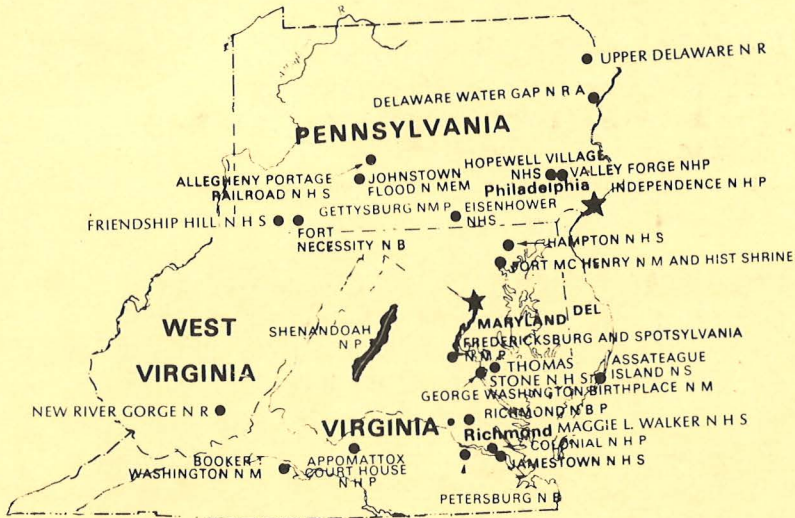


June 1987
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MID-ATLANTIC REGION

RESEARCH/RESOURCES MANAGEMENT REPORT

APPROPRIATE RIVER RECREATION USE STUDY
MAR-24

An Analysis of Community Response to
Federal Presence in the Upper Delaware
River Valley

U.S. DEPARTMENT OF THE INTERIOR

NATIONAL PARK SERVICE



MID-ATLANTIC REGIONAL OFFICE
143 SOUTH THIRD STREET
PHILADELPHIA, PENNSYLVANIA 19106

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APPROPRIATE RIVER RECREATION USE STUDY
MAR-24

An Analysis of Community Response to
Federal Presence in the Upper Delaware
River Valley

A Report to Managers

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and
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in cooperation with

USDA Forest Service, North Central Forest Experiment Station
and The National Park Service, Mid-Atlantic Region

June 1987

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Ben W. Twight served as principal investigator and administrative coordinator for the project. Marsha McCabe entered field data into a microcomputer and gathered and organized secondary data including census information and newspaper accounts. Matthew S. Carroll is responsible for study design, all collection of field data and the interpretations contained in this report. Sandi Andrews typed several versions of this document.

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EXECUTIVE SUMMARY

This study examines the relationships between local communities and the National Park Service in the Upper Delaware Valley. The Upper Delaware, designated in 1968 as an area to be studied for possible inclusion in the Wild and Scenic River System was designated as a Scenic and Recreational River in 1978. As a result of negotiations between local groups and the federal government the terms of the 1978 legislation called for a cooperative arrangement under which land use regulations would substitute for large-scale federal land acquisition in the Valley. Despite this approach, a prolonged conflict occurred between local residents and groups and the National Park Service (NPS) which resulted in the termination of the initial planning process carried out to implement the law. A second planning process built around the concept of a local body to act as an intermediary between the federal government and local communities was also fraught with bitter conflict.

The study, utilizing the interpretive paradigm of sociology, presents historical and demographic information, a chronology of events relevant to the federal presence and community response in the Valley and a discussion of relevant Valley-based groups.

The analysis of the community response carried out on the basis of in-depth personal interviews with a wide variety of Valley residents suggests the conflict was the result of a number of factors. These include early negative impressions created by certain actions and statements by federal planners and managers, a lack of ties between some groups of local residents and those involved in planning for and managing the area, power struggles between entities representing the federal presence, complexities introduced by simultaneous consideration of both land and water use issues

and the subsequent emergence of very effective anti-NPS mobilization agents. Other dimensions related to the broader social context of the conflict are also discussed.

Recommendations concerning the future of NPS - community relations in the Valley are made. These recommendations suggest the need for an even-handed approach and a period of trust building as the area enters into a new phase of operations.

A number of "lessons learned" from the Upper Delaware with respect to future designations of similar areas are also discussed. It is suggested that the Upper Delaware has provided a number of object lessons related to difficulties faced by both sides when a formal organization such as the NPS is required to work closely with local communities. The need for the development of a positive image, mutual understandings and trust with the entire spectrum of local residents are discussed.

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1. INTRODUCTION

A. Objectives

The purpose of this research is to document and attempt to come to an understanding of the response of affected local communities to the presence and actions of the National Park Service and other responsible agencies in the planning and administration of the Upper Delaware Scenic and Recreational River. A detailed discussion of how the area came to assume its present form is contained in Section 3. In brief, the area was designated for study for possible future inclusion in the National Wild Scenic and Recreational River System by the legislation which created the System in 1968. However, in response to local concerns in the Upper Delaware Valley, the concept for administering the land area surrounding the river evolved away from the traditional model of the management of land purchased and held permanently by the federal government. The "alternative" management concept is one in which the majority of land is left in private hands, but land use is subject to zoning regulations.¹

Legislation was passed in 1978 designating the Upper Delaware as a Scenic and Recreational River with planning and river responsibility assigned to the National Park Service. The legislation contained provisions which called for the area to be administered under this "alternative" concept with cooperation from the fifteen affected local communities, the states of Pennsylvania and New York as well as the Delaware River Basin Commission. The 1978 law also required the establishment of a Citizens Advisory Council to ensure local participation in the process by which the terms of the legislation were to be

¹For additional background, reference can be made to the Final River Management Plan (Council of Upper Delaware Townships, 1986), analysis of legislation (McAvoy and Simpson 1987) and the administrative history of the area (Curtis and Pontier forthcoming.)

implemented. During the process of creating a River Management Plan to implement the law (which is discussed at length in Section 3) a decision was made to form what will be known as the Upper Delaware Council to share with the NPS the responsibility for coordinating the implementation of the Management Plan. The NPS is slated to have one of a projected nineteen seats on the Council. The members of the Council, including the NPS, will be bound by the provisions of the Management Plan, and the Council will render its judgements and recommendations on the basis of a majority vote.

Despite the innovative management approach proposed for the Upper Delaware, the federal presence there has been the subject of prolonged and highly publicized conflict which came eventually to pit a segment of Valley residents against the NPS, their Congressional representatives as well as some of their own political leaders and neighbors. At a number of key points in the conflict, a climate of tension and hostility was created such that at least one fistfight broke out at a public meeting, tires of government vehicles were slashed, and the windshield of a local political leader's car was smashed in the middle of the night. In addition, a number of organized public demonstrations opposing the NPS occurred at public meetings such that, in two cases, the meetings had to be terminated prematurely. A planning process designed to implement the terms of the legislation, mandated to be completed in three years, became the focal point of the controversy, was canceled, reorganized and stretched on to eight.

It is the task of this research to attempt to arrive at an understanding of why and how agency - community relations developed as they did in the Upper Delaware Valley. An integral part of performing this task is the identification of the underlying issues relevant to agency-community relations as well as the specific community-based groups

which have an interest or stake in one or more aspects of the federal presence in the Valley. This third-party analysis of agency-community relations should be useful to achieve a detached understanding of what has transpired thus far on the Upper Delaware, and to identify existing issues which are as yet unresolved. In addition we seek to point out issues which are newly emerging and will be faced by the agency, the Council and the communities in the months and years ahead.

B. Methods and Approach

The primary mode of inquiry adopted for the study was that of the interpretive paradigm of sociology (Burrell and Morgan 1979, Blumer 1969, Murphy and Pilotta 1984). In contrast to more "objectivist" approaches which emphasize quantification and measurement of social phenomena and the statistical manipulation of data so derived, the interpretive sociologist attempts to arrive at an understanding of the world view of his or her subjects. This is typically achieved through the use of semi-structured interviews and first-hand observation of behavior and interactions. The interpretive approach, of course, has strengths and weaknesses as well as adherents and opponents within the discipline (See Burrell and Morgan 1979, for an in-depth discussion of this). It was adopted for present purposes on the assumption that the most useful contribution this research could make would be to achieve a realistic and reasonably detailed understanding of how the various groups of community residents have come to view the NPS and other entities associated with the federal presence in the Upper Delaware Valley. The development of shared views ("shared meanings" in the jargon of interpretive sociology) with respect to the federal presence is assumed to provide the basis for the emergence of any collective response (or nonresponse) to the presence. Thus, a central theme of this inquiry is

an attempt to understand these views and why and how they emerged as they did.

A variety of sources of both primary and secondary data were tapped for the study and specific sources are referenced where appropriate in the text. The information concerning the history of the Valley which is presented in Section 2 was obtained largely from NPS documents. The material in the demographic profile of the communities also presented in Section 2 was obtained directly or indirectly from the U.S. Census. Data presented in the Chronology of Events (Section 3) were obtained from primary and secondary sources including newspaper accounts, NPS documents, public records, interviews with participants and direct observation by the field researcher. Data for Sections 4 and 5, Groups and Issues, were derived in large part from interviews and personal observations carried out over a two-year period by the field researcher.

The field work for the study was begun in July 1985. In-depth interviews were conducted with community residents as well as relevant federal, state, county, and local government officials. Interviews were selected on the basis of a chain-referral or "snowball" technique as described by Biernacki and Waldorf (1981).

In brief, the technique operates on the basis of referrals of potential interviewees by individuals who had already been interviewed or contacted by the investigator. Thus, "chains" of individuals are traced on the basis of referrals:

Snowball or chain referral sampling... yields a study sample through referrals made among people who share or know of others who possess some characteristics that are of research interest. The method is well suited for a number of research purposes and is particularly applicable when the focus of the study is on a sensitive issue... and thus, requires the knowledge of insiders

to locate people for study. In a different context Coleman (1958) has even argued that it is a method uniquely designed for sociological research because it allows for the sampling of natural interactional units (Biernacki and Waldorf (1981; p.141).

The technique was particularly useful to this study because of the focus on community response. The assumption was made that individuals who have some stake in and/or particular knowledge of agency-community relations would have in most cases more insights to offer than the ordinary "person on the street." It should be noted though that individuals with no particular involvement in the controversy were deliberately sought out as well in order to gain the perspective of nonparticipants. Interviewing was continued until new groups and categories of stakeholders ceased to be uncovered and, after consultation with knowledgeable residents and observers, it appeared safe to assume that all major categories of community stakeholders had been tapped. A total of 86 residents and other affected individuals were interviewed in addition to five agency officials. In addition, approximately 150 hours were spent attending meetings in the Valley relevant to the federal presence. The majority of field time was spent between July 1985 and June 1986, however additional field trips were taken through May of 1987 to continue to monitor developments and to conduct additional interviews.

The interviews were conducted in a semi-structured fashion. The same general topics were brought up in each case but the interviewee was encouraged to express himself or herself as freely as possible. In the course of each interview, the subject was asked for background information which included town and length of residence, relevant organizational affiliations, occupation and any past or present political offices held. Sex and approximate age were recorded. Each interviewee was asked to trace his or her initial perceptions of the federal presence and, how, if at all,

those perceptions changed over time. Subjects were also queried about any personal involvements related to the presence. In addition each was asked how he or she felt at the time of the interview about the federal presence and also what issues he or she perceived to be important with respect to any aspect of the presence. Finally, each interviewee was probed to discover any particular insights into agency-community dynamics.

The interviewer took written notes and soon after the interview (in most cases within two hours of the interview and in almost all cases within twenty-four hours) transcribed its contents into a tape recorder. The material was then transferred, still in qualitative form, onto a microcomputer at Pennsylvania State University.

2. BRIEF VALLEY HISTORY AND DEMOGRAPHIC PROFILE

A. History

The purpose of this section is to present a brief summary of the research of others concerning the history of the Valley. This material is presented to allow for an understanding of how the stage was set upon which the community response to the federal presence was to be played out. For a more complete historical account, the reader is referred to McGregor (1982) and Curtis and Pontier (forthcoming).

The history of European settlement in the valley now known as the Upper Delaware has been one of relative isolation from both urban influences and commercial development. McGregor (1982) reports that the first Europeans arrived from Connecticut in the 1750s under the authority of a 1662 proprietary grant from King Charles II of England to the Delaware Company. However, in 1681 the Monarch deeded the west bank of the Delaware north to 42^o latitude to William Penn, a grant which was ignored by the Delaware Company, but which created competing claims on the land. These claims were not settled until the Continental Congress acted in 1782. A similar situation developed some years later on the east bank of the river which resulted in a "border war" with New Jersey over tax payments. As a result of these conflicting claims and confusion, landowners were, in some cases, required to pay for their land as often as four times (Curtis and Pontier).

After the Revolution, while growth and development went on in other areas, the Valley retained the character of a frontier:

Settlement of the Upper Delaware River Valley was an agonizingly slow process. The beginnings of 22 villages had been established in the Valley by 1800, but most consisted of only a handful of structures. Sawmills are recorded as having existed at only six locations and there were apparently but four taverns and a single store.

The Valley had originally been shut off from concerted development by a combination of land controversies and Indian problems, coupled with the area's general inaccessibility. By 1780, the land and Indian problems were largely gone. The challenge of accessibility still remained, however... It was estimated that only eighty-nine families lived on both sides of the Delaware River between Cochecton Falls and the confluence of the two branches in 1807. Transition from the frontier phase of settlement subsistence and later rural phases had scarcely begun (McGregor 1982, p. 64).

This relative isolation continued for an extended period:

...Less than 200 miles from the Philadelphia/New York metropolitan areas, (the Valley) maintained a wilderness quality long after the frontier had pushed on to the West. It wasn't until the coming of the New York and Erie Railway, in the 1850s, that things began to change. But even the building of the railroad, coming on the heels of some turnpike development and construction of the Delaware and Hudson Canal, didn't "civilize" the area. It only provided a kind of escape hatch for those fleeing the big city to the less restrictive atmosphere of the Upper Delaware.

By and large, local residents avoided contact with "outside" government. They came to think of themselves as independent, rugged individualists, little affected by domestic policies of nation or state. Only when there was the need for a major highway or an interstate bridge did they consider inviting the interest of "big government" (Curtis and Pontier, forthcoming, p. 3).

The period of the last decade of the eighteenth century through about 1880 saw the rise and decline of the log rafting industry in the Valley. Rafts were used to transport both logs and bluestone to Philadelphia and in later years a shorter distance to Trenton. The availability of these markets allowed for a local extraction based economy to develop. Writers disagree about the relative significance of log rafting and agriculture to the local economy by it is clear that both were important during that period (McGregor 1982).

During this same era, an abundance of hemlock in the Valley, the bark of which was a vital component in tanning leather, allowed for the development of a booming tannery industry. The supply of hemlock proved,

however, to be the limiting factor and when it became scarce in the 1880s both the tanning and the lumbering industries waned.

The beginning of the log rafting period roughly coincided with the era of early road and turnpike construction. Early roads were difficult to build and expensive to maintain. Their construction gave way in the second half of the nineteenth century to the era of railroad and canal construction. This period included the construction of the Delaware and Hudson Canal for which the well-known Roebling aqueduct was constructed. The canals did not, however, produce any great change in the local economy or way of life:

The effect of the canal's presence in the Delaware Valley was for the most part negligible. Several towns grew up in the section, including Lackawaxen, Pennsylvania; and in New York, Barryville, Pond Eddy and Mongaup Village in Sullivan County; and Bolton Basin, Sparrow Bush and Port Jervis in Orange County. Save for Port Jervis, which became one of the canal's major ports and a center for various industries, none of the villages grew to any size. Moreover, virtually no new industry was attracted to any of them as a consequence of the canal's presence (McGregor 1982, p. 87).

Canals ultimately could not compete with the railroads which became the most important means of transportation and a very important force in the development of the Valley:

The New York and Erie Railway was the first man-made north/south transportation route that extended the entire length of the Upper Delaware Valley. As such, it very quickly became an integral part of the Valley's economy. Lumber, stone and various agricultural products were removed to market, and previously scarce commodities such as rope, became more generally available via the railroad. Passenger service was also important, bringing tourists into the various vacation spots that grew up in the Valley... Gradually, the railroad absorbed much of the Valley business that had formerly been the province of the Delaware and Hudson Canal. In many ways, the railroad shaped the Valley's development, determining its population centers and encouraging the growth of local industries (McGregor 1982, p. 94-5).

The railroad by its placement helped the fortunes of some villages in the Valley and hurt others. McGregor (1982) reports that Narrowsburg grew and prospered by virtue of its accessibility to the railroad as did Pond Eddy, Car's Rock, Shohola, Callicoon Depot (which was later to house a Franciscan Seminary), and briefly Long Eddy (known for a time as "The City of Douglas"). However, the settlements of Tusten, Stockport and the old village of Cochection (also known as Heirsville) suffered as a result of the route taken by the railroad. The era of railroad construction also coincided with the construction of numerous bridges across the river. McGregor (1982) reports that by 1901, ten points along the river from Hancock to Port Jervis had been bridged and that nine of these or their replacements survived well into the current century.

In the latter part of the nineteenth century bluestone quarrying developed as an important industry. The most important figure in the business was John Fletcher Kilgour who came to own 150 quarries in the Valley and to employ 500 people. Although McGregor states that bluestone mining largely died out by 1920, the present author interviewed the managers of two such businesses in the Hancock area which appeared to be thriving as of 1985. Bluestone quarrying is clearly, however, not the industry it was at the turn of the century.

The last industry to take hold in the Valley during the nineteenth century was that of the so-called "acid factories." These enterprises took advantage of the fact that the tanning industry had used up most of the hemlock in the Valley but left hardwoods such as cherry, ash, beech, birch and maple behind. These factories distilled wood to produce charcoal, wood alcohol and acetate of lime. The industry declined by 1920 when petroleum-based synthetics were developed (McGregor 1982).

The industry which came to have the greatest effect on the Valley is tourism. As Curtis and Pontier (forthcoming) point out, the Valley is a natural magnet for tourists due to its scenic beauty and proximity to the New York and Philadelphia metropolitan areas. The first wave of tourism began to develop in the mid-nineteenth century coincident with the construction of the railroads. McGregor (1982) states that a major center for the first tourism boom was Shohola which became known as Shohola Glen. From the building of the Shohola Hotel in 1854, the area grew to 26 hotels and boarding houses and served 100,000 visitors per year at its peak. The business at the Glen was curtailed severely when the railway closed the switchback railroad which led to the resort. The Glen was closed in 1907 and later sold and logged off. Railroad tourism dwindled with the decline of the railroads and the coming of the automobile. Tourism however, was destined to rise again with the coming of the automobile.

The coming of the automobile resulted in renewed efforts in road construction in the Valley. On the Pennsylvania side, road improvements were largely the resurfacing of roads already in existence while in New York a number of new roads were constructed culminating in the construction of Route 97 from Port Jervis to Hancock. After World War I the two states created the New York-Pennsylvania Bridge Commission which purchased the toll bridges across the river and opened them for free use (McGregor 1982).

