward G. Rendell, Governor of the Commonwealth of Pennsylvania, by virtue of the authority invested in me by the Constitution of the Commonwealth of Pennsylvania and other laws, and in furtherance of the purposes and policies of the *Pennsylvania Constitution, Article 1, Section 27*, and the *Pennsylvania Scenic Rivers Act (P. L. 1277, Act 283, as amended by Act 110, Section 8, P. L. 379, May 7, 1982)*, do hereby designate the Department of Conservation and Natural Resources as the lead agency for implementing and administering the state aspects of the **Upper Delaware Federal Scenic River** designation for the Commonwealth of Pennsylvania.

## **1. Program Objectives.**

**a.** The objectives of the Upper Delaware Federal Scenic River designation are to:

(1) 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 and natural habitats.

(2) Maintain and enhance the corridor's social and economic vitality and its diversity consistent with efforts to protect the recognized values of the river corridor.

(3) Conserve the resources of the Upper Delaware primarily through the use of existing local and state land use controls and voluntary private landowner actions with local land use ordinances.

(4) Protect private property rights and allow for the use and enjoyment of the river corridor by both year-round and seasonal residents.

(5) 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.

(6) Maintain and improve fisheries and wildlife habitat to ensure the continued public enjoyment of hunting, fishing, and trapping consistent with state laws.

(7) Foster a public recognition of the Upper Delaware River Valley as a place with its own identity, continuing history, and destiny to be shaped by its residents.

(8) Provide for the continued public use and enjoyment of a full range of recreation activities as is compatible with the other goals.

(9) Encourage maximum local government official, private landowner, private group, and citizen involvement in the management of the Upper Delaware.

**b.** The program will involve affected state agencies in order to ensure that existing authorities are used to implement the policies and management techniques identified as necessary for river management purposes.

**2. Upper Delaware Council.** The Secretary of the Department of Conservation and Natural Resources shall be the Commonwealth's appointed representative to the Upper Delaware Council.

## **3. Cooperation by State Agencies.**

**a.** The Department of Conservation and Natural Resources shall be the single state agency to receive and administer any federal grants for implementing the management program of the Upper Delaware Federal Scenic River.

b. The Department of Conservation and Natural Resources, Division of Greenways and Conservation Partnership, shall provide technical advice and assistance in the administration of this program, coordinate its activities with other agencies involved in the program, and act as a forum for conflict resolution among agencies in connection with their responsibilities under this order.

c. To the maximum extent permitted by law, all administrative departments, independent administrative boards and commissions, and other state agencies shall act consistently with the goals, policies, and objectives of the Upper Delaware Scenic River Management Plan and provide for adequate consideration of the national interest involved in planning for and siting of facilities and the use of resources in the Upper Delaware Scenic River corridor when such planning, siting, and uses are of more than local interest.

d. Each administrative department, independent administrative board and commission, and other state agencies shall notify the Department of Conservation and Natural Resources, Division of Greenways and Conservation Partnership, of any and all proposed activities having an affect upon Delaware River resources.

e. Conflicts among fiscal, development, service or regulatory activities of state agencies which have a direct and significant impact on the Upper Delaware River resources and cannot be resolved through available administrative mechanisms shall be resolved by the Governor.

4. **Force and Effect.** This *Executive Order* shall remain in full force and effect as long as the Upper Delaware Scenic River Management Plan is in effect.

5. **Rescission.** *Executive Order 1989-2* is hereby rescinded.



STATE OF NEW YORK  
DEPARTMENT OF STATE  
FILED  
MAR 22 1993

*[Signature]*  
Secretary of State

# State of New York

## Executive Chamber

No. 169

### EXECUTIVE ORDER

#### DIRECTING STATE AGENCIES TO ACT CONSISTENTLY WITH THE UPPER DELAWARE RIVER MANAGEMENT PLAN

WHEREAS, the State of New York supported Congress' designation of the Upper Delaware River in 1978 as a Scenic and Recreational River within the National Wild and Scenic Rivers System; and

WHEREAS, the legislation designating the Upper Delaware Scenic and Recreational River, P.L. 95-625, called for the preparation of a management plan for the Upper Delaware Scenic and Recreational River (the "River Management Plan"); and

WHEREAS, the State of New York participated in the development of the River Management Plan, which was adopted by the Secretary of the Interior on September 29, 1987; and

WHEREAS, the River Management Plan has the following objectives:

- a. To protect and maintain the unique environmental, cultural and natural resources of the Upper Delaware River corridor, including the maintenance and improvement of fish and wildlife habitat and the continued public use and enjoyment of those resources, consistent with maintenance of the social and economic vitality of the area and the continued protection of private property rights; and
- b. To involve local government officials and citizens in management of the Upper Delaware River, including seeking voluntary actions and local government cooperation to conserve resources, providing for planned growth that will maintain the essential character of the river valley, and fostering recognition of the unique character of the river valley; and

WHEREAS, the River Management Plan recommended implementation by an intergovernmental cooperative agency, the Upper Delaware Council, through the coordinated enforcement of existing federal, state and local laws; and