The local economy deteriorated after the first decades of the new century:

The loss of the lumbering, tanning, and acid-making industries severely affected the economy of the Upper Delaware Valley. Many people were forced to leave the Valley in search of work elsewhere, although a number of small industries (including creamery and poultry) did make up for the departure of the Valley's leading nineteenth century employers (McGregor 1982, p. 122-3).

The situation did not improve much either before or after the second World War:

The local economy, depressed since the failure of the lumber and related industries, offered little to Valley residents. If the Great Depression had little effect on the Upper Delaware, it was because the economy had already severely declined prior to 1929. The depression, rather than worsening matters, merely made it problematic for things to improve.

In the post-war Era, most Valley residents depended upon places outside for work... The enticements that made people wish to stay were not economic, but rather social or environmental (McGregor 1982, p. 127).

Curtis (1987) points out that the Valley has found itself in something of a bind in terms of economic growth over the last several decades. The collapse of the extractive industries left it with no significant basic industries and it lacks the infrastructure in terms of sewers, adequate water supply and transportation networks to attract most types of industrial development. Census figures (to be presented below) seem to confirm Curtis's observation that young people have been growing up and leaving the Valley for jobs elsewhere for some time. There is activity in agriculture, logging and bluestone quarrying, but none of these could be characterized as a major income producer on the Upper Delaware. The two most important recent economic trends have been those of the development of the second home and canoe rental industries.

B. Demographic Profile

The Upper Delaware Scenic and Recreational River encompasses portions of 15 towns and townships in five separate counties in the Commonwealth of Pennsylvania and New York State. They are listed as follows:

Pennsylvania

Wayne County

Buckingham Township
 Manchester Township
 Damascus Township
 Berlin Township

Pike County

Lackawaxen Township
 Shohola Township
 Westfall Township

New York

Delaware County

Hancock Town

Sullivan County

Freemont Town
 Delaware Town
 Cochection Town
 Tusten Town
 Highland Town
 Lumberland Town

Orange County

Deerpark Town

Obtaining accurate demographic information from the U.S. Census for the Valley is problematic because no town or township falls entirely within the boundary (Curtis 1987). With this caveat in mind demographic information obtained from the census for the 15 towns and townships is presented to establish recent population trends in the 15 communities under study. The reader should be aware that these figures do not reflect

exclusively the population within the boundary of what is now the scenic and recreational river.

Table 1 (which is a reproduction of that presented in McGregor's (1982) report with the addition of 1980 data) reflects census population data for the 15 towns and townships from 1820 through 1980. The figures reflect a remarkably consistent trend across the towns and townships demonstrating population growth until 1880 with the most growth occurring between 1850 and 1880. The New York side began to decline after 1880 while the Pennsylvania side reached its peak in the 1890 census. A steady decline took place for fifty years coinciding with the decline of the major extractive enterprises in the Valley. The population "trough" was reached in 1930 at which point the inhabitants totaled 16,854 or 30 percent fewer than in 1880. Small but steady increases began with the 1940 census. The increase accelerated from 1960 through 1980 but it should be noted that the population of the Valley did not again reach the levels of the 1860s and 1870s until after 1970.

Table 2a and 2b, showing racial breakdowns from the 1980 census, indicates that all 15 townships are nearly exclusively Caucasian with very small percentages of nonwhites represented. The only exception to the pattern is the town of Delaware which is approximately 12 percent black. This can be explained by the existence of a Job Corps Training Center in that town.

Table 3a and 3b, depicting age composition indicates that in 1890 all 15 townships as of the 1980 census had higher median ages than the national

Table 1. Population of Upper Delaware Towns and Townships

1820 - 1980¹

Town	1820	1830	1840	1850	1860	1870	1880	1890	1900
Delaware									
Hancock ^a	525	766	1026	1798	2862	3069	2552	3466	4025
Sullivan									
Liberty	851	1277	1569	-	-	-	-	-	-
Callicoon	-	-	-	1981	-	-	-	-	-
Fremont	-	-	-	-	1727	2218	2025	2168	2184
Delaware	-	-	-	-	-	1998	1830	1734	1541
Bethel	1096	-	-	-	-	-	-	-	-
Cochecton	-	438	622	1671	3174	1490	1328	1174	1117
Tusten	-	-	-	-	871	1028	1050	1004	890
Highland	-	-	-	-	986	958	1013	979	964
Lumberland	569	953	1205	2635	970	1065	1050	875	809
Orange									
Deer Park ^b	1340	1167	1607	4032	5186	3010	2742	2156	1932
Wayne									
Buckingham	385	179	233	592	1415	1127	1265	1087	1082
Manchester	-	183	284	749	988	1269	1393	1262	1190
Damascus	366	613	957	1602	2395	2823	2871	2442	2408
Dyberry	733	-	-	-	-	-	-	-	-
Berlin	-	175	488	803	1786	1295	1198	1005	1100
Pike									
Lackawaxen	222	*	750	1419	1241	1757	1588	1547	1259
Shohola	-	-	-	-	672	729	715	960	701
U. Smithfield	877	*	-	-	-	-	-	-	-
Milford	-	-	648	830	-	-	-	-	-
Westfall ^c	-	-	359	567	506	960	1542	1558	1731
Total New York	4381	4601	6029	12117	15776	14836	13590	13556	13462
Total Penna.	2583	*	3719	6562	9003	9960	10572	9861	9471
Grand Total	6964	*	9748	18679	24779	24796	24162	23417	22933

¹ Derived from the United States Bureau of the Census, Census of the Population, 4th-20th Census, 1820-1980. (Individual Population volume for each Census) Updated version of table originally prepared by McGregor, 1982: 3-114 through 3-117.

^a Population of Hancock Township excludes Hancock village, which was reported separately in 1880 and thereafter.

^b Population of Deer Park Township excludes Port Jervis village, which was recorded separately in 1870 and thereafter.

^c Population of Westfall Township excludes Port Jervis village, which was recorded separately in 1870 and thereafter.

*Township records for Pike County in 1830 do not exist.

Table 1. Population of Upper Delaware Towns and Townships (Continued)

<u>Town</u>	<u>1910</u>	<u>1920</u>	<u>1930</u>	<u>1940</u>	<u>1950</u>	<u>1960</u>	<u>1970</u>	<u>1980</u>	
Delaware									
Hancock ^a	3862	2796	2526	2232	1957	2077	1916	1978	2.8
Sullivan									
Liberty	-	-	-	-	-	-	-	-	-
Callicoon	-	-	-	-	-	-	-	-	-
Fremont	1931	1435	1386	1251	1170	1047	1047	1346	28.6
Delaware	1842	1740	1777	1934	2089	2141	2260	2783	23.1
Bethel	-	-	-	-	-	-	-	-	-
Cochecton	1142	1112	1154	1189	1136	1070	1181	1330	12.6
Tusten	878	881	914	950	1042	1087	1224	1424	16.3
Highland	1031	875	880	1038	1140	1138	1377	1878	36.4
Lumberland	716	480	499	490	494	538	857	1210	41.2
Orange									
Deer Park ^b	1659	1615	1779	2227	2519	2777	4370	5633	23.1
Wayne									
Buckingham	818	702	590	619	612	593	578	667	15.4
Manchester	965	729	680	736	667	558	494	629	27.3
Damascus	2287	2077	1876	1930	1898	1703	2006	2536	26.4
Dyberry	-	-	-	-	-	-	-	-	-
Berlin	1035	894	975	1016	971	1010	1109	1676	51.1
Pike									
Lackawaxen	1193	902	977	805	1072	1068	1363	2111	54.9
Shohola	545	434	429	457	455	413	574	986	71.8
U. Smithfield	-	-	-	-	-	-	-	-	-
Milford	-	-	-	-	-	-	-	-	-
Westfall ^c	352	295	412	407	599	838	1348	1825	35.4
Total New York	13061	10934	10915	11311	11547	11875	14232	17575	23.5
Total Penna.	7195	6033	5939	5970	6274	6183	7472	10450	40.0
Grand Total	20256	16967	16854	17281	17821	18058	21704	28005	29.0

¹ Derived from the United States Bureau of the Census, Census of Population, 4th-20th Census, 1820-1980. (Individual Population volume for each Census) Updated version of table originally prepared by McGregor, 1982: 3-114 through 3-117.

^a Population of Hancock Township excludes Hancock village, which was reported separately in 1880 and thereafter.

^b Population of Deer Park Township excludes Port Jarvis village, which was recorded separately in 1870 and thereafter.

^c Population of Westfall Township excludes Port Jarvis village, which was recorded separately in 1870 and thereafter.

*Township records for Pike County in 1830 do not exist.

2a. Race Breakdowns for Counties and Townships in the
Commonwealth of Pennsylvania

		<u>White</u>	<u>Black</u>	<u>American Indian</u>	<u>Asian</u>	<u>Other</u>
WAYNE	1980	35,057	82	23	48	27
COUNTY	1970	29,237		5	5	16
Buckingham	1980	660	2	-	-	5
Township	1970	578	-	-	-	-
Manchester	1980	628	-	-	-	1
Township	1970	493	-	-	-	1
Damascus	1980	2,531	-	-	3	2
Township	1970	2,003	3	-	-	-
Berlin	1980	1,662	5	-	5	4
Township	1970	1,106	-	-	-	3
PIKE	1980	18,103	55	18	40	55
COUNTY	1970	11,762	27	5	14	10
Lackawaxen	1980	2,091	11	3	4	2
Township	1970	1,363	-	-	-	-
Shohola	1980	980	-	-	-	6
Township	1970	572	1	-	-	1
Westfall	1980	1,808	3	5	4	5
Township	1970	1,336	4	-	-	8

Derived from the United States Bureau of the Census, Census of the Population, 20th Census, 1980, Tables 15 and 15a.

2b. Race Breakdowns for Counties and Townships in the
Commonwealth of New York

		<u>White</u>	<u>Black</u>	<u>American Indian</u>	<u>Asian</u>	<u>Other</u>
DELAWARE	1980	46,206	285	88	124	121
COUNTY	1970	44,314	260	28	64	52
Hancock	1980	3,413	47	8	11	18
Town	1970	3,561	27	-	-	16
SULLIVAN	1980	59,071	4,446	122	381	1,135
COUNTY	1970	48,719	3,425	37	181	218
Fremont	1980	1,313	25	2	2	4
Town	1970	1,037	7	-	-	3
Delaware	1980	2,426	299	6	4	48
Town	1970	2,256	-	-	-	4
Cochecton	1980	1,305	10	2	4	9
Town	1970	1,170	10	-	-	1
Tusten	1980	1,339	68	4	11	2
Town	1970	1,202	22	-	-	-
Highland	1980	1,855	8	8	2	5
Town	1970	1,375	1	-	-	1
Lumberland	1980	1,173	10	1	2	24
Town	1970	856	1	-	-	-
ORANGE	1980	237,359	16,225	426	1,327	4,266
COUNTY	1970	206,351	14,239	172	313	582
Deerpark	1980	5,504	79	16	16	18
Town	1970	4,297	58	-	-	15

Derived from the United States Bureau of the Census, Census of the Population, 20th Census, 1980, Tables 15 and 15a.

Table 3a. Age Composition (in years) in 1980 by Counties and Townships for the Commonwealth of Pennsylvania

	5	5-17	18-64	65+	1980 Median Age	1970 Median Age
WAYNE COUNTY	2,458	7571	19,748	5460	33.3	34.6
Buckingham Township	-	-	382	98	36.2	36.8
Manchester Township	-	-	334	105	33.3	34.2
Damascus Township	192	556	1368	420	33.6	33.5
Berlin Township	126	374	888	288	31.9	32.2
PIKE COUNTY	1015	3387	10,577	3292	39.0	37.8
Lackawaxen Township	123	406	1152	430	39.3	46.7
Shohola Township			556	220	44.2	45.0
Westfall Township	128	377	1042	278	34.6	29.7

Derived from the United States Bureau of the Census, Census of the Population, 20th Census, Tables 39a, 42, 42a, 44, 46.

Table 3b. Age Composition (in years) in 1980 by Counties and Townships for the Commonwealth of New York

	5	5-17	18-64	65+	1980 Median Age	1970 Median Age
DELAWARE COUNTY	3090	9637	27,230	6867	32.2	30.6
Town of Hancock	258	757	1940	542	33.9	31.9
SULLIVAN COUNTY	4106	12,881	38,333	9835	33.5	32.6
Town of Fremont	93	291	723	239	36.9	37.6
Town of Delaware	145	655	1537	446	29.3	34.8
Town of Cochecton	85	258	716	271	37.3	40.0
Town of Tusten	66	305	668	385	44.9	40.1
Town of Highland	79	353	1026	420	43.3	43.8
Town of Lumberland	52	221	658	279	42.2	40.1
ORANGE COUNTY	19,386	59,852	152,181	28,184	30.2	28.5
Town of Deerpark	384	1247	3333	669	32.5	31.0

Derived from the United States Bureau of the Census, Census of the Population, 20th Census, Tables 39a, 42, 42a, 44, 46.

Table 3c. Median Age (in years) for the United States, Pennsylvania and New York

	Median Age	
	1980	1970
United States	28.8	26.8
Pennsylvania	32.1	30.7
New York	31.8	30.3

Derived from the United States Bureau of the Census, Census of the Population, 20th Census, Tables 20, 44.

average (Table 3c) with those of the Sullivan County New York towns of Fremont, Cochection, Tusten Highland and Lumberland showing dramatically higher figures than the average. The Pike County towns also have high median ages. These figures can be interpreted to reflect two trends in the Valley: the out migration of the children of Valley residents and the increase in popularity of the Valley as a retirement home site.

Summary

It is unfortunate, as McGregor (1982) points out in the introduction to his report, that no one has written a valley-wide social history for the Upper Delaware. His work, largely an economic history, would provide an excellent framework on which such a social historical account could be built. It is possible, however, utilizing his work, along with that of others cited above, census statistics and material drawn from the personal interviews, to paint something of a picture or at least a sketch of the people of the Valley who found themselves faced with some major externally based changes beginning in the 1960s and a federal presence beginning in 1978. It is clear that the Valley remained relatively isolated from many of the forces which were causing changes in the metropolitan areas around it. Large-scale modern industry never developed and modern transportation links were never built to replace the railroad. Thus, the Valley seems not to have received the benefits or, as it is very important to note, paid the costs associated with urbanization and rapid change. (This can be contrasted with nearby Monticello in Sullivan County, New York which experienced urbanization in the late 19th and early 20th century and subsequent urban blight in the past several decades.)

The predominant picture which emerges concerning life in the Valley is that of a rural or semi-rural lifestyle with a relatively slow pace. As Curtis (1987) points out, with few exceptions those residents who desired major economic opportunities were required to go outside the Valley either to work or to live (as the census data indicates many young people have chosen to do just that) and that reasons for deciding to remain living in the Valley are largely non-economic. What does not come through strongly in McGregor's (1982) historical analysis but which is evidenced in the interview data (to be discussed in later sections of this report), is that for the most part, Valley residents value their local lifestyle and consider it, on balance, to be of high quality. They are not unaware of opportunities in nearby (and far away) cities. They choose to remain in (and in some cases have chosen to come to) the Valley. The image that emerges from our interviews is that of people who are committed to the Valley in a very positive sense. Our interview data indicates that locals are protective of their way of life. It was this way of life that many residents saw as threatened when important changes began to be imposed on the Valley in the 1960s from influences which originated from outside its boundaries.

3. CHRONOLOGY OF EVENTS ON THE UPPER DELAWARE

The purpose of this section is to present a description of the events (and to the extent that they can be reconstructed, responses to events) which occurred in the Upper Delaware Valley as first the proposals for, and then the reality of, the federal presence unfolded. Every attempt is made in this section to avoid interpretation or analysis by the present authors and to reserve such for the latter sections of the report. However, the interpretations and responses of local residents and others who were involved are reported to the extent that they can be reconstructed. Editorials from local newspapers are also included for two reasons: One, that they likely reflect, however imperfectly, something of the local view of the situation, and two, that they seem very likely to have had some influence on the images that the residents formed and actions that they took with respect to the federal presence.

The materials are taken from four major sources: The River Ripples newspaper column written for the Sullivan County Democrat by long-time Callicoon resident Matthew Joseph Freda (cited as "F"), the legislative history of the Upper Delaware authored by Glen Pontier (designated as "P"), a chronology of events on the Upper Delaware prepared from administrative records by the National Park Service staff (cited as "NPS") and news accounts from area newspapers, primarily the River Reporter ("TRR") and the Sullivan County Democrat ("SCD"). Various letters are also cited.

Before the chronology for the Upper Delaware is begun, note should be taken very briefly of some events which had transpired in what is now known as the Delaware Water Gap National Recreation Area (DEWA) located just downstream of the Upper Delaware encompassing land in New Jersey and Pennsylvania along the river from Milford to Stroudsburg, Pennsylvania.

The Delaware Water Gap area had been slated for federal management a decade or more before a federal role was proposed for the Upper Delaware and for very different stated objectives. The original plan for the DEWA was for the Army Corps of Engineers to build a dam on the river at a location known as Tocks Island. The resulting water impoundment was to be managed by the U.S. Army Corps of Engineers and a donut-shaped parcel of land surrounding the impoundment was to be managed as a recreation area by the NPS. The Army Corps took the lead in land acquisition for the project with cooperation by the NPS. The land acquisition process which included the use of eminent domain powers (condemnation) was controversial from the local point of view. Several small communities were literally removed and a number of hard fought federal court cases between landowners and the government resulted. A suicide on the part of a local land owner was attributed in newspaper accounts to the controversy (TRR 2-16-84) and the headquarters of a large canoe livery company which also operates on the Upper Delaware was acquired against the wishes of its owners. In the meantime, the dam project became a subject of controversy at the national level and construction was postponed for an indeterminate length of time but at least until the year 2000. The management of the entire area was subsequently turned over to the NPS which continued to acquire land. A number of families displaced by the land acquisition process moved to the Upper Delaware Valley. As will be seen in later sections, the effects of the DEWA controversy were to be felt on the Upper Delaware.

The forces that set in motion the designation of the Upper Delaware as a Scenic and Recreational River can be traced to the well-known 1962 report of the Outdoor Recreation Resources Review Commission. In a letter dated

May 3, 1966 and sent to a concerned Upper Delaware resident, Edward C. -
Crafts, the Director of the Bureau of Outdoor Recreation stated:

The Delaware River from Hancock, New York to Matamoras, Pennsylvania is one of 17 rivers listed for study and possible future wild river status in S. 1446, the Wild Rivers bill that recently passed the Senate. The Delaware was added to the bill by amendment on the floor of the Senate. The bill provides that studies of the 17 rivers will be made in consultation with the various Federal and State interests involved to ascertain whether a joint Federal-State Plan is feasible and desirable to conserve segments of the rivers. Recommendations would then be submitted to the President and to the Congress as appropriate for legislative action.

The Wild Rivers bill that passed the Senate is an amended version of a bill that was submitted early in 1965 to the Congress as an Administration measure. The Administration bill was based on a comprehensive nationwide study of rivers that was made to implement one of the major recommendations of the Outdoor Recreation Resource Review Commission. In its January 1962 report, the Commission recommended that "certain rivers of unusual scientific, aesthetic, and recreation values should be allowed to remain in their free-flowing state and natural setting without man-made alterations.

Study of the Upper Delaware for possible preservation had been suggested to Director Crafts by John S. Grimm, a consulting aquatic biologist. In a letter to Crafts dated October 17, 1963 Grimm stated:

In recent years I have been investigating the Delaware River for the city of New York and have become very familiar with the fishery and recreational uses of the river. The stream has a natural beauty that is surpassed by few others in the country. It is surprisingly remote in appearance, even though it is within a hundred miles of both New York City and Philadelphia.

I am suggesting that the study team consider this stream as a candidate for being preserved in its present free-flowing condition...

A similar suggestion was made to Secretary of the Interior Udall in a letter to him dated November 20, 1963, from Benton P. Cummings, President

of School of the Outdoors, a nonprofit corporation in Branchville, New Jersey.

In response to the Cummings letter dated December 23, the Acting Director of BOR stated that the Delaware was not included in the Wild Rivers Study then being conducted by the BOR but that it "will be considered for inclusion in the event a similar study is possible at a later date."

By the time the Wild Rivers Act passed in 1968, its provisions had already evoked a response on the part of a number of Upper Delaware residents. In a letter dated April 22, 1966, and co-signed by 30 of his neighbors on River Road, a Callicoon resident stated:

The import of Bill S. 1446 of the 89th Congress, 2nd session, known as the Wild Rivers Act has been brought to the attention of the undersigned by the civic minded editor of our local newspaper, the Sullivan County Democrat. All of us agree with the principle of providing unspoiled natural facilities for ourselves and our posterity. We do, however, disagree heartily with the methods adopted by the aforementioned bill.

Only those persons concerned with and having a true love of nature would seek the solitude provided by "life along the river." For many of us, such residence is the fulfillment of a lifetime of saving and scrimping so that some day we might live here, not just vacation, but "year round." To see all of this torn away from us is UNTHINKABLE.

Perhaps the safeguards for the "wildness" of this valley intended by the authors of this bill could best be provided by insisting that the only persons permitted to live within the restricted 1320 ft. would be those who had established a voting residency. This would exclude those persons who might be expected to merely use, rather than preserve and beautify the land.

In conclusion, as voting residents of the Town of Delaware, Sullivan County, New York, we feel entitled to a great deal more consideration than is being accorded us in the handling of this matter. The ruthless, brutish, confiscatory methods suggested by this bill reflect totalitarianism, not a Democratic United States.

One can infer that the signers were concerned about a provision in the bill (which, it should be noted, only applied to those rivers designated at that time and not those listed as study rivers) which called for control of a narrow strip of land on each bank.

In 1969 an interagency task force was formed to conduct the study required by the 1968 act of the Upper Delaware to determine its suitability for inclusion in the Wild and Scenic Rivers System. The task force, headed by the BOR also included representatives from the NPS, the Bureau of Sport Fisheries and Wildlife, the Forest Service, the Environmental Protection Agency, the Army Corps of Engineers, the Delaware River Basin Commission, the Pennsylvania Department of Environmental Resources and the New York Department of Environmental Conservation (P).

The findings of the Task Force are summarized by Pontier (p. 1-3):

The study found that the 75-mile segment of the Delaware from Hancock to Matamoras "is of outstanding quality and is suitable for inclusion in the National Wild and Scenic River System ... The Field Task Force concluded that the Upper Delaware River meets the evaluation criteria established by the Departments of the Interior and Agriculture and is therefore desirable for inclusion in the National Wild and Scenic Rivers System."

The study also concluded that the river should be classified as part "scenic" and part "recreational," according to criteria contained in the Wild and Scenic Rivers Act. In general, the scenic portions were meant to contain areas having more concentrated development and/or roadways visible from the river.

The study discussed alternative design considerations and management models to administer the river. Five development designs were proposed:

NO ACTION - no change of the existing conditions; development would continue at the current rate

TOTAL MANAGEMENT - total control and optimum facility development

STRIP MANAGEMENT - reduced overall cost without appreciable loss of recreation resources and opportunities

NODAL MANAGEMENT - reduced overall cost with land facilities at selected areas

INFORMATION CONTROL - minimum cost and control with coordinative responsibility

Administrative structures which could be used to manage the river were also outlined:

BI-STATE LEADERSHIP - a cooperative bi-state park commission established to coordinate the actions of local and state governments

FEDERAL LEADERSHIP - designation as a unit of the National Park Service administered as a federal component of the National Wild and Scenic Rivers System

QUASI-PUBLIC PARTNERSHIP - an Upper Delaware Trust Commission established, composed of federal, state, local, public and private representatives who would plan for and manage the area

Two public meetings were held in May 1970 to explain the findings. Freda editorialized that the meetings were handled ineptly by the BOR. Pontier states that the Milford meeting was attended by more than 200 and that the majority favored inclusion of the river in the System, administration by the NPS and adoption of alternative II (Total Management). He states that the Callicoon meeting was attended by 300, the majority of whom favored non-inclusion, alternative 1, and no administration.

The river designation issue seemed to fade from public view during 1971 and 1972. However, in November of 1971, a revised draft of the study was prepared which for the first time included recommendations concerning acreages for land acquisition (NPS, F, undated). These recommendations were not made public until the BOR published an Information Brochure for public consumption prior to public information meetings held on July 24 and 25, 1973 (F, 8-2-73).

In a column for which the date has been lost Freda reported:

A meeting of over 40 concerned people last Friday in Callicoon on the subject of the Wild and Scenic Rivers Act as it affects our portion of the Delaware River... not only property owners were present, but township supervisors from both sides of the river... and numerous other people interested in the Delaware future, attended to discuss the subject, prior to the public information meeting scheduled for July 25 at the Delaware Valley Central School.

The people are concerned over plans for controlling the river. The Upper Delaware is the Wild and Beautiful River that it is because of the manner in which the local people have essentially preserved it over the past 200 years. We cannot agree that local interests must take a background role. Quite the contrary, unless we unite in a tremendous effort to preserve the river in its present state, it may degenerate to the status of New York City's Central Park, and by the same elements that caused the latter's demise.

Freda went on to express alarm at high recreation usage figures that the BOR projected for the river (12,500 per day) and concluded:

Our main concern is that we have had inadequate time and opportunity to review and comment on the proposal. We were first briefed on the plan in May 1970, very ineptly by the same department who now is attempting to sell us in two days of informational briefings - one at Callicoon and one at Milford. The "Upper Delaware Study" has been a more closely guarded secret than top secret military documents. We have not been able to review it at the local government level. The original study was in draft form in 1970. A reviewed draft was published in November 1971, as we understand it, distributed to government agencies, and tightly guarded. It should have been available at least at the county level... for review, recommendations and inputs. It has been withheld from all this type of review. Accordingly, the motives behind the study are highly suspect.

We strongly recommend that the completed study draft be made available for review. Further it is strongly urged that we be given a minimum of one year to provide recommendations for incorporation into the study, before it is sent to Congress for enactment legislation.

Bungling such as the Tocks Island fiasco must not be allowed to occur in the implementation of a plan to preserve the Delaware River. We know that we are capable of providing locally, recommendations that will maintain the river for optimum use and enjoyment as has occurred since the first settlers arrived over 200 years ago.

This meeting was apparently the first of an organization that was to become known as the Upper Delaware Scenic River Association.

The BOR held its public information meetings on July 24 and 25th and proposed acquisition of 6000 acres and scenic easements on an additional 8700 (F. undated). Freda's commentary (8-2-73) on the July 25th meeting is as follows:

Approximately 500 people attended the Public Information meeting on the National Wild and Scenic Rivers Act as it applies to the Upper Delaware. The U.S. Department of Interior has reviewed its "lessons learned" from its last fiasco—the meeting of May 1970—and staged one of the most dazzling salesmanship performances demonstrated by a bureaucratic agency. The public relations man—Red Arnold—did not know all of the details of the proposal, for he constantly turned to the "experts" on the panel furnished by the Bureau of Outdoor Recreation (BOR), but he certainly provided the responses. The fact that many of the people in the audience felt that they received an incomplete or unsatisfactory answer to their question was immaterial. Red Arnold smoothly fielded the question, deftly provided the BOR position and obliquely replied with just enough to make the questioner sit down. And he laughingly admitted to many of the people that he had not answered their questions. Quite a salesman!

The entire meeting was handled by the BOR to make the most favorable impression on the media. Statements were solicited, and 41 attendees indicated that they would like to speak. The first "statement" maker introduced was Dr. Mason Lawrence, the second in command of the New York State Department of Environmental Conservation, and Mr. Henry Diamond's right hand man. Of course, he strongly endorsed the BOR's proposals. It is interesting, however, that he disavowed some errors and discrepancies in the BOR Information Brochure—something that the rest of us will have a hard time correcting when we bring the same type of error to the attention of the BOR. There was a strong protest registered by one of the attendees, who requested that this type of "rigging" by the BOR be made a matter for the record. There is no question that Dr. Lawrence should have been on the BOR panel, and time should not have been taken from the little allotted the audience for their own statements. This was probably the height of the bureaucratic snubbing performance for the entire evening.

The speakers from the audience were generally against a complete takeover by the BOR. In arranging the order of the statement makers, however, the BOR scheduled many who had spoken

at Milford the prior evening, before letting those from the local area give their statement. Those people who had spoken at Milford were without exception strongly behind the BOR's position. Many of our local area people did not have the opportunity to give their statements until late in the evening, some after midnight. By this time, most of the press had left, as well as most of the other listeners, so that some of the really effective and well prepared statements were not widely heard. The BOR knows how to make their point, and how to subdue the opposition!

It is now obvious that this type of presentation has backfired. The Upper Delaware residents are really mad this time, and are organizing on both sides of the river. This is the first time in this issue that the people from Pennsylvania and New York are cooperating closely and coordinating in the ultimate objective. The BOR has advertised that there had been no political objections by the elected representatives on either side of the river. This, of course, was prior to the public information meetings, when no one knew what they had to object to. The elected officials will hear objections now.

What are some of the other ramifications involved? The feeling we receive is that most people are in favor of some sort of control of the Upper Delaware, even if it is only zoning. Most of the criticism leveled by the BOR and the media is at the landowners. There are relatively few of these involved. From their point of view, however, most of them will come out favorably moneywise. The land acquisition estimates in the BOR information brochure are unrealistically low. They were included in the draft plan dated 1971, and taken from an appraisal made in 1968. We all know what has happened to land prices in the area since then. There have been sufficient actual sales up and down the river to establish market value, and owners dissatisfied with government offers can probably win their cases at court. Campgrounds, canoe rental operations and recreation-oriented businesses will have their land purchased with a lease-back option. However, the BOR will increase the number of customers many-fold. Further, as the mass of recreators enlarges, business for these people will boom. Individual homeowners will be restricted in what they can do, will have to adjust to a controlled situation and be forced to live in close proximity to possibly unwelcome guests. Some businesses in the area will suffer. Those owning property that will be acquired by the government will have to seek court assistance.

The people that will really feel the effects are the surrounding townships and counties. The loss of property from the tax rolls is obvious, with the net result that the remainder of the county involved will have higher taxes. But more important, the BOR officials told several local people after the informational meeting that money was not available for supporting services. The local communities will have to provide funds for such items as garbage pick-up, police protection on and off the river, building of roads, servicing of roads, medical assistance, and other assorted services.

Let us review the numbers. Alternative II of the BOR proposal provides for the largest acquisition of property, and the largest number of recreators (12,500) per day. The BOR people became somewhat embarrassed when it was pointed out that this amounted to one person for every 30 feet of the river on a daily basis. They indicated that they might have to review this. These are the figures that they have used for at least two years, so we must assume they are valid. Now let us apply these numbers to one service--garbage collection, for example. If each recreator leaves only five pounds of refuse, and this has to be an extremely conservative estimate, a total of over 60,000 pounds of garbage would have to be collected each day. If we assume that most of it will not be left at the access sites (present experience), this means that it will have to be picked up along the river, by flat bottomed boat going down stream only. If an average plastic garbage bag weighs 30 pounds, there would be 2,000 bags needed to collect the 60,000 daily accrued. If we figure ten bags to each pick-up boat, 200 boats would be needed, each with a garbage man aboard. We do not feel that such a garbage collector, picking up plastic bags and loose litter could make more than five miles per day. Therefore, a 200-man force at \$10,000 per year (government type wages for this job) would require \$2,000,000, or \$400,000 additional from each of the five counties, and we still have not added in the cost of the garbage truck pick-up and disposal service. Similar costs could be figured for the other services, How much is this going to cost the taxpayer in Monticello or Honesdale? He had better start looking at it now, instead of after passage of the act.

Anyone can manipulate figures in any manner. We do want to make a point that costs are involved. Time is needed by the area residents to review the BOR plan and provide inputs. The conceptual plan sounds fine to anyone outside the area, since they have no financial involvement.

The initial meeting of those concerned with the future was held just prior to the BOR informational meeting. A subsequent meeting was set for Friday, August 3, 1973 at 8:00 p.m. (See separate notice for place of meeting.) This will be an organizational meeting. Everyone from both sides of the River--Pennsylvania and New York--and from all five counties--Delaware, Sullivan, Orange, Wayne and Pike--have been invited to this organizational meeting.

Shortly after the BOR public information meetings, local organizations known as River Associations began to take shape. In an undated column apparently written in early August, Freda reports:

Organizations have been formed in both Pennsylvania and New York now on the Wild and Scenic Rivers Act and both have received excellent support. Both groups have overlapping memberships on either side of the river and have common goals--the preservation of the Delaware River as we know it.

The Upper Delaware Scenic River Association had its organizational meeting in Callicoon on Friday, August 3, 1973. Edward Curtis was elected as ad hoc chairman pending permanent elections. Representatives were notified in seven townships on the New York side, and two townships on the Pennsylvania side to form township groups. These township groups will meet independently, and send representatives to the regional association meetings when they are held.

The following night, August 4, 1973, the Equinunk-Lordville Upper Delaware River Association met at Equinunk, and elected its officers. Kurt Mueller was elected the Pennsylvania Chairman, and George Frosch the New York Chairman. This group has amazing attendance and support, considering the size of the communities from which the participation is drawn. The Equinunk Firehouse was literally filled, with many people overflowing outside the building.

Both organizations are concerned with the inadequate time available between the receipt of the Bureau of Outdoor Recreation (BOR) Informational Brochure, and the public information meetings on July 25, 1973. While the predominant number of area residents favor the inclusion of the Delaware River in the National Wild and Scenic Rivers System, there is general disagreement as to the methods of management proposed by the BOR.

On August 7, 1973, an organizational meeting of Damascus residents was held with BOR and Department of the Interior officials to discuss the BOR proposals. This appears to be the first meeting in which the BOR indicated that local zoning ordinances might be an acceptable way to protect the river valley if such ordinances met federal guidelines. It was learned, however, that no such federal guidelines existed at that time (F. 8-16-73). On August 24, the Upper Delaware Scenic River Association (UDSRA) met, elected a permanent slate of officers and completed a ten-point position statement to be sent to the BOR regarding its proposals. The position statement was as follows (Freda, undated):

1. One year delay in Congressional action is needed and requested for study and recommendations by local groups.
2. Request an Environmental Impact Study through EPA.
3. Request an Economic Impact Study on the Upper Delaware.
4. Objection is taken to opening up now inaccessible scenic areas by development of 17 new visitor sites.
5. Since the river may now be at the point when it is being utilized at visitor capacity, it is imperative that a thorough study precede the additional proposed use by the Bureau of Outdoor Recreation (BOR).
6. Federal Zoning Guidelines must be made available immediately. It is imperative that unincorporated local townships that are empowered by law to zone, be allowed to zone under the federal guidelines.
7. Objection is taken to the lack of management funds for supporting services and construction of roads and facilities.
8. Objection is taken to the inadequacy of funds for procurement of lands and scenic easements as proposed.
9. Protection is needed against unfair land condemnation.
10. Request review of New York City mismanagement of Upper Delaware water flows, and the establishment of realistic controls on the city.

Concern was expressed at that meeting that the BOR was attempting to push its recommendations through Congress before local groups had the opportunity to adequately review them. Concern was also expressed about the issue of condemnation:

The Upper Delaware Scenic River Association wants protection against unfair land condemnation. This subject must be thoroughly clarified and cannot be rammed down the throats of the river land owners. These people are largely responsible for the beautiful condition of the Upper Delaware, for they have never had much assistance from any level of government. They certainly do not get much cooperation from the "recreators"--the canoeists, boaters and fisherman--who love to use the river, and want to pry the land from the present owners for obvious self-centered reasons (F., 8-31-73).

The UDSRA also met on August 24 with Congressman Howard Robison to express views; future meetings with other members of the Congressional delegation were planned. On the following day, the UDSRA met with the Equinunk-Lordville Upper Delaware Association (which comprised individuals from two New York towns and three Pennsylvania townships) to "exchange information and coordinate positions" (F., 8-31-73). Another River Association, the Damascus UDRA led by LaRue Elmore was also emerging at about this time (F., undated).

In September, the Environmental Management Council of Sullivan County, over the objection of the only member of the western portion of the county present at the meeting, endorsed the BOR plan and specifically alternative II "Total Management." The Council recommended the NPS as the management agency, offered its assistance and cooperation and sent copies of its resolution to 29 government agencies (F., undated).

In September, the River Associations voiced their objections to the BOR plan to Congressman McDade and also before a meeting of the Wayne-Pike Audubon Society. They complained that the BOR plan over-emphasized opening the Valley to high levels of visitation rather than its preservation. They further objected that the BOR had avoided specific replies to objectives raised by the Associations (F., 9-22-73). In October, Maurice "Red" Arnold, regional director of BOR publicly voiced skepticism at the ability of local governments to enact and enforce local zoning (F., 10-25-73).

In late October, a meeting hosted in his office by Congressman Robison included four local river group representatives, Congressman McDade, a representative from Senator Buckley's office and Dr. C. Heaton Underhill from the BOR. The outcome of the meeting was that the BOR's position softened considerably. Specifically, Underhill stated that the Secretary

of the Interior would probably recommend "modular" as opposed to "total management" for the area. Later that week, BOR officials from Philadelphia visited the area, canoed part of the river and met with river groups and other citizens. A major topic of discussion was zoning (F., 11-1-83).