WHEREAS, the Department of Environmental Conservation, as the State's designer, has been a voting member of the Upper Delaware Council since January 1988; and

WHEREAS, the River Management Plan calls upon the Governor of the State of New York and the Governor of the Commonwealth of Pennsylvania to assure that our respective states' management activities, programs and reviews are consistent with and supportive of the River Management Plan;

STATE OF NEW YORK  
DEPARTMENT OF STATE  
FILED  
MAR 22 1993

-2-

NOW, THEREFORE, I, MARIO M. CUOMO, Governor of the State of New York, by virtue of the powers vested in me by the Constitution and Laws of the State of New York, do hereby order as follows:

I. Designated State Agency.

The Department of Environmental Conservation shall coordinate the implementation by State agencies of the River Management Plan and it shall receive and administer any federal grants given to the State intended for that purpose.

The Commissioner of Environmental Conservation, or a person designated by the Commissioner, shall continue to represent the State as a member of the Upper Delaware Council.

II. Cooperation by State Agencies

All State agencies shall act consistently with the River Management Plan to the extent permitted by applicable law. The Department of Environmental Conservation shall provide to other State agencies such technical information and assistance as they may require in order to comply with this Order.

WITNESSE under my hand and the Privy Seal of the State in the City of Albany this twenty-second day of March in the year one thousand nine hundred ninety-three.



BY THE GOVERNOR

*Andrew J. Santilli*  
Secretary to the Governor

*Mario M. Cuomo*

MATTHEW F. McHUGH  
28TH DISTRICT, NEW YORK

COMMITTEE ON APPROPRIATIONS  
SUBCOMMITTEES-  
AGRICULTURE, RURAL DEVELOPMENT  
AND RELATED AGENCIES  
FOREIGN OPERATIONS

PERMANENT SELECT COMMITTEE  
ON INTELLIGENCE

SELECT COMMITTEE ON CHILDREN,  
YOUTH AND FAMILIES

WASHINGTON OFFICE  
2335 RAYBURN HOUSE OFFICE BUILDING  
WASHINGTON, DC 20515  
(202) 223-6235

Mr. Phil Fitzpatrick  
Chair  
Conference of Upper  
Delaware Townships  
P.O. Box 217  
Narrowsburg, New York 12764

Congress of the United States  
House of Representatives  
Washington, DC 20515

January 11, 1988



BINGHAMTON OFFICE.  
201 FEDERAL BUILDING  
BINGHAMTON, NY 13902  
(607) 733-2768

ITHACA OFFICE:  
TERRACE HILL-SABCOCK HALL  
ITHACA, NY 14850  
(607) 273-1388

KINGSTON OFFICE.  
292 FAIR STREET  
KINGSTON, NY 12401  
(514) 331-4468

Dear Phil:

We are pleased to inform you that the management plan for the Upper Delaware River has completed its final review period successfully and now is in effect. We congratulate the members of COUP and the dozens of others who worked selflessly to craft the plan for their dedication, perseverance and innovation in making this plan possible.

This plan continues the tradition of the Wild and Scenic Rivers Act by embracing a solid plan for river recreation management under the leadership of the National Park Service. It encompasses a careful strategy for safeguarding the water quality, fish and wildlife populations, hills and forests of the valley.

As you know, the legislation which the plan implements breaks new ground by assuring the future of the valley's residents. It replaces federal land acquisition with a management framework based on local zoning and state laws. With your commitment to see that the legislation and the plan work, you have chosen an ambitious path for your communities that, if adhered to, will improve the vitality of the region's economy and maintain the independence and leadership of your local institutions.

We urge you to work hard to make this plan work. Most communities in this country are watching their natural resources slip away to the ceaseless expansion of our cities. Few communities have the opportunity our valley has. This plan enables you to plan for that growth to protect our way of life and the river environment which makes our communities such attractive places to live.

You also have taken on the responsibility of protecting a nationally important river. Less than one percent of our nation's streams are protected by the National Wild and Scenic Rivers System. The Upper Delaware is recognized nationwide for its excellent water quality, its sport-fishing and boating opportunities, and the abundant wildlife populations it supports. The Upper Delaware is unique in the eastern United States, and that is why Congress acted to protect it before it was lost.

Mr. Phil Fitzpatrick

Page 2

January 11, 1988

We urge you to take this conservation plan seriously and make the most of it. If you do, fifty years from now when the Upper Delaware is still a quality river, your children and their children will thank you for the steps you are taking today.

We look forward to working with the members of the upper Delaware Council to conserve the irreplaceable resources of the Delaware River valley. Feel free to contact our offices if we may assist your work in any way.

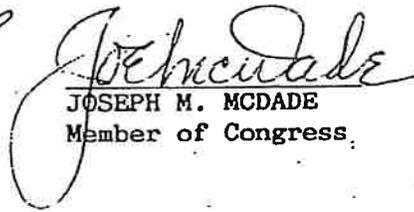
Sincerely,



BENJAMIN A. GILMAN  
Member of Congress



MATTHEW F. MCHUGH  
Member of Congress



JOSEPH M. MCNAMEE  
Member of Congress