On December 14, the UDSRA held a public meeting in which it discussed recent negotiations with the BOR. The concept of an independent River Valley Authority was introduced and the group was informed that the BOR favored the NPS as the logical management agency (F., 12-17-73). On December 20, Maurice Arnold met with the River Associates and set forth a BOR proposal for managing the river area. It called for the Delaware River Basin Commission (DRBC) as the superior control agency with the NPS having recreation functions with a mandate to take over when land use stabilized and the law was implemented. It called for the immediate acquisition of 450 acres by the NPS and eventual acquisition of 3000 additional acres. After negotiation, Arnold agreed to reduce the figure to 1000 acres. Arnold stated that he considered zoning to be "interim procedure" until a permanent system for land use could be developed under the DRBC. The only major objection raised by the river group was to the DRBC which they felt had historically shown little interest in the problems of the Upper Delaware. Arnold agreed to take their objection under advisement. Arnold also proposed the creation of an Upper Delaware Citizen's Advisory Committee to represent local interests. The Council's role was to be, as its name implied, advisory.

On January 8, Tom Shepstone, the newly hired planner for Wayne County, gave a presentation before the UDSRA to explain how towns could create their own zoning ordinances to comply with the requirement of the BOR plan.

He offered his assistance to Wayne County townships in carrying this out (F., undated).

In January 1974, the BOR held a number of briefings in the Valley outlining the provisions of the newly negotiated plan (F., 1-10-74). In February it released the plan recommending that a 75-mile stretch of the river be included (TRR, 5-6-76). On February 6, Frank Thomas, a BOR representative, stated at a briefing in Philadelphia that under the terms of the current BOR proposed plan

"The federal government was enjoined from condemning land or placing easements or development rights on an area if the local governments had zoning acceptable to federal standards. When asked if one town failed to pass or enforce the necessary zoning, would the entire area be subject to condemnation or easement procedures, he responded that only those local governmental jurisdictions that failed to comply would be affected (F., 2-11-74).

On June 17, 1974, the UDSRA held a meeting in which it reviewed the status of the BOR plan and discussed widespread problems experienced by riparian landowners of littering, vandalism and trespassing by canoeists (F., 6-17-74). The co-chairman from Pennsylvania reported that he was not able to attend because he was loading his truck with garbage left over the weekend by canoeists (F., 6-20-74).

In August of 1974, Arnold reviewed the current BOR proposal before a "packed house" in Callicoon. In reviewing the events of the past year, Freda mentioned that a third river association from the southern end of the Valley called "Save the Delaware" was now being represented at meetings (F., undated). In a subsequent column, Freda mentioned the emergence of the Upper Delaware Defense League led by Dr. Vernon Leslie of Honesdale who took the BOR to task for failing to give the Valley positive assurances of money for police protection needed to deal with problems created by recreational users (F., 8-22-74).

In November 1974, the BOR released the Draft Environmental Impact Statement to accompany its plan. Wayne County planner Tom Shepstone submitted detailed comments. His major objection was that the BOR's projected figures for levels of recreational use, if realized, would create the very environmental deterioration which the plan purported to prevent. Shepstone also called for maximum local participation on the Citizen's Advisory Council and the elimination of agency membership on that body. He also discussed needs for policing flood insurance and sewage treatment (F., 1-27-75). Sullivan County Commissioner for Planning, David Seibert, also submitted a detailed response echoing Shepstone's concerns about recreational impacts. Seibert also called for immediate federal guidance on land use regulations.

In late January of 1976, Shepstone and Seibert organized a group of planners and other interested parties from three New York and two Pennsylvania counties in an attempt to prepare a set of zoning standards for the river valley under the assumption that if the local bodies did not take the initiative, the federal government would do it for them. This group was to become known as the Upper Delaware Clearinghouse and would meet about once a month for more than two years. A number of river towns were reported to be in the process of developing or completing zoning regulations (F., 1-29-76, NPS).

It should be noted that the New York State Department of Environmental Conservation had also been taking an interest in the Upper Delaware. New York had passed Wild Scenic and Recreational River Systems Legislation in 1972 (TRR, 5-6-76) and three years before that the DEC had formed an Upper Delaware River Regional Water Resources Planning Board. This body prepared a plan for the Upper Delaware which was released in January of 1976. Among

the major recommendations were that studies be carried out of stream biology, water quality, dissolved oxygen and downstream environmental and recreational impacts. It also called for an amendment to the 1954 Supreme Court decree which provides the basis for regulation of water flow in the Delaware. The report called for a change in the excess release provision (which requires the city to release water when reservoirs reach a certain level) in return for higher conservation releases (which are required in times of low flow. The report also called for a requirement that New York City install universal water metering. This was long a sore point with Valley residents who reportedly felt that New York City wastes water which could be flowing in the Delaware. The report took no position on national and state Wild and Scenic River proposals but it did recommend limits on numbers of canoes on the river and the provision of campgrounds, picnic areas and a means of litter pick-up along the banks (F., 2-5-76). On February 26, a New York DEC body called The Citizens Advisory Committee (not to be confused with the Upper Delaware Citizens Advisory Council proposed by the BOR) met in Narrowsburg to discuss possible state Wild and Scenic designation for the Upper Delaware.

On September 27, 1976, a meeting in Narrowsburg of the Upper Delaware Clearinghouse was disrupted by a number of angry citizens who objected to any regulations or cooperation with federal or state agencies. A subcommittee of the Clearinghouse called the Zoning Guidelines Committee issued a ten-page document containing background information for local governments with respect to proposed zoning regulations to comply with expected federal requirements.

In May, it was reported that the State of New York DEC was moving ahead with its plans to designate the Upper Delaware as a state Wild and

Scenic river. Freda editorialized "As for the New York State Wild and Scenic Plan, the DEC showed its big government aspects by unveiling its regional land use management concept which would wrest control from the local government where it is vested by State law" (F., 9-6-76).

In September 1976, the Clearinghouse finalized basic zoning guideline standards which were to be offered to the BOR for incorporation in plans and legislation for the area (F., 9-16-76). During that same month the BOR released its final EIS for the area calling for "nodal" recreation management, the acquisition of 450 acres of land to be used for access sight and information centers and the eventual acquisition of an additional 1000 acres subject to the approval of the Citizens Advisory Council. The plan also called for land use control for approximately 75,000 acres from ridge line to ridge line. The river was divided into five areas, three recreational and two scenic.

In September and October, the Clearinghouse held three public meetings to discuss zoning regulations and the BOR proposed boundary for the area. Freda's report of 9-30 indicated some disagreement between the Clearinghouse and the BOR over the boundary. The BOR advocated a ridgeline boundary, while the Clearinghouse advocated a line of sight (from the river) boundary which would result in a smaller designated area. This was apparently the first public discussion of an issue that would be a subject of contention for over ten years.

In one of his last River Ripples columns (11-4-76), Freda discussed growing opposition on the part of some local citizens to land use guidelines:

There were dissenters at the public meetings. David Saibert, the Sullivan County Planning Director, classified them with two types of reaction--those unfamiliar with the guidelines as

developed by the local planners, and secondly those who do not want any regulations and fear government control.

We would like to break this down more. As we have observed, there are these categories of vocal dissenters:

- the landowner who wants to sell indiscriminately
- the landowner who has already sold, and does not like what the new owners are doing with their land
- the developer who wants to sell land any way possible to make the most profit
- the owner of a small parcel with a shack or other run-down residence who fears regulation
- the landowner who would like everything to stay as is
- the do-gooder with partial information
- the anti-government type who wants no regulation
- the businessman who will gain from canoe rentals or campgrounds

These people are very few in numbers, but very vocal in their comments. And they take up a lot of time of the rest of the people. So much time that the public meetings unfortunately were unable to cover the constructive actions of many dedicated and hard-working community-minded local people.

In November, the Valley had what was apparently its first exposure to the NPS in the form of a talk by an agency employee from Gateway National Recreation Area who discussed NPS law enforcement, permitting systems and controls of visitor numbers (F, 11-11-76).

In May of 1977, Secretary of the Interior Andrus sent the recommendation to President Carter that the Upper Delaware be included in the Wild and Scenic River System¹. The President included the

¹ A reviewer of an earlier draft of this document pointed out that the evolution of the legislation is a story in itself which included struggles over which government agency would manage the area. He also pointed out that the Upper Delaware Clearinghouse played a role in the inclusions of funding provisions for police and trash pick-up in the bill. See "P" for details of the legislative history.

recommendation in his environmental message to Congress on May 23 (NPS, P). In the ensuing four months a number of bills were introduced concerning the inclusion of the Upper Delaware (See P. for a discussion and analysis of these early bills). The bill which ultimately passed was introduced by Congressman McHugh and signed into law by President Carter as PL 95-625, the National Parks and Recreation Act.

It is not the purpose here to thoroughly discuss or analyze this legislation, but several of its key provisions are salient to the present chronology. The Act calls for the inclusion of a section of the Delaware River from the confluence of the east and west branch below Hancock, New York to the existing railroad bridge downstream of Cherry Island near Sparrowbush. The boundary of the area was to be as depicted in an April 1978 map entitled "The Upper Delaware Scenic and Recreational River," but a provision was included for modifications to that boundary "pursuant to section 704C of the Act." The law also calls for the publication by the Secretary of guidelines "for land and water use control measures" to be developed by "appropriate officials" of the affected states, local political subdivisions and the Delaware River Basin Commission. The Act calls for the participation in the development of these guidelines by all levels of state, county and local government and concerned private individuals and organizations. The Secretary is also directed to seek the advice of the Upper Delaware Citizens Advisory County (CAC) in development of the guidelines. The law also calls for the development of a Management Plan "...which shall provide for as broad a range of land and water uses and scenic and recreational activities as shall be compatible with the provisions of this section." This Plan is to be developed in cooperation with the DRBC, the CAC, the directly affected states, their concerned political subdivisions and other concerned federal agencies and submitted

to the governors of the directly affected states. The Secretary also authorized to develop through the NPS or other designee, interim programs as deemed necessary prior to the completion of the Plan.

The Secretary was authorized to acquire 450 acres of land for access, development sites, the preservation of scenic qualities and any other purpose, provided that up to an additional 1000 acres could be acquired if such is recommended and provided for in the Management Plan. It is very significant to note further that the Secretary was authorized to acquire an additional 100 acres per river mile in those sections of the Upper Delaware where local plans, laws, and ordinances are found by the Secretary to not be in conformance with the guidelines or the Management Plan. Such additional acquisition is limited only to the geographical area of the local governmental unit which has failed to conform. Such acquisition was to be limited "to those lands clearly and directly required, in the judgement of the Secretary for protection of the objectives of ... (the Act)." The Act further protects from condemnation land in any incorporated city, village, or borough which has conforming zoning regulations. In addition, the Secretary is allowed to contract professional services necessary for the review of local plans, laws, and ordinances (to determine if they substantially conform to the Plan and guidelines) with directly affected states or their political subdivisions.

The law also calls for the creation of an Upper Delaware Citizens Advisory Council (CAC) "...to encourage maximum public involvement in the development and implementation of the plans and programs authorized by this section." The formula for composition of the fifteen member CAC is somewhat complex. Six members from each affected state are to be nominated by the legislatures of respective counties. It calls for two members each

from Orange, Delaware, and Sullivan Counties, New York and three each from Wayne and Pike Counties, Pennsylvania. It further specifies that one appointee from each county must be a permanent resident of a municipality abutting the river. Two additional members each were to be appointed by the respective governors and one member appointed directly by the Secretary.

On November 21, 1978, NPS personnel met with the Clearinghouse and arranged to co-sponsor a series of public information meetings. The purpose of the meeting was to explain the legislation and seek public comments (NPS). On January 8, 1979, David Kimball, Chief of Planning for the Mid-Atlantic Region held a public meeting in Narrowsburg. The River Reporter cites community observers expressing disappointment that nothing new was learned in the meeting (TRR 1-16-79). In February, Kimball and Richard Stanton, NPS Regional Director, held a series of meetings at Glen Spey, Damascus and Hancock and also met with the nominees for the CAC (TRR 2-13-79). In April, Regional Director Stanton held a public meeting in the Pike County Courthouse. Issues related to both the Upper Delaware and the Delaware Water Gap were discussed (NPS) and the NPS announced that it had purchased the Roebling Bridge (TRR, 4-26-79). In July, Sullivan County requested funds from the NPS for assistance to towns in police protection and trash removal.

John Hutzky was appointed in August as area manager of the Upper Delaware answering to the superintendent of the Delaware Water Gap. An office was established in Cohecton, New York (NPS). On September 8, the first CAC meeting was brought to order by chairman Herbert Fabricant, a prominent Orange County attorney. Present at the first meeting were Congressmen McHugh and McDade, NPS National Director Whalen and Regional

Director Stanton. The CAC immediately asserted itself by passing in the presence of the National Director as its first resolution a request that the Upper Delaware be separated administratively from the DEWA. It was also announced at the meeting that \$250,000 would be available for distribution to local towns and townships for law enforcement, trash pick-up and rescue work. The formula for distributing the money was to be determined by the CAC. Chairman Fabricant also invited the chief executives of each town to meet with the Council at its next meeting (TRR 9-20-79).

In March, three permanent and eight seasonal law enforcement rangers were hired and training was begun (TRR 4-3-80). In May, members of the National Canoe Safety Patrol went on the river as part of the "Volunteer in Parks" program (TRR 4-17-80); and on May 17, interpreters began training (TRR, 5-30-80).

Acting Regional Director James Coleman announced the appointment in June of an Intergovernmental Planning Team to write the River Management Plan for the Upper Delaware. The team was to consist of 37 members, and to be "captained" by Richard Giamberdine of the NPS Denver Service Center. Also represented on the team would be the five counties (meaning essentially the Clearinghouse), two states, the DRBC, NPS Regional staff as well as Upper Delaware Staff (NPS, TRR 6-5-80). In September, the team established its headquarters in Milanville, Pennsylvania (TRR 9-18-80, NPS).

The CAC decided in June 1980 to poll each town and establish its own boundary recommendation. In August, bowing to the wishes of the CAC, the NPS separated administration of the Upper Delaware from DEWA and John Hutzky was named superintendent (TRR 8-21-80). In September, the NPS

purchased property in Damascus for a permanent headquarters and made public the final draft of the interim guidelines for the Upper Delaware (TRR, 9-18, 10-2-80).

Two public hearings were held in October on the general land and water use guidelines which were prepared by the planning team. At two successive CAC meetings the question was raised of what type of intergovernmental body would administer the Plan once it was completed (TRR, 11-20, 12-18-80). This theme was reiterated by Chairman Fabricant in a way that was to prove prophetic: "Very frequently there are major conflicts between people in an area and those outside the area who felt it must be preserved for some reason other than simply living there." Speaking at the monthly CAC study session, Fabricant went on to urge the formation of an "Association or conference or organization of townships in the Valley. I am looking for a vehicle to consolidate the interests of the towns to allow for a lobbying effort from the viewpoint of the local communities..."

He stated that the proposed organization would not be another layer of government, but a semi-official group like the Association of Towns in New York State.

By late winter of 1981, the CAC began to experience internal difficulties. The February 27, 1981, meeting was marked by disagreements over issues which would loom large in the months ahead. In a presentation about Management Plan alternatives, planning team member and consultant, Tom Shepstone stated that the team was planning to present a broad range of alternatives with respect to how the corridor would be managed. The CAC could not agree on a logical starting point with one member suggesting an initial focus on carrying capacity, another suggested starting with boundary discussions and a third worrying about "who will run the show." A

letter from an absent member criticized the operation of the planning team claiming lack of openness and charging that certain options (i.e. reducing recreational activity) had already been precluded.

On March 16, Robert Lander, Sr., the owner of the Valley's largest canoe livery, resigned his seat on the Town of Tusten planning board. He stated that his resignation was due to unhappiness with the town's comprehensive plan. In his letter of resignation Lander stated:

I feel the county planners who are the primary drafters of the comprehensive plan and future zoning document are forcing upon us the goals and objectives of the Federal Government, to area residents economic detriment...

The County Planners are not County Planners, but rather federal planners who have sold out the county's best interest to force the Federal Government's interest upon us. I am of the opinion that the injustice that will result from the river townships adopting verbatim the Federal Government goals through zoning ordinances will far exceed the atrocities that occurred during the Tocks Island Federal Land Take. At least the Tocks Island area local residents were paid the fair market value of the land they took. Here the Federal Government is taking land through the zoning power of the river townships, and not paying a nickel for the value taken and will escape the public wrath as they will point out that the river townships themselves enacted the zoning ordinances... When New York City built their dams and diverted Delaware River water across the watershed, every river resident filed a lawsuit for riparian rights. I believe when local residents discover that their valuable property development rights have been irrationally taken from them through zoning, the same result will occur with the river townships, Town Boards and Zoning Boards (TRR 3-19-81).

Lander's was an argument that would be heard again and again in the controversies that lay ahead.

On March 24, a "Scoping Meeting" for the Environmental Impact Statement to accompany the Plan was held in Narrowsburg with more than 60 agencies and organizations invited. In April, an indefinite hold was placed on the planning effort because of a new policy adopted by Secretary of the Interior Watt to cease all land acquisition by the NPS (TRR 4-23-81). The hold was lifted on May 8 (TRR 5-21-81).

On May 1, CAC proposed a form of management agency for the river corridor to consist of a two-tiered body, a review and enforcement board and a planning and operating council with a majority of seats on the planning and operating council reserved for selections by town governments. It was emphasized that the proposal was a very preliminary one.

On May 22, open dissension broke out on CAC. Member Joseph Freda from Galilee, Pennsylvania charged chairman Fabricant with failing to follow rules of order and with dominating meetings with monologues. This was in apparent response to a published interview with Fabricant who had complained that the Council was plagued with member absences, failing to take positions and to "do its homework." Fabricant called Freda's remarks "inaccurate and intemperate" and contended that his statements were an "attempt to lead" (TRR 6-4-81).

In July, five public hearings were held on planning alternatives and all were sparsely attended save one in Lackawaxen. A petition with 300 signatures demanding the reopening to vehicular traffic of the Roebling Bridge was presented at that meeting and high attendance was attributed to the bridge issue (NPS).

On July 1, the CAC ran into more difficulty as the terms of its members expired and Secretary Watt failed to reappoint the body members. They were finally reappointed in December with a new chair, Robert Van Arsdale (TRR 7-9, 12-17-81). On July 1, a second planning newsletter outlining planning alternatives was sent to 8000 Valley households. On September 11, the Secretary approved the Upper Delaware Guidelines and they were subsequently published in the Federal Register (TRR 9-17-81).

In late 1981, a new organization, The Council of Upper Delaware Townships or COUP, made its appearance in the Valley. The brainchild of

Herbert Fabricant who was never himself a member, COUP began as an informal discussion group of elected officials from the towns and townships on both sides of the river (TRR 2-4-82, NPS).

On March 23, in a meeting between officials of 14 river towns and townships, NPS Regional Director James Coleman, Planning Team leader, Richard Giamberdine and other planning team members, the decision was made to create an Intergovernmental Coordinating Council (ICC) to "manage" the river Valley. The membership of the Council was to consist of a representative from each town, one from each state and one from the NPS. The basic notion was one of management by partnership. The ICC was slated to replace COUP. Richard Giamberdine was quoted as stating "We have within our hands the chance to change the conservation approach throughout the country for all time to come" (TRR 4-1-82).

At the March 26 CAC meeting, strong objections were raised to the NPS proposed boundary. CAC members argued that the NPS boundary was far too large. They called for adoption of the boundary drawn up two years prior by former member Harry Theilhelm. The Theilhelm boundary had been drawn on the basis of the poll conducted by CAC of the Valley towns and townships. CAC supported an NPS proposal to purchase only 116 acres of the 450 that it was authorized to acquire in the legislation. Their proposal also suggests that an additional 1200 acres be acquired by other levels of government. It was announced that a final draft of the Management Plan would be completed within a month (TRR 4-1-82).

On April 12, several canoe livery operators met with Congressman Gilman in what the River Reporter called "an effort to head off a National Park Service proposal to license their businesses." The paper reported that the NPS was in the process of establishing commercial use license

requirements on the DEWA and was in the planning stages for a similar measure on the Upper Delaware. The Roebling Bridge was again the source of local controversy as questions remained about reopening it for vehicular traffic (TRR 4-22-82).

Preliminary drafts of the Management Plan were distributed to COUP and CAC in June. COUP members were also given maps from the NPS with five proposed boundaries. In August, controversy broke out in the town of Lumberland over zoning. Several local business owners objected to any controls on commercial property development. Lumberland supervisor Don Scheetz disagreed saying that zoning is necessary with or without the NPS to control reckless development. Sullivan County Commissioner for Planning David Siebert was quoted as saying that he did not consider condemnation a major threat and that large-scale noncompliance would result in an NPS pull-out. NPS Denver Service Center Planner Larry Beal agreed with Siebert saying, "We cannot realistically expect to reverse any general trends through condemnation. It may be used to remedy isolated problems but the NPS is not going to force itself on this area. It is my belief that if the public hearings show that continued NPS presence in this area is not in the people's best interest, the NPS will deauthorize the area and pull out" (TRR 8-19-82).

In October, a third planning newsletter was mailed out to 8000 residents outlining the provisions of the Management Plan and announcing a schedule of public meetings on the Plan for October and November. In the same month a local business owner Neil Van Dorsten announced that with the help of canoe livery owners Frank Jones and Bob Lander, he was going to organize meetings with local businessmen to encourage them to form "coalitions" to oppose the River Management Plan (TRR 10-7-82).

On November 4, the Intergovernmental Planning Team received an award from the Eastern Pennsylvania Chapter of the American Planning Association for not only creating a competent environmental document but "...a blueprint for the management of this scenic river."

The public meetings were held October 30 in Deer Park (90 attended), November 4 in Hankins (125 attended), November 5, Somerset County, New Jersey (200 attended), November 8, Shohola (180 attended), November 9, Hancock (70 attended), and November 10, Damascus (150 attended). The River Reporter summarized the results at the hearings:

Yet throughout the meetings, several consistent themes were expressed. Two concepts which were almost universally accepted were that the Valley must be preserved, and the public should pay for its use. However, the "hows" and the "whos" of the issues met with great disagreement. On almost every specific proposal voices could be heard on both sides.

Among the general topics raised were: What will the impact of the Plan be on the towns; What will the cost of the operations be to landowners?; Why couldn't the deadline be extended so the public would have more time to study the Plan?; Where will future funding come from?; Are there more details about the proposed "recreation impact find"?; Why weren't the subject of water quality addressed more thoroughly?; When will the Roebling Bridge be reopened?; Wasn't the Intergovernmental Coordinating Council too complicated and bulky in its proposed form?; Didn't the National Park Service have an obligation to purchase more than 156 acres?; Why was a campground proposed for the Cole Flats portion of the river, one of the very few wild areas remaining?; Why was the Citizens Advisory Council's boundary suggestion being ignored? (TPR 10-18-82).

The NPS announced a six-week extension of the written comment period at the Damascus meeting. On December 2, another extension was announced by Regional Director Coleman, this one until January 31, 1983.

The new year of 1983 marked the beginning of the most serious opposition the NPS and the planning process had yet faced. At the end of the comment period more than 150 separate comments were received. In February and March the Planning Team met several times to deal with unresolved issues. One of the most contentious issues was the boundary

with some towns calling for its placement at the river's edge (NPS). During early 1983, local NPS managers in a move opposed by the planning team elected to begin negotiations with a number of towns concerning possible boundary locations. These negotiations proved to be controversial. On March 24, the Planning Board of the town of Cochecton called for deauthorization (TRR 4-7-83). On June 24, a meeting described as "disorderly" was held between NPS managers and board members and citizens from Cochecton. After three hours of "heated discussion" the boundary issues remained unresolved. Another issue which provoked disagreement was the "force" of the guidelines. NPS planners stated that they were merely, as the term implies, to guide. Board members, however, were concerned about the "substantial conformance" phrase in the Federal Register and the law. The River Reporter stated:

Many in the audience appeared to leave the meeting without a clear sense of what the guidelines say or what restrictions they put on land use in the Valley. That the mood in the audience was largely hostile to the Park Service was wryly noted. "I didn't realize I came here to participate in a war." ...Comments (were made) such as "Why don't you live in your Gestapo world where you belong?" "Do you want to freeze property and let people come here just to see how we bumpkins have lived?: "We don't go for swivel chairs telling us what to do."

Remarkably, after three long hours, John Hutzky, Superintendent, described the meeting as "fantastic." It was the largest turnout we ever had at a river meeting... The Planning Board is willing to continue to talk to us and that's what it's all about" (TRR 6-7-83).

Another concern raised at the meeting was that hunting might be prohibited or restricted within the boundary (NPS).

On July 11, it was announced that the town of Lumberland had achieved a boundary compromise which had met with the approval of NPS management assistant Malcolm Ross (TRR 7-21-83). Similar meetings between several

town boards and NPS field people were held throughout the summer and early fall (TRR, 7-21, 8-4, 9-1, 10-6). In September the boundary decision was put off until January 31, 1984 (TRR 9-22-83).

In June of 1983, a film was aired on public television called "For the Good of All" narrated by television journalist Jessica Savage. The piece was highly critical of NPS land acquisition practices in the Cuyahoga Valley in Ohio. It depicted former landowners as having been victimized by the agency. A copy of the film was obtained by members of the Baptist Church in Damascus and shown to COUP on September 9 and to a larger audience in the Damascus School on September 10. All available reports indicate that the film galvanized many who saw it and increased opposition to the NPS in the Upper Delaware Valley (NPS, TRR 9-22-83). The River Reporter editorialized that those who showed the film failed to account for bias and that the projectionist turned the film off before a final balancing commentary by Savage in which she stated that Secretary Watt had recently changed USDI policies and emphasized land protection plans and deemphasized condemnation. One of the individuals responsible for showing the film stated in an interview with the present author that the film had been turned off because it contained a sequence on the USSR and that it happened to be the week after the American airline that was shot down over Korea. He stated that he wanted to avoid "stirring up" the audience.

River Reporter correspondent Ed Wesley pointed to what he called major inaccuracies and distortions in the film and later traveled to the Cuyahoga Valley, interviewed residents there and ran an expose on the film in the River Reporter. Proponents of the film attacked Wesley's commentary.

Negotiations were carried out in the September 27 COUP meeting in an effort to finalize an agreement whereby COUP would become the

Intergovernmental Coordinating Committee (ICC) when the Management Plan was finalized. A last-minute snag prevented a final agreement from being reached at the meeting however (TRR 10-6-83).

On November 17, in response to numerous inquiries, Superintendent Hutzky announced that the NPS intended to continue its existing policies on hunting which was to leave such regulation up to the states TRR (11-17-83). On November 20, an NPS maintenance building was burglarized and hand and power tools were reported taken (TRR 12-1-83).

The Damascus PTA sponsored a question and answer session about the Scenic River on November 21 which has billed as a "debate" between CAC member George Frosch and Superintendent Hutzky (TRR 12-1-83). More than 150 were reported in attendance (NPS). The boundary issues and the effects of the guidelines and the River Management Plan on hunting and farm practices were discussed.

On December 15, the front page of the River Reporter carried a story on a newly formed local group, the Upper Delaware Coalition (UDC) which objected to provisions of the Management Plan as "...technically inaccurate and ambiguous with little chance of effective management" and that "too many rights and liberties are threatened and no protection provided." The group threatened the NPS with a law suit and called for plan revisions to make it "acceptable ... with no double talk and a reasonable chance of success. A plan that would protect... the rights, and liberties of the Upper Delaware citizens and communities" (TRR 10-15-83).

The controversy over the Plan continued through late 1983 with numerous meetings being held throughout the Valley. Farmers, in particular, began to voice concerns over what they saw as ambiguities in the plan's strictures against intensive livestock practices and waste

disposal in agriculture (TRR 1-5-84). Community discontent came to a head at a meeting in Damascus sponsored by the Upper Delaware Coalition which was attended by NPS representatives including Regional Director James Coleman. Referred to since as the "Monday Night Massacre," the meeting, attended by about 350 people, was an outpouring of fear, anger, and frustration. Among the issues brought up were condemnation, farming practices, possible excessive recreational use, restrictions on forestry practices and land values. UDC President, Bob Carey, referred to the contention that the Plan was cooperative in nature as the "big lie." Coleman spoke last and "...sparked the loudest applause of the evening when he remarked that NPS would respond to an overall 15 town rejection of inland corridor boundaries, by reporting to Congress that the law had been repudiated and that people didn't want the (park) area anymore." Coleman added, however, that he doubted that Congress would deauthorize the area in light of the congressional furor that resulted over Secretary Watt's suggestion that some of the park areas be deauthorized. He added that, although he was reluctant to do so, the Plan deadline could be extended yet another time (TRR 1-5-84).

In December, CAC appointments ran out for a second time although the Department of Interior had received nominations more than ten months prior. In December, an in-house plan rewrite group was formed consisting of seasonal NPS staff who were Valley residents (NPS). In January, the rewrite group was expanded to a task force which included coalition members, CAC members and COUP members and representatives of livery operators. At its own request, the task force was granted the right to make substantive changes in the Plan. The task force met seven times in January and was put on hold on February 7.

Throughout January and February, meetings continued to be held throughout the Valley including some by livery operators concerned with planned licensing requirements (NPS). By far, the largest meeting was one which featured Californian activist Charles Cushman at the Eldred School. Cushman, the president of the National Inholders Association, spoke to a crowd estimated at 1000, the largest-ever civic gathering in that town. He stated that he was on a fact-finding trip, that he was not an expert on the Upper Delaware but he was an expert on how the NPS treats people. He stated that he felt the legislation which created the area was good but that the planning process needed to be brought into balance by allowing the towns to hire an independent planner. He shared the podium with Highland Supervisor Andrew Boyer who was announced as temporary chairman of the newly formed Upper Delaware Citizens Alliance (UDCA). He asked people to join the Alliance and his National Inholders Association and he termed Ed Wesley's expose of "For the Good of All" as "fiction." Additional meetings of the Alliance featuring Cushman were scheduled for February 18 and 19.

COUP passed a resolution on February 7 which had been introduced by Andrew Boyer to transform itself into the Intergovernmental Coordinating Council. It also requested to see the results of the rewrite task force's work before passing judgement (NPS). On February 14, the executive board of COUP met Superintendent Hutzky to request funds to hire an independent planner to represent the interests of the town in plan rewrite or in the development of a new plan (NPS). On February 16 issues of the River Reporter were reported removed from the shelves of merchants due to accusations of the pro-NPS bias of the paper (TRR 3-1-84). Pontier editorialized "There is fear in the Valley" (TRR 2-16-84).

On February 17, five NPS vehicles in the motor pool lot were discovered vandalized with black swastikas spray-painted on them. Seven tires were slashed. Total damage was estimated at \$1300. The FBI and local authorities were called in to investigate. No arrests resulted (TRR 3-1-84).

Cushman's February 18 and 19 meetings were attended by 300 and 400, respectively. In an interview he stated that he had come to the Valley as a result of conversations with friends. He specifically referred to Frank Jones, owner of Kittatiny canoes and member of the CAC (TRR 3-1-84).

On February 28, more than 150 people attended the COUP meeting in Narrowsburg to hear the NPS response to the "23 questions" prepared by Lumberland's planning board. Deputy Regional Director Castleberry represented the NPS. On March 10, Congressman Gilman sponsored a public meeting at the Lenape Farms Arena. Crowd estimates varied from 500 to 1300. On the podium were NPS Deputy Director Mary Lou Grier and Deputy Regional Director Castleberry as well as Charles Cushman. Congressman Gilman moderated. The crowd was described as hostile. Grier and Castleberry were booed (TRR 3-22-84).

On March 20, COUP hired Tom Shepstone (now an independent planning consultant) to develop land use guidelines (TRR 3-22-84). This decision was criticized by Highland Supervisor Andrew Boyer and Charles Cushman. Cushman called on COUP to hire Michael Priesnitz from Minnesota who developed a plan for the Upper Mississippi River. On March 24-26, the Alliance held information meetings featuring Cushman.

On April 3, the Alliance elected a regular slate of officers. Don Rupp of Barryville was elected president. The April 19 issue of the River Reporter carried an advertisement which stated that the Coalition would

meet on April 21 to discuss deauthorization. The same issue of the paper reported that Lumberland Supervisor and chairman of COUP Don Sheetz resigned his position. He was reported to be under public pressure because of the river controversy but was regarded as a very effective chairman. He soon moved from the river valley reportedly to escape from the conflict.

The Fremont board on April 11 unanimously called for deauthorization as did the Coalition on April 21 (TRR 4-19, 5-3-84). Regional Director Coleman met with the Alliance on April 30 (TRR 5-3-84). On April 12, the Delaware Town Board agreed to act as a go-between so that the NPS could provide \$50,000 for COUP to hire a planner to rewrite the Plan.

While issues related to land use were being debated, controversy was also brewing over water use and specifically the licensing of liveries. An organization called the Delaware Valley Organization for Recreation (DVOR), which represented nearly all liveries in the Valley, was negotiating livery licensing on both the Delaware Water Gap and the Upper Delaware. The negotiations were carried out with both superintendents, the regional director and the Congressional delegation. An agreement was nearing completion when on May 10, Jules Robinson, owner of a small canoe livery, was expelled from the Delaware Valley Organization for Recreation (DVOR), the umbrella organization for canoe liveries in the Valley. He claimed that DVOR was attempting to negotiate a licensing agreement with the NPS which would preclude small liveries from expanding. He and nine other small livery operators formed an organization called the Association of Upper Delaware Independent Outfitters (AUDIO) which asked the NPS to delay action on licensing until its members' interests could be heard (TRR; 5-24-84).

On May 30 and 31, COUP interviewed three firms for the responsibilities of rewriting the management plan. Foresight Consulting led by Michael Priesnitz was their unanimous choice (TRR 6-28-84). As of July 11, five towns had endorsed deauthorization. On July 17, the town of Westfall's Supervisors expressed support for the Upper Delaware legislation as did the Tusten Town Board on August 6 (TRR 7-26, 8-9, 8-23-84) and the Delaware Town Board on August 9. On July 2, after months of negotiations, DVOR members signed commercial use license agreements with the NPS.

Marge Hillriegal of Fremont was elected chairperson of COUP on August 28 and as of September work had begun on the new planning process which was to be directed by COUP. Planner Tom Shepstone was assigned the responsibility of reworking the land use guidelines. The Urban Research and Development Corporation of Bethlehem, Pennsylvania was assigned to conduct a carrying capacity study of the river and to rework the water use guidelines. Foresight Consulting was assigned the responsibility of developing the overall Management Plan. Each firm was assigned the responsibility of chairing a committee of local people to develop its component of the Plan. In October, COUP sent out a survey to gather the opinions of local landowners relative to the new planning process (TRR 9-6-84).

In December, Secretary of Interior Clark issued a statement saying that condemnation along the Upper Delaware "has not been used and will not be used as an alternative or a substitute" to local management "except as a last resort should all other private, local, state and federal efforts fail." (Pike County Dispatch 12-20-84).

On January 24, the results of a COUP sponsored survey of landowners in the Valley were announced. The survey carried out by Foresight Consulting

was administered to 1170 landowners and a 42 percent response rate was reported. Of those who responded, large majorities stated preferences for "zero" or "slower than current" rates of development along the river, management of land by town government and no change or fewer recreational facilities along the river and management of such facilities by COUP. It was also announced that Congressman Gilman had reintroduced a bill to the House to require specific Congressional authorization before land could be condemned in the Valley. The Congressman was quoted as saying "The legacy of Valley residents deserves far better protection than good intentions. The threat which was created by legislation can be fully eliminated by this proposed legislation" (TRR, 1-24-85).

The new planning process very quickly became tumultuous on February 21. In an open letter to the Water Use Subcommittee, Doug Hay (a member of that committee who was also a COUP and former CAC member) complained of "domination and disruption" at committee meetings. "Confrontation tactics such as the kind employed lately by the DVOR 'front four' just make me and other committee members angry, and anger does not provide a good atmosphere for negotiations." To correct the situation he suggested negotiations be conducted by a smaller group to consist of representatives from one large and one small livery, one large and one small landowner, one sportsman, one citizens group representative, one NPS Planner and the consultants from Urban Research who chair the committee. On February 9, members of the Plan Oversight Committee (POC) (including Superintendent Hutzky) criticized the State of New York DEC for "lack of participation in the planning process." In the same issue of the River Reporter, Alliance President Don Rupp published an open letter to COUP:

We are tired of you allowing the planners to bring the same items to the table that have been turned down before. The last

plan failed because it was ambiguous, and outside of the truth. We all knew the intent the NPS had of the guidelines... Do you think the new guidelines will change the intent of the ones already in the Federal Register? ...

We are tired of listening to Park Service personnel that were sent here to sell us a product that we rejected in the first plan... Now we are sitting at the table with the states the Federal Gov. (sic) and they are negotiating all of our rights away from us. COUP... is letting the planners run the show and allowing them to have the NPS personnel twist the meaning of what we rejected in the first plan... (TRR 2-21-85).

Controversy mounted as the planning process continued. A dispute broke out in the Water Use Subcommittee over the results of watercraft inventory which had been suggested by the larger liveries as a possible future means of establishing a base line for use levels. The specific controversy concerned the "counting" of small inexpensive Cobra 4 rafts by a small livery operator. Numbers of Cobra 4 rafts were disallowed by the committee (TRR 4-25-85).

On April 20, Joseph Gughemetti, author of The Taking (a book critical of NPS land acquisition practices), spoke to a crowd of 125 at the Damascus school. He was quoted as stating: "You promised to everyone 'Let us do it ourselves and they won't come in and get you. We'll zone it local.' Having done that, there's nothing now to prohibit the federal government from coming in and condemning all those lands and paying nothing for it" (TRR 4-25-85).

In the same issue, a letter from Regional Director Coleman informed the Water Use Subcommittee that the NPS would not count the "Cobra 4" rafts in the 1984 watercraft inventory but reminded the committee that the inventory would not be used to establish permit levels. The issue also contained a letter from Port Jervis attorney Howard Glass to Superintendent Hutzky informing him that Glass had been retained to protect the interests of small liveries and "their customers against unwarranted and

unsubstantiated attempts by the large livery owners to use the proposed River Management Plan and your office as economic blackmail against the smaller operators" (TRR 4-25-85). On April 30, reversing its former position, the Water Use Committee by a 7-4 vote decided to include the "Cobra 4" rafts in the 1984 inventory (TRR 5-9-85).

The boundary issue resurfaced and J. Glenn Eugster, Chief of Planning for the Mid-Atlantic Region and the NPS Regional Director's representative to the planning process, presented an NPS position paper to an April 26 CAC meeting entitled "The Meaning of the Boundary and NPS Land Acquisition Policy." The paper stated:

Because the boundary should be based upon sound comprehensive and defensible criteria, it might also include river related lands with significant cultural, historic, physical and recreation values... (TRR 5-9-85).

On May 4, the Plan Oversight Committee voted to disband itself and turn over remaining tasks to Foresight. The action was taken on a motion by member Chris Wallingford who was quoted as stating "We're beating this to a bloody pulp. We owe it to the supervisors to get it (the Plan) in their hands as quickly as possible so they can do what they want with it."

On May 24, the River Reporter reported that Wallingford stated that he and his family had been the subject of harassment apparently related to his COUP activities. The reported harassment included "threats" by local people, a bizarre anonymous letter, mysterious phone calls, a nighttime prowler around his house during a COUP meeting and a smashed auto windshield (TRR 5-23-85).

On May 28, Plan Oversight Committee was reactivated by COUP to review new comments gathered at five hearings held in May concerning the new land use guidelines (TRR 5-9, 5-23 85). On June 25, a completed draft plan was presented by Foresight to COUP. The centerpiece of the document was a

proposed Upper Delaware Management Council similar in composition and responsibility to the Intergovernmental Coordinating Committee of the first plan. COUP review was begun (TRR 6-27, 7-11-85).

On July 4, the Coalition sponsored a "Lincoln" float in the Independence Day parade in Narrowsburg. On July 13, an advertised debate between Joseph Gughemetti and NPS personnel was cancelled due in part to the lack of a willing opponent for the California activist (TRR 7-25-85).

On August 9, the draft plan was officially submitted to the towns for their review and the "River Debate" was begun anew when the Deerpark Town Board heard opposing viewpoints on the draft plan from Don Rupp, president of the Upper Delaware Citizens Alliance and Robert Levin a CAC member. Rupp distributed anti-plan flyers at the meeting (TRR 9-5-85).

Throughout the month of August, "briefings" were held to explain the provisions of the Plan to town officials. In September COUP voted to extend the review period for towns until October 30. In the same month, Don Rupp, Alliance president, threatened to sue the town of Lumberland for damages with respect to property devaluation if the town adopted the River Management Plan. The attorney for the Coalition sent letters to towns warning that a pro-plan vote would be unlawful (TRR 8-8, 8-22-85).

In September, the townships of Lackawaxen, Shohola and Westfall announced a "unified position statement" on the Plan which called for a number of specific wording changes. In addition, the statement indicated the township's belief that towns or townships which choose not to participate in the Plan and the proposed single Management Council could form a separate Council or contract individually with the Secretary of the Interior.

In October, CAC chairman Van Arsdale stepped down citing health reasons and CAC members reiterated a long-held position that only elected officials (and not the designees of elected officials) should be allowed to serve on the Management Council. This issue had long been an issue of contention within COUP (TRR 10-10-85).

On September 24, 1985, in response to threatened lawsuits against town officials, Regional Director Coleman sent a letter to COUP chair, Marge Hillriegal, on the subject of legal assistance. The key paragraphs are as follows:

We have also indicated to you that if a COUP representative or a town official is sued for an action taken in response to the Upper Delaware River Management Plan, and the National Park Service or the Department of the Interior is named as a defendant or codefendant in any lawsuit challenging the lawfulness of the Plan or guidelines, the full resources of the Department of Interior and the Department of Justice would be made available to defend the action. If appropriate, the offices of the New York and/or Pennsylvania Attorney General and the Delaware River Basin Commission would also be drawn on. Of course, the facts and issues involved in a particular lawsuit will influence the specific actions which would be taken by this office and the other cooperating agencies in the Upper Delaware effort. It is important to also note that if the lawsuit involves solely local actions or parties unrelated to the Upper Delaware plans and guidelines it would be inappropriate for the federal government to become involved.

...we are continuing to investigate other possible arrangements ...including actions which could be taken in the event of threats or intimidation of town officials or COUP members in performing their duties.

On October 10, the NPS announced that it was beginning the preparation of an Environmental Impact Statement (EIS) to accompany the new Plan. The EIS was to contain two alternatives. The preferred alternative was the adoption of the proposed plan with a Management Council and a proposed 120 acres of land acquisition. The second alternative was that of a larger federal role, acquisition of up to 1450 acres and a possible additional

7340 acres ...to avert threats posed by nonconforming land uses..." (TRR 10-10-85).

In October, Damascus township officials were threatened with an Alliance lawsuit if the townships were to accept the Plan and a statement was issued by Secretary of the Interior Hodel that "A plan will be enacted" (TRR 11-7-85).

In November 1985, in a meeting of about 20 riparian landowners in Buckingham, a majority of speakers indicated a preference for condemnation rather than restrictions on land use. Supervisor Whitlock was quoted as stating "We want no part of COUP but we don't know right now... (about the Management Council)" (TRR 11-21-85).

In November, the condemnation issue was in the news again as COUP mailed out to Valley residents a "fact sheet" which covered a number of major issues relative to the proposed plan. One item on the sheet stated that "Any possible use of condemnation requires Management Council approval. Since the towns have 15 of the 19 votes on the Council, essentially no condemnation can occur unless approved by the majority of the towns. Furthermore, the National Park Service has but one vote on the Management Council; it cannot unilaterally condemn land." However, Superintendent Hutzky took issue with the statement saying that the Secretary of Interior, by law, has the authority of condemnation. A letter from the Washington D.C. NPS Solicitor's Office indicated that although the Secretary may contract the review of local plans and ordinances, he may not under the law transfer his authority on the matter. The letter goes on to state if local communities fulfill their responsibilities under the Plan there will be no need for NPS condemnation.

Local elections were held in November and COUP Chair Marge Hillriegel was narrowly defeated in her bid for re-election as a town board member of Fremont. Her defeat was attributed, in part, to a letter sent to her constituents two days prior to the election by river activist Noel Van Swol, the heading of which was "Your home, farm and business are in danger." The letter went on to make a number of accusations including that by supporting the river plan Hillriegel was betraying her town. After the election Hillriegel received a letter from Regional Director Coleman severely criticizing the Van Swol letter:

I was especially concerned to learn of the recent public criticism of you and COUP by Mr. Van Swol ... Containing numbers, errors and false statements ... His statements that the National Park Service "is attempting to seize control of thousands of acres" that places like Tennessean Lake face eventual inclusion, and that the proposed River Management Plan will give this agency "unprecedented power over... lives and property" are knowingly false and highly irresponsible.

The long letter concludes with a statement of support for Hillriegel and COUP (TRR 12-5-85).

The December 13 CAC meeting attended by about 20 observers was adjourned because of "perceived loud and abusive language." On December 20, the draft River Management Plan was sent to the printer (TRR, 12-19-85).

On January 6, the town of Buckingham's Supervisors reversed their former position and voted against deauthorization (TRR 1-16-86). On January 8, James Grier was appointed as Marge Hillriegel's replacement on COUP. Craig Stewart from Callicoon was elected as the new chair and Hillriegel was appointed to a new post as a governmental liaison (TRR 1-16-86). Throughout January, COUP met with various towns to go over the Plan. In late January, 4500 copies of the draft plan were mailed to Valley

residents, government officials and other interested parties. Copies of a questionnaire about the Plan were mailed to Valley residents.

On February 2, a private meeting of selected town officials was held by William Matz, member of the Coalition. The purpose was attempted formation of the Upper Delaware Review Board to "counter-balance COUP and other pro-park interests." Officials known for their support of the COUP planning process were not invited. The meeting featured the executive director of the Adirondack Local Government Review Board from Loon Lake, New York who warned about the threat of "inverse condemnation proceedings" by the NPS against local landowners. He advised local officials to divorce themselves from COUP and the NPS. A February 20 meeting at the Review Board was poorly attended.

On February 24, Foresight consultant Chuck Hoffman told the Highland Town Board that NPS funding would not be available for towns which did not participate in the Management Council. On that same date, Manchester decided not to accept NPS police and garbage funds for the coming year.

In early March, the NPS bowed to the requests of several town officials and postponed scheduled public meetings on the Plan by 60 days until June 19. Congressman Gilman was among those who pressured for the postponement. As the comment period went along, several issues were the subject of controversy. One issue raised concerned whether the towns would have the power of ratification of the Plan. NPS regional officials were quoted as stating that participation in the planning process implied ratification. COUP disagreed with that position. Another issue concerned whether participation in the Management Council would become a requirement for the receipt of police and garbage money. Superintendent Hutzky was quoted as stating that the two were independent, while Assistant Regional

Director Michael Gordon stated that the two would be connected. A third and very crucial issue concerned whether the participation of all or a majority of towns was necessary for the Management Council to function and if the Management Council was created whether all towns would be required, in some manner, to participate. The latter two issues were not to be resolved until the Plan revision process some months hence (TRR 3-6-86).

On March 10, Manchester's board of supervisors voted unanimously to cease participation on COUP. In March, the towns of Manchester, Buckingham, Damascus, and Cohecton decided to hold local referenda on the Plan while the Lumberland planning board voted to reject the Plan (TRR 3-27-86).

During the early spring a new organization opposed to NPS presence surfaced. Called the Independent Landowners Association (ILA), and its members mostly drawn from the Coalition and Alliance, the organization lobbied town officials to reject the Plan and withdraw from COUP. On April 7, the Damascus supervisors voted to leave COUP. Throughout the spring, anti-plan pressure continued to build and repeated statements were issued by the NPS and members of the Congressional delegation to the effect that a plan will be adopted with or without local participation.

On April 1, Hancock resident Victor Gardner ran a guest editorial in the Sullivan County Democrat which compared the cooperative arrangement called for in the proposed Management Plan to the "Principles of Cooperation," used by Himmler and Heydrich to gain control of Germany for the Gestapo in the 1930s.

On April 9, COUP released the results of a survey of Valley landowners concerning the Plan. Seven hundred thirty-two (732) responses were received to the 3069 questionnaires mailed out. Those who responded showed

generally strong support for the Plan. Plan opponents immediately criticized the survey as being "rigged." The town of Highland held a non-binding referendum on the Plan with the result a 243 to 69 plan rejection from an election of 1200 registered voters which historically had a 70 to 80 percent turnout for local elections.

On May 9, Herbert Fabricant, still a CAC member although no longer its chair, proposed that county planning departments be charged with review of local land use thus eliminating the need for a Management Council. Others on CAC supported his proposal (TRR 5-16-86). On May 14, the Fremont Town Board voted to reject the Plan and leave COUP. On May 17, approximately 150 anti-plan protesters picketed in Narrowsburg wearing tee shirts embossed with the slogan "NPS get out of town" and shouting "No park, No plan, No Way!" On May 20, voters in Damascus, Buckingham, and Manchester voted against the Plan in non-binding referenda. On June 3, electorate in Cochester also voted against the Plan. On June 2, Damascus Township supervisors voted unanimously to reject the Plan, while in a telephone interview with the River Reporter, Charles Cushman expressed support for the document.

Public hearings on the Plan were scheduled for the evenings of June 4, 5 and 6 and the afternoon of June 7. On May 30, Regional Director Coleman met with a group of local officials, reiterated what he termed a "wide range of assurances" given to the towns in the Plan and stated that nonparticipating towns would not have those assurances: "If you 'take a walk' you will have to explain the growing federal presence in the Valley; I can explain it to the Congress" (TRR 6-7-86).

The first public hearing on the Plan was held at the Damascus school on June 4. Of the more than 300 people attending, the majority were

hostile to the Plan. Anti-plan demonstrators passed out leaflets at the door and more than 100 were wearing tee shirts bearing anti-NPS slogans. Many carried anti-NPS picket signs and balloons. When the hearing officer, Michael Gordon, attempted to bring the meeting to order, an obviously organized disruption began. Cow bells and noisemakers were sounded and organized chants of "No park, no plan, no way" drowned out the speaker. The organized pandemonium continued for 90 minutes until anti-NPS activist Noel Van Swol seized the microphone and announced "We're going to suspend the rules and run a democratic meeting here!" at which point NPS, COUP, and CAC officials walked off the podium. The crowd remained for an additional hour listening to Van Swol and other anti-plan speakers. The NPS announced to the media that it would accept written comments.

The second meeting held June 5 at the Delaware Valley Central School near Callicoon met with the same result except that an NPS official managed to lock the electrical box controlling the sound system while exiting the stage thus leaving Van Swol without a live microphone. After officials had departed, Van Swol introduced Mike Stern, an announced candidate to oppose Congressman McHugh in the 28th Congressional district, who promised if elected to introduce legislation to deauthorize the river area.

After the second disrupted public meeting, newspapers in the Valley editorialized against the disruptive tactics stating that, by preventing their neighbors from speaking, the demonstrators were violating the very democratic principles they were purporting to uphold.

The June 6 and 7 meetings at the Shohola Fire Hall and Port Jervis Fire Hall, respectively, were brought to order and testimony was heard from a total of 74 individuals. The majority of the oral testimony at both meetings was critical of the Plan although favorable comments were also

entered into the record. Two hundred fifty-six (256) written comments were also received. Congressman Gilman spoke in favor of the Plan at the Port Jervis meeting.

On June 9, a survey of 614 Tusten residents concerning the Plan yielded 181 responses. Ninety-seven respondents indicated that they did not support the Plan while 42 expressed support. Eighty-one residents indicated that they might support a revised plan while 69 stated that they would not (TRR 6-12-86).

On June 11, the town board of Cochection voted to remain in COUP while on June 17 the Highland town government elected to leave the body (TRR 6-19-86).

On June 24, COUP announced that a letter would be sent to each town and township inviting them to send a representative to participate in the Plan Revision Committee. A similar letter was to be sent to the CAC and DRBC. At the same meeting, Superintendent Hutzky announced that the NPS would also send a letter to each town inviting them to participate in the revision process. He stated that unlike COUP the NPS would avoid established ground rules and would encourage the PRC to elect its own chair and make its own rules.

On June 27, Foresight planner Chuck Hoffman announced the details of the Plan revision process at a CAC meeting. He stated that COUP had developed ground rules by which the towns, states, NPS and DRBC would be asked to name delegates and alternates, that meetings would be open to the public and that minutes would be available to all who were represented. Superintendent Hutzky made reference to a letter from the Regional Director urging the town's participation in the revision process. The Plan Revision Committee (PRC) began its work in July 24 and held meetings until

October 23. Nine of the 15 eligible towns chose to participate. Several of the early meetings were disrupted by anti-plan activists and at one point, the NPS requested assistance from the Tusten Town Police to help maintain order. The disruptions ceased.

Perhaps the most crucial decision of the revision process was made at the August 7 and 8 meetings. The subject of discussion was the existence and responsibilities of the Management Council. Rick Lander, Tusten Supervisor, argued that the proposed Management Council should not hire professional planners and should not make an initial determination concerning the substantial conformance of any town's planning and zoning ordinances. He considered such an arrangement as doing the "dirty work" of the Secretary of the Interior when the law clearly gave the Secretary that responsibility. Lander argued that towns should not be put in the position of looking over each other's shoulders.

NPS Assistant Regional Director Michael Gordon argued that although the Secretary cannot absolve himself of the responsibility of determining substantial conformance, he can contract those responsibilities to another party, (i.e. the Management Council). Gordon argued that the town's interests would be better served if the Council made the initial review rather than simply responding to or acting as an appeal board with respect to decisions made somewhere in the federal bureaucracy.

The decision reached on August 8 was that the Plan would call for the Council to make initial reviews of town ordinances and advise the Secretary as to its findings but that such a review would not be called "determination." It was decided at a later point that the Council would not have the term "management" in its title and would simply be called the Upper Delaware Council.

Another key issue revolved around how to deal with nonparticipating towns. One faction which included CAC Chair Karen Ridley with support from Superintendent Hutzky and his immediate staff argued that the Plan should avoid any punitive language with respect to nonparticipating towns. Ridley argued at the August 8 PRC meeting that the Council should be allowed some role in protecting the interests of even those towns which do not initially participate. Her major point was that if nonparticipating towns are not "hit over the head" they would be likely to see the advantage of participation and eventually drift into the fold. The opposing viewpoint was that treating participants and nonparticipating towns alike would offer no reward or incentive for participating.

The wording which emerged in the Plan on this issue is as follows:

The Plan recognizes that each town will have the option of joining the Upper Delaware Council. Those towns which choose to join will be provided all of the assurances and benefits of the Plan with respect to certain key provisions and authorities in Section 704.

The River Management Plan clearly contemplates, and is predicated upon, local land use authorities, local discretion, and local land use enforcement. Participation on the Council will effectively insure the maximum retention of this authority by providing town governments a strong voice in the decision-making required by Section 704.

Alternately, a town may elect not to join the Council. In such a case, the key decisions in Section 704 will be accomplished solely by the National Park Service with no provision for effective local input (Although the National Park Service may request the advice of the Council or a nonparticipating town may request the assistance of the Council). If a town elects not to participate, it will have decided not to avail itself of the benefits and assurances that have been provided to Council members, including the provisions for maximum local input into decisions within that town or within the corridor, related to Section 704.

Membership on the Council is an ongoing, voluntary activity of its members. A nonparticipating town may decide, at a later date, to join the Council.

More specifically, in nonparticipating towns:

1. The National Park Service will review the laws, plans, and ordinances of a nonparticipating town. This will be done by the National Park Service or by a memorandum of agreement or contract with other levels of government having authority in the river corridor. The National Park Service will not contract with the Council for such reviews in a nonmember town.
2. The National Park Service will monitor the enforcement of town laws, plans, and ordinances. This will be done by the National Park Service or by memorandum of agreement or contract with other levels of government having authority in the river corridor. The National Park Service will not contract with the Council for the monitoring of such enforcement in a nonmember area.
3. Section 704 funds for planning and related purposes will not be made available to nonparticipating towns.
4. The National Park Service will reserve the right in nonparticipating towns to acquire the balance of its acquisition authority in Section 704 (d) (to a total of 1,450 acres).
5. In nonparticipating towns the only restrictions on the use of eminent domain shall be those contained in Section 704 (e) (4), as determined solely by the National Park Service. The resale provision in this plan may not apply to any lands so acquired in nonparticipating towns.
6. The River Management Plan provides Council town members with the opportunity to comment on and effect changes in the plans and programs of the National Park Service in the Valley or in that town, including programs involving river recreation management, lands owned or leased by the National Park Service, the allocation of law enforcement and trash removal funds, and technical assistance. Nonmembers may not be afforded the same opportunities to effect changes in, and with respect to, National Park Service programs, subject solely to the discretion of the National Park Service.
7. Council financial and planning assistance to its members cannot be provided to nonparticipating towns, including financial aid for legal assistance, planning, and advisory services.

This plan provides numerous incentives for towns to join the Upper Delaware Council, principal among them being the opportunity for effective local input into the decisions called for in Section 704. Towns which choose not to join the Council, a voluntary intergovernmental partnership, will lose the opportunity.

At the final PRC meeting on October 24, 1986, Regional Director Coleman announced that \$100,000 would be available as start-up funding for

the Upper Delaware Council. On November 14, CAC suggested that the "penalties" for nonparticipating towns be eased but NPS Assistant Regional Director Michael Gordon refused. On December 15, the DRBC sent a letter to the Regional Director declining voting membership on the Council but indicating a willingness to participate as a nonvoting member of the body and to be consistent with the Plan (TRR 12-25-86).

The final plan was released in December. On January 9, the CAC voted to support the Plan with "some reservations," the most serious of which concerned lack of protection for nonparticipating towns. Long-time NPS supporter and CAC member LaRue Elmore accused the agency of blackmail.

On January 8, Westfall township resident Phil Fitzpatrick was named to replace Craig Stewart as Chairman of COUP. Stewart who resigned "to go fishing," was quoted as saying "I'd like to go fishing with (plan opponent) Teddy Weber if he'll take me. We used to go fishing a lot." Weber was reported as having responded "I will like hell. You get a ranger to take you fishing. Get Mr. Gordon to take you." (TRR 1-15-87).

On December 30, the Fremont Board voted to end participation in the NPS garbage removal program. On January 12, the town of Highland announced a similar move. Regional Director Coleman sent a letter to COUP dated January 28 stating that nonparticipating towns could still be eligible for garbage and police funding.

As of the beginning of 1987, the announced nonparticipants in COUP included the four river townships in Wayne County and the Sullivan County towns of Fremont and Highland. The town of Tusten was reported to be "weighing its options" but sending a representative to COUP meetings (TRR 12-18-86, 1-8-87).

4. COMMUNITY- AND VALLEY-BASED GROUPS

It is unlikely that the present investigation has uncovered the existence of any community-based groups which are not known to those who have observed the Upper Delaware situation. One positive observation that can be made about conflict and polarization is that under such circumstances, affected parties tend to make their presence known and to formulate positions on relevant issues. There is a "flip side" to the coin, however, which is that in the midst of a conflict, groups which hold unfashionable or unpopular viewpoints may find it difficult, in some forums at least, to express them. The purpose of the present section is to identify the major community-based groups which emerged in response to the federal presence in the Valley. In addition, an attempt is made to characterize the viewpoint that each held or holds with respect to the federal presence.

A. The River Associations

The Upper Delaware Scenic River Association (UDSRA) and the Equinunk-Lordville Upper Delaware River Association (ELUDRA) were the first River Associations to emerge. The UDSRA held its first organizational meeting on August 3, 1973, nine days after the BOR held its public information meeting at the Delaware Valley School. The ELUDRA held its organizational meeting the following day. The stated goal of both organizations was "The preservation of the Delaware River as we know it" (see Section 3 above). The UDSRA was set up as an umbrella organization to which other River Associations were to send representatives. The UDSRA notified representatives in seven New York towns and two Pennsylvania townships inviting them to form local associations.

The immediate concern of both organizations was what they saw as an inadequate time interval between receipt of the BOR informational bulletin which outlined the possible forms the federal presence might take in the Valley and the meeting at which Valley residents were to respond to the proposals. It should be noted that although members had some reservations, the River Associations were never strongly opposed to a federal presence in the Valley. They welcomed federal help in coping with the increased recreational traffic the river was receiving. They were, however, opposed to large-scale federal land condemnation and to what they considered possible over-development of recreation facilities. The River Associations played a key role in determining the form which the federal presence eventually took. It was representatives of River Associations who negotiated with the Congressional delegation and BOR officials to achieve the understanding by which the federal government agreed to the substitution of zoning guidelines for wholesale land acquisition. The River Associations were led by recognized community and business leaders who were "invested" in continuity and stability in the communities. They also played a major role in the community response to the early BOR plan. Local River Associations were eventually formed in Equinunk-Lordville, Damascus, and the Barryville area.

The River Associations had largely achieved their original agenda with the passage of the 1978 legislation and with the exception of the Damascus group, faded away by the time the NPS arrived in 1979. The Damascus group now known as the Upper Delaware River Association continues to exist as of this writing. Several original River Association leaders later served on CAC and one continues as of this writing to serve both on CAC and COUP.

B. The Upper Delaware Defense Committee

The Upper Delaware Defense Committee had a career about parallel in time to the River Association but with a different agenda. It operated largely on the basis of the energy of one man, Dr. Vernon Leslie of Honesdale. Dr. Leslie disagreed with the conciliatory approach to dealing with the federal presence adopted by the River Associations. He advocated resisting the federal presence initially while holding out the possibility for compromise later. The Defense Committee does not seem to have played a major role in responding to the federal presence but it did provide a model for the Coalition and the Alliance. Dr. Leslie personally played an important part at a later time by interceding with the Congressional Delegation to extend the rewrite period for the 1983 plan.

C. The Upper Delaware Clearinghouse

The Upper Delaware Clearinghouse was organized in the Autumn of 1975 by the Wayne and Sullivan County planners. It began as a series of volunteers, attending informal meetings of citizens who were concerned with local zoning regulations in relationship to the federal presence. It worked with the River Associations, the Pennsylvania Department of Environmental Resources (DER), the New York Department of Environmental Conservation (DEC), the DRBC and the BOR, and came up with the first set of land and water use guidelines. It operated under the assumption that if local bodies did not propose such guidelines, the federal government would impose its own. The Clearinghouse had an important influence on the 1978 legislation and its former members worked extensively with the Intergovernmental Planning Team during the drafting of the first plan. It held its own meetings through 1978 its members were absorbed into the larger planning team.

In a sense Clearinghouse members provided a bridge between two worlds. On the one hand they were mostly professional planners who advocated local zoning and the planning of growth and development. On the other they were members of and advocates for the local communities. They saw some kind of federal presence in the Valley as both beneficial and probably inevitable but they sought to maintain as high a degree of autonomy for the local communities as possible within the context of such a presence. It should be also noted that as advocates of a high degree of local autonomy, a number of Clearinghouse members stated that they were quite unhappy about the operation of the Intergovernmental Planning Team. It is their contention that the planning process proceeded in such a manner that the NPS planners would take information the county planners and others provided and retreat to Denver to formulate the text of the plan. Former Clearinghouse members were very heavily invested in the process and would have preferred to be in on the actual writing of the plan. Clearinghouse members interviewed stated that it was their view that failure of the 1983 plan to meet with local approval was more a matter of how the plan was formulated rather than actual content. This will be discussed in more detail in Section 5.

D. The Citizen's Advisory Council

The Citizen's Advisory Council (CAC) is the legislatively created body mandated to provide public involvement in the planning and program development process relative to the establishment of the federal presence in the Valley. Six members are appointed from each of the states, nominated by county legislators, two each from Orange, Delaware and Sullivan Counties, New York and three each from Pike and Wayne Counties in

Pennsylvania. In addition, two representatives are appointed by each governor and one by the Secretary of Interior.

Since its first meeting in September 1979, the CAC has served as the formal public forum on the Recreational and Scenic River. As such, it heard public comments on and carried out its own reviews of both Management Plans.

Over the years the CAC not only served as a forum for a wide variety of issues and much of the public controversy concerning the federal presence, it has also experienced internal controversy and some friction between itself and COUP.

The terms of the original legislation called for the CAC to be dissolved after ten years. However, the Management Plan calls for its continuation and the presence of a nonvoting representative on the Upper Delaware Council.

E. The Livery Associations

The Delaware Valley Organization for Recreation (DVOR) was until 1984 the umbrella group for nearly all canoe liveries in the Valley. Even after it and several smaller liveries split, DVOR continued to be the biggest livery group in the Upper Delaware Valley. Its focus has been to protect the interests of its members' businesses in the Valley. The leadership of DVOR has been deeply mistrustful of the federal government from the outset of the federal presence. One of the reasons for this mistrust was a history of controversy between one of its two largest members and the NPS over agency acquisition of livery property in the Delaware Water Gap. The DVOR engaged in lengthy negotiations, which reached as high as the Regional Director and the Congressional delegation, over the licensing of member businesses by the NPS in 1984.

During the licensing negotiations, the operator of one of the smaller liveries publicly disagreed with DVOR policies and was expelled from the organization. He chartered the Association of Upper Delaware Independent Outfitters (AUDIO) which initially represented smaller liveries. Both DVOR and AUDIO were involved in the Water Use Committee's development of the Water Use Guidelines in the COUP planning process. Despite mistrust of federal control, DVOR members expressed apprehension with respect to the Management Council idea, fearing that such a Council would be a new layer of government beholdng to no one. DVOR members interviewed would prefer to deal with a known quantity (the NPS) rather than risk from what the perspective looked like a potential "loose cannon." Both DVOR and AUDIO continue to be active in the Valley. DVOR lost its president and one of its most influential members, Frank Jones, to cancer in 1986.

F. The Opposition Organizations

1. The Coalition

The Coalition of Concerned Citizens About Constitutional Rights was the first really effective opposition group to form in the Valley. Although its positions on issues were very similar to those held by the Upper Delaware Defense Committee, unlike the Defense Committee the Coalition helped to create a significant ground swell of heartfelt opposition to the 1983 plan. Although it was never a religious organization per se, the Coalition drew much of its original leadership cadre from the membership of the Damascus Baptist Church.

The Church, one of the oldest in the Valley, has a tradition that can be traced to the Revolutionary War. Some of its members can trace the ownership of farms and residential land through their families to land grants from the Continental Congress to Revolutionary War veterans.

Members of the Church were deeply disturbed by the Cuyahoga film, particularly with the portion which depicted a church which had closed purportedly as a result of loss of membership due to NPS land acquisition. It was a Church member who first obtained a copy of the film.

The Cuyahoga film's impact seems to have been immediately responsible for the initial mobilization of the Coalition. Although the initial leadership of the organization was drawn from church members, it very quickly drew a wider constituency largely from those who had little or no prior involvement with the federal presence but who were now genuinely frightened by what they saw as the sudden emergence of the 1983 plan. From its members' perspective, the planning process was a largely unknown quantity. Suddenly public meetings were scheduled to ratify a document that looked very threatening, particularly in view of the controversial boundary negotiations, the Cuyahoga film and the experience at Tocks Island. Coalition members were disturbed by the formal and somewhat obtuse language of the plan and references in the plan to appropriate house color, regulation of hunting, building lot size and allowable slope. Their biggest immediate concern however was the timetable that had been laid out for the public hearings, revisions and plan completion. They were worried that the plan would be in place before Valley residents understood its implications for their lives. Many came to feel that this was deliberate on the part of the agency. The arrival of Charles Cushman served to fan the flames.

In February 1984, an internal split occurred within the Coalition over the election of officers. One portion of the membership wanted new leadership but the incumbent president won reelection. Charles Cushman

arrived three days later. Dissident Coalition members helped to form the core of the Citizen's Alliance through Cushman's inspiration.

2. The Citizen's Alliance

The formation of the Citizen's Alliance was announced on February 6, 1984 at a meeting in Eldred which featured Charles Cushman. A claim was made at that meeting that the Alliance already had 1000 paid members. In its beginnings, the Alliance appears to have had a close relationship with DVOR. Charles Cushman publicly announced that his trip to the Upper Delaware was a result of a conversation he had with DVOR member Frank Jones. Alliance members interviewed stated that there was some internal disagreement over what role DVOR should be allowed to play in the organization and that role seems to have diminished over time.

The initial agenda for the Alliance seems to have been identical to that of the Coalition during its formation: Namely, the writing of a Management Plan granting more control to local people. It is important to note that Cushman never called for deauthorization and ultimately supported the COUP plan. The Alliance followed his lead initially although it eventually split with him over the second plan.

The stances of both the Alliance and the Coalition became more anti-NPS (as opposed to simply anti-1983 Plan) over time. The position of the Alliance appears to have stayed closer to the middle of the road for a longer period of time. The active followings of both groups waxed and waned with events but both adamantly opposed the COUP plan and were influential in conjunction with the Independent Landowners Association and other prominent individuals in driving a wedge between COUP and a number of the town and township governments which COUP represented.

3. Independent Landowners Association

The ILA is a relative newcomer to the scene, having emerged in February of 1986. Its specific aim was to attempt to derail the COUP Plan. Its members, in many cases drawn from the ranks of the Coalition and the Alliance, attended town board meetings throughout the Valley lobbying against acceptance of the Plan. Its activities were somewhat more visible than those of the Alliance and Coalition during the crucial later stages of the COUP planning process.

4. Summary Concerning the Three Opposition Groups

There are some significant commonalities between the Coalition, the Alliance and the ILA. In all three cases, membership and to a greater extent leadership, was drawn from a different segment of community life than was the case for the River Associations. Although few actually held elective public offices, River Association members were involved in shaping the community response from the BOR era. Thus, they were "invested" both in the existing community institutions and in the on-going negotiations with the federal government.

With a couple of notable exceptions, Coalition, Alliance and later ILA members had little or no involvement in the response to the federal presence until events surrounding the 1983 plan galvanized them. They, therefore, had little "investment" in the agreements which others had worked out with the federal government. As events unfolded, some of the less vehemently anti-NPS members including Charles Cushman himself dropped out and the groups became more and more invested in resistance to the NPS and in the conflict itself. As a result of the extended conflict, many of the original River Association leaders retired from the battle saying that they were tired of or could no longer "stomach" the conflict. None of this

is to suggest that there was anything insincere about the plan opponents' positions. Rather, the evidence points to the conclusion that through the course of events and their own involvements, NPS opponents came to share an increasingly polarized view of the agency. All three opposition organizations continue to remain active in the Valley.

G. COUP

In December of 1980, speaking at a CAC study session, its chairman Herbert Fabricant called for the formation of an "Association or conference or organization of townships in the Valley. I am looking for a vehicle to consolidate the interests of the towns to allow for a lobbying effort from the viewpoint of local communities..." (TRR 12-18-80). In 1981 Fabricant's suggestion was taken and the Council of Upper Delaware townships was formed as an informal discussion group for local elected officials in the Valley. In March of 1982, when the decision was made as part of the first planning process to form the Intergovernmental Coordinating Council (ICC) to coordinate management of the river Valley, COUP was slated to become that body. When the first plan was abandoned, COUP was tapped to organize and manage the second planning process.

COUP members felt that their role was to act as an intermediary between the federal government and the towns in writing the Plan but that role proved to be a very difficult and stressful one at times during the process. Several COUP chairmen resigned and one moved from the Valley. The person who served longest as Chairwoman was defeated in a town board election after having been attacked in campaign literature as an "NPS collaborator."

COUP persevered in its task to arrive at a plan although its ranks were thinned at the end of the planning process as several towns withdrew

due to the controversy over the Plan. As of this writing, COUP is working on documents and decision making pertaining to the future role and activities of the Upper Delaware Council.

H. Upper Delaware Heritage Alliance

The Upper Delaware Heritage Alliance is an umbrella organization with 11 member groups. Founded in 1981, the organization is dedicated to the cause of preserving the cultural resources of the Valley. The Heritage Alliance is very supportive of the federal presence in the Valley and has advised the NPS on specific cultural resources in the Valley. The Heritage Alliance favors an aggressive stance by the agency in the preservation of historic buildings and would support programs to provide technical assistance to local entities seeking to preserve historic structures.

The Heritage Alliance has taken no active political stand with respect to the controversy over the federal presence in the Valley but individual members have written letters to the editors of local newspapers supporting the NPS.

I. The Environmental Groups

1. Audubon Society

The National Office of the Audubon Society has played no visible role in the planning efforts concerning the federal presence in the Upper Delaware Valley. However, two local Audubon chapters, the Gifford Pinchot Audubon Society and the Northeastern Pennsylvania Audubon Society, have taken an interest in the planning effort and have publicly supported NPS efforts. One person, Dorothy Merrill, has shouldered most of the burden of representing Audubon in the planning process.

The position taken by the local Audubon societies is that more acreage be included within the designated boundary and stronger provisions for the

protection of wildlife habitat would have been preferable but that the NPS and its partners have arrived at the best possible plan under the circumstances in which the document was written.

2. The Sierra Club

Like the Audubon Society, the National Office of the Sierra Club has taken no position on the Upper Delaware planning effort. The Northeast Pennsylvania Chapter has played a role similar to that of the local Audubon societies. The major concern of the Sierra Club has been the effect of the boundary size and placement on protection of wetlands in the corridor. The Sierra Club would have preferred a larger designated area for the purpose of wetland protection.

J. The Fishing Organizations

Although they were not particularly active in the recent planning process, the membership of the Fontinallis Fly Fisherman's Association and the Pike-Wayne Chapter of Trout Unlimited have been supportive of the federal designation of the Upper Delaware. Their interests have been in maintaining and enhancing the river as a viable sport fishery. It is interesting to note that Phil Chase, a long-time member of Fontinallis, was involved in lobbying in favor of federal designation prior to the 1968 legislation and that Phil Fitzpatrick, also of Fontinallis, is current chairman of COUP.

5. ANALYSIS

The interpretative approach we have taken in this study has led us to attempt to understand the response of the Upper Delaware communities to the federal presence by understanding the perspectives of various groups of community residents and how those perspectives changed and evolved as events unfolded. Because the field work for the study encompassed only two years of a nearly twenty-year history, we have been required to rely on the recollections of those we interviewed in combination with prior written accounts (mostly gleaned from newspapers) to attempt to reconstruct events and reactions to events up until 1985 when data collection began.

The most striking first impression of the investigator upon arriving on the scene was that an atmosphere or climate of mistrust had developed on the part of many community groups. This mistrust extended in many cases, not only to the NPS, but to other bodies, agencies and community groups as well. The task in understanding the conflict largely became one of attempting to understand the roots of the mistrust which had developed.

The evidence gathered in the study suggests that the reasons for this climate of mistrust cannot be attributed to the actions of any one individual, group or body in or outside the Valley. Rather they were the result of a complex set of events that can be traced back at least as far as the Tocks Island controversy. In this section an attempt will be made to analyze the events which were reported in Chapter 3 focusing on the perspectives of Upper Delaware residents as they were expressed in the interviews in an attempt to reconstruct the causes of the mistrust and the conflict which resulted.

It is important to recognize that the impetus for the designation of the Upper Delaware was perceived by residents as having its origin outside

the Valley. From the very first letters the river road residents wrote to their congressman, Valley people felt themselves to be on the defensive. Even those who from the first welcomed a federal presence were concerned about the form that presence might take and the effects it might have on life in the Valley. The events of Tocks Island were common knowledge and it presented an unsettling scenario.

The first briefing on the BOR plan in May of 1970 and the more informative meeting held in 1973 added to the fears of an onerous federal presence. This is evidenced by the fact that the River Associations sprang up virtually overnight after the 1973 meeting. In retrospect, it is a remarkable accomplishment on the part of the River Associations to have persuaded local congressmen and BOR officials to "retreat" from an initial proposal to acquire 6,000 acres to one of purchasing only 450 (this figure was reduced again in the COUP plan). It is important, however, to note that BOR Regional Director Arnold began the process with a publicly stated mistrust of zoning as a way to protect the Valley. There was a lingering question in the residents' minds about what the federal government was really going to do.

When the NPS arrived in the Valley in 1979, the Superintendent was put in the position of having to "go operational" very quickly. There were trespass and litter problems to be dealt with, and riparian residents, the NPS regional office and the Congressional delegation were all anxious to see those problems met head on. As a result, a tough-minded chief ranger was brought on and he quickly purchased power boats for river patrol and put together a team of seasonal enforcement rangers for river patrol for the spring and summer of 1980.

While riparian landowners were happy to have some help in dealing with unruly river users, and many stated that the patrol made a big difference, the sudden law enforcement presence also created friction with Valley residents. A former state trooper complained to the interviewer that while he was instructed by his supervisors to "bend over backwards" to get along with the NPS, enforcement rangers ticketed his children for boating on the river without personal flotation devices. A local clergyman complained that his fishing license was checked by an overzealous young ranger in the same spot in the river for eight days in a row. He stated that the ranger was very businesslike and professional but never acknowledged recognizing him from the days before. A story made the rounds in the Valley that a resident who had fired off a revolver along the river bank attempting to dispatch a snake was subsequently "surrounded" by two enforcement rangers with their guns drawn. Local residents were not accustomed to a significant law enforcement presence along the river and many felt that the NPS was heavy-handed in its initial approach.

It was events surrounding the initial planning process, however, that solidified opposition to the agency. It is important to recognize that zoning was not a popular concept in many of the towns in the Valley. Clearinghouse representations clearly saw its advantages as did the leadership of the River Associations, but many local officials and residents were less than enthusiastic. They were less enthusiastic still about being pressured to adopt zoning that lived up to federal standards. Finally, they were unhappy about the fact that the federal standards were so long in being established. Several towns found themselves attempting to adopt zoning ordinances to meet what they thought the standards might eventually be.

Local perceptions of the Intergovernmental Planning Team made matters considerably worse in the minds of many local residents. First, its sheer size (37) was bewildering. Secondly, it took up residence in a separate location from NPS headquarters. Although the arrangement undoubtedly had its advantages, it created the impression in some minds that there were two centers of federal power in the Valley. The power struggle between the team leadership and local NPS managers which found its way into the local media also contributed significantly to the atmosphere. The most serious problem with the planning team, however, from the local point of view was that it was seen as an "out of town" entity creating an "out of town" plan. The professional county planners on the team expressed dismay at its operation. As was mentioned in the previous section, county people were unhappy that their subcommittee work would be accepted by the team leadership and brought back to Denver where most of the plan was actually written. They complained that, in many instances, their ideas were not contained in the drafts which were provided. At no point did a Denver planning team member take up residence in the Valley. Locals were bewildered by the everchanging cast of characters that flew in from Denver for meetings and just as quickly left.

The county level professional planners who worked on the first plan all seem to agree that from a purely technical standpoint the 1983 plan was a reasonably well constructed document. The planners interviewed felt that some relatively minor wording changes could have satisfied many local objections to the Plan. Others in the Valley disagreed vehemently with this assessment, however. Nearly everyone interviewed agreed that it was the planning process that led to many of the objections which were voiced.

Evidence indicates¹ that while the Denver people saw planning from a technical and professional standpoint, locals felt that it should be a political process resulting in a series of compromises which incorporated local values and viewpoints. While it seems likely that the Denver people felt that they had compromised a great deal, many local people clearly did not share this perception. The resulting draft plan became the focus of the rapidly accelerating conflict.

It was noted by several observers that the Denver plan had only one solid constituency, the CAC. Subsequent events seem to lend credence to this view. It is crucial to note that the CAC was never completely a creature of the local towns, rather it was largely a vehicle of the counties and states. (As late as the spring of 1986, CAC members interviewed expressed bewilderment at the intensity of local opposition to both plans; few local officials expressed surprise however.) Thus, the CAC's endorsement of the 1983 plan, although undoubtedly important, did not automatically carry with it the endorsement of the towns. It is perhaps ironic that one of the least "local" individuals on CAC, Herbert Fabricant, came to understand this and suggested the formation of COUP.

The most immediate plan-related reason for the mobilization was the lack of involvement in and direct knowledge of the planning process on the part of many locals until very late in the process (despite the mailing of three flyers and other publicity). When the salience of the plan became clear, a number of these individuals became involved and raised an alarm about possible consequences of the plan.

¹It should be noted that the field researcher was unable to obtain a retrospective interview with the Denver planning team leader and this interpretation rests on interviews with county planners, NPS officials and local residents.

The process had already missed the deadline laid out in the law and from the agency's point of view the longer the process dragged out, the more money and effort it would expend. From the standpoint of the latecomers to the process, it seemed that the agency was trying to "railroad" the plan through before its implications were fully understood by Valley residents.

The "final" hearings for the draft plan were held in late October and November of 1982. There was sufficient local opposition to plan provisions at that point to persuade the agency to extend its deadline until January 31, 1983. Opposition continued to grow in late 1982 as people who had no prior involvement began to become concerned that the plan had implications to which the planning team was not publicly admitting. Significant disputes broke out over boundary issues and relations soured between the NPS management team, the planning team and a number of local towns. Concerns were raised among residents about whether the NPS was really planning to regulate or eliminate hunting (all available evidence indicates that it was not, but the concern was genuine) and agricultural interests became worried about restrictions on pesticide use and commonly practiced methods of dealing with animal waste.

The mistrust that was building incrementally appears to have exploded exponentially when "For the Good of All" was shown for the first time in the Valley on September 8 and 9, 1983. Anxieties had been building on the part of previously uninvolved residents but the film presented a new set of lenses for viewing the NPS and served to focus anxieties, apprehensions and frustrations that many had been feeling. Charles Cushman's arrival was timed almost perfectly to capitalize on and to amplify the growing discontent. His audiences were now ready to hear his message and he spoke to the heart of their concerns which had now turned into fears.

The events leading up to the showing of the Cuyahoga film, the film itself and the message of Charles Cushman all contributed to a new framework for viewing or, in sociological terms, a new socially constructed definition of the National Park Service and new meanings relative to its presence (Berger and Luckmann, 1967). The agency was now being cast as a sinister interloper in the Valley. The motives of its managers and planners were held open to suspicion and its trustworthiness was called into question. The agency's past actions both in the Valley and in other places were reinterpreted by the advocates for this view in light of this new framework. Flyers were distributed throughout the Valley, meetings were held and the view spread rapidly.

These events brought forward a new cast of leaders who raised anew issues that had long been "settled" and introduced issues that had never before been in contention. For the first time, the NPS and the planners were publicly charged with deceit and treachery. This new definition of the NPS and the meanings associated with its presence were not, to be sure, sold to all Valley residents but they were effective in creating a social movement within the Valley and won some die-hard converts who were tireless in holding and attending meetings and writing letters to the editors of local newspapers.

The opposition movement gained momentum quickly because it was able to recruit members who had few prior ties or dealings with the NPS or whose views of the agency were tinged with suspicion. The events of the past years had set the stage in a number of significant ways. First, the Tocks Island situation and the early BOR meetings in the Upper Delaware Valley set a general tone of uneasiness about the agency. Secondly, the agency's early operations complete with uniforms, power boats and guns, although

welcomed by some riparian landowners, created an impression akin to that of a military presence. Thirdly, and most significantly, despite the public meetings and the information brochure, the agency lacked strong direct ties and therefore credibility with a significant segment of the Valley population. The pressures to "go operational" and to establish a visible presence had not allowed for the painstaking time-consuming process of face-to-face interaction and trust building. When the new view of the NPS was offered by opposition leaders and a planning deadline loomed, the result was genuine fear and anger on the part of new recruits to the opposition movement. The agency appeared to be reacting defensively to the attacks and the negative impression was reinforced.

The conflict died down for a period after the initial plan revision failed and COUP was given the mandate to develop a plan from new cloth. It is important to note, however, that the infrastructure of the opposition was well developed in the form of two significant organizations, the Alliance and the Coalition, and a number of now prominent individuals whose initial opposition to the 1983 plan quickly evolved into opposition to the agency.

The second planning process differed from the first in several important respects but it also faced some similar difficulties. The presence of COUP as an intermediary between the federal government and the local people added a new dimension to an already complex situation. Another difference was the presence of Mid-Atlantic regional planners who expressed the determination to facilitate a more open planning process and to avoid the perception of a lack of responsiveness which had plagued the Denver planners. The third difference was that the provisions of the new

plan were to be arrived at by three committees of local residents utilizing the services of hired consultants.

COUP faced a number of difficulties as it began the second planning process. One was a lack of experience with this sort of a planning process. Most COUP members were veterans of local government but few, if any, members had either the kind of planning experience possessed by Clearinghouse members or experience dealing with a federal agency. They were forced to acquire both a new way of thinking and a new language to accomplish their task. Secondly, COUP members were faced with mediating two separate struggles, that over zoning and land use and that over water use and the regulation of liveries. Thirdly, they were forced to work in a very complex environment which consisted of not only a number of local interests, but also local NPS managers, two states, five counties, the DRBC and NPS Regional Planners.

The most serious problem COUP faced, however, was the atmosphere of mistrust which had evolved during the first planning process. Although COUP members saw themselves as advocates for home rule in the context of a federal presence, opposition groups labeled them as "Quislings" and "NPS Collaborators," and they, like the NPS before them, tended to react defensively. Squabbles between COUP members and opponents often found their way into the local newspapers. COUP's fiery chairwoman was quick to counterattack opponents (at one point suggesting that they be sent up in the space shuttle). Friction also developed between COUP and CAC.

The second planning process was also fraught with intramural disagreements between the Regional Office, local managers, COUP, CAC, and at times, the consulting firms. These disagreements found their way into

local newspapers and, to the uninvolved resident, it was difficult at times to determine who really spoke for the federal presence.

Given these difficulties, it can be viewed as a remarkable accomplishment that a plan finally emerged from the process. As the process drew toward its close, however, a new development occurred. Plan opponents remobilized and targeted town boards thus putting pressure on both the boards and COUP. COUP chairwomen Marge Hillriegel was unseated in a bitterly contested local election and a number of towns withdrew from the process just as the plan was reaching completion.

When the time came to revise the plan, COUP had accumulated so much political opposition that the decision was made to form a new Plan Revision Committee. After some initial squabbling over the rules between NPS local managers and COUP, the Committee was put together and made the crucial remaining decisions including (finally) a defined role for what was now termed the Upper Delaware Council.

Plan opponents have announced intentions for legal challenges but they have clearly lost the battle to derail the entire process. However, about 40 percent of the towns as of this writing have dropped out of the process. At the insistence of the NPS Regional Office the Plan contains relatively "tough" language pertaining to nonmembers as cited in Section 3. This language was publicly opposed by both the Superintendent and staff and the CAC but the Regional Office remained insistent. Recent newspaper accounts report that the language has been criticized by some long-time NPS supporters, including the chair of CAC. The long-term effect of the language remains to be seen.

Summary and Conclusion
Directly Related Factors Leading to Conflict

The evidence assembled for this study suggests that there are a number of directly related factors to which the bitter protracted conflict over the federal presence in the Upper Delaware Valley can be attributed. They can be summarized as follows:

1. A feeling of uneasiness on the part of many residents created by knowledge of the Tocks Island situation and the early proposals of BOR in the Upper Delaware Valley;
2. An early high profile operational presence of the NPS, complete with uniforms, law enforcement, speed boats and guns;
3. The lack of strong interpersonal ties between a significant segment of Valley residents and the NPS, a resulting perpetuation of a feeling of "them versus us" on the part of such residents and a lack of credibility of the NPS in their minds;
4. A perception that the Denver Plan was being "imposed" on the Valley (this despite the participation of the former Clearinghouse members);
5. A perception throughout both planning processes of power struggles between various entities representing the National Park Service in the Valley;
6. The fact that two sets of difficult issues were being considered simultaneously, those related to water use and the liveries and those related to land use and zoning;
7. The emergence of very effective mobilization agents (i.e. the Cuyahoga film, Charles Cushman and local opposition leaders) at a critical time which served to redefine the agency's image in many residents' minds;

8. A perception that the NPS and, at times, COUP reacted defensively to criticism and, therefore, had something to hide.

The reader should not be left with the impression that everyone in the Valley was or is opposed to the federal presence or to the NPS. The agency has had many supporters throughout the battles. However, the opposition has been very real and heartfelt and it influenced uninvolved citizens. The fight over the Upper Delaware, like most political battles, has been for the hearts and minds of those not directly involved or committed to a side. The controversy was very confusing to the uninvolved Valley resident and opinions of residents appear to have ebbed and flowed over more than a 10-year period with the progression of events.¹

As one local observer stated, it would be a natural but erroneous assumption to make, given the intensity of the conflict, that the local citizenry was all-consumed in the events surrounding the federal presence in the Valley. From the standpoint of many local citizens (with the exception of those individuals who devoted themselves to the issues surrounding the federal presence) there were more important things to worry about on a day-to-day basis such as earning a living or a school board levy or potholes in the roads. It was only when a lawn was trampled by unruly river users or when a frightening rumor circulated from a neighbor about some proposed federal action that the uninvolved citizen would attend a meeting or write a letter to the editor of a local newspaper. After the initial battle lines were drawn, the NPS, COUP and its planners and

¹As was stated in a prior chapter, time sequence public opinion data concerning Valley residents' views of the federal presence do not exist.

supporters were in competition with the opposition groups for the sentiments of the citizen who felt that there were better things to do with his or her time than to attend yet another meeting on the river controversy.

Contextual Factors

In addition to what we have labeled as "directly related" factors contributing to the conflict over the Upper Delaware, placing conflict in a broader social context, reveals a number of dimensions or themes. One such dimension is that the controversy can be seen as community resistance to change imposed from without. This was first evidenced very early by the letters written by the River Road residents protesting the designation. It is important to recall for example, that the statement of purpose of the Upper Delaware Scenic River Association was "The preservation of the Delaware as we know it...." From the local perspective, the change began in the 1960s with the arrival of river users many of whom were unruly particularly in the early years. Next came the federal government with the message "We will help you solve your problem, but you will have to zone your land." Many residents wished that both would stay away, but that was simply no longer possible. Although the Valley had remained remarkably isolated virtually within the shadow of New York City, for a very long period of time, that isolation was rapidly coming to an end. In a sense, the National Park Service came to symbolize or personify the changes being imposed on the Valley from without.

Another dimension, related to the first, is that of modernization. Many interviewees stated that communities in the Valley had struggled with such issues as school consolidation, modernizing firefighting facilities and techniques, sewage disposal, community beautification and other

"planning" problems for a considerable period of time. It is likely, perhaps even inevitable given patterns in other areas, that many of the towns and townships in the Valley would have eventually zoned themselves in some fashion but such a process would have likely been evolutionary and taken decades to occur. In a sense the federal presence forced the issue of at least some dimensions of modernization in a very compressed period of time. The controversy can be viewed in part as an indicator of stress resulting from this process.

Another dimension of the controversy is the classical, philosophical debate of regulation versus the free market. Many opponents of the federal presence couched their arguments in terms of individualism and freedom. The National Park Service was seen by many as an example of big government interfering in the lives of the citizenry. One notable interviewee discussing the rugged individualistic history of his community stated "We fought the Indians, we fought the British and we will fight the men in green."

The controversy can also be seen as a clash of two cultures: the more formal, rule and process-oriented bureaucratic world of the National Park Service versus the less formal, personal yet tightly knit world of the local community resident. To build and maintain a successful career, the NPS employee knows he or she must operate within the rules and policies of the organization even if certain of such rules and policies are not in keeping with his or her personal preferences. The local community resident is aware that the individuals assigned locally by the organization will be rotated every few years but that the organization is likely to persist beyond the lifetimes of anyone currently living in the Valley. Thus, even if personal relationships are developed with NPS employees, such

relationships will be terminated when the employee leaves to take on a new assignment. Much of the business of a local community is conducted on the basis of personal relationships and informal agreements but such arrangements are insufficient when one deals with a federal bureaucracy. This situation naturally creates friction between communities and bureaucracies. The Upper Delaware is a (perhaps somewhat extreme) classical example of such friction.

Finally, a dimension relating to all of the above is that of the Valley towns and townships being, apparently for the first time in their history, faced with the choice of whether or not to think of themselves as interdependent. The struggle over the Upper Delaware Council waged in the Plan Revision Committee meeting presented this choice in its starkest possible terms. One side argued that the towns together in the Council should review each other's plans and ordinances before sending them to the federal government, while the other stated that no town should look over the shoulder of another. A great deal hung in the balance that evening. If the decision had been for the towns to individually submit plans and ordinances to the Department of the Interior, an important opportunity and precedent for the towns to speak with a collective voice would have been lost, perhaps irretrievable. The arrangement adopted influences the participating towns to begin to move in the direction of collective action and a Valley-wide view.

Much still hangs in the balance as the Council will shortly begin to define itself in operational terms and presumably seek to attract the nonparticipating towns into the fold. If the Council is successful, it

appears to have the potential to become a national model as a mediating institution between the federal government and local entities. If it fails, a more traditional relationship between the individual communities and the NPS will likely evolve.

6. RECOMMENDATIONS

The NPS, the Upper Delaware Council and the communities in the Valley are about to enter into a new and crucial era in their relationships. The time has come to attempt to implement the provisions in the long-contested Plan. The battle over the Plan has extracted a serious toll on many relationships in the Valley. If the Plan and the Council are to succeed and a truly cooperative arrangement between the communities, the Council and the agency is to evolve, it seems necessary that those relationships be repaired.

It is recommended therefore, that all parties take a non-confrontational approach in future dealings. The transition between the planning phase and implementation phases provides a natural break in events and the opportunity to develop positive relationships. If the goal of a cooperative arrangement envisioned in the Plan is to be realized, this opportunity should not be wasted.

The most crucial undertaking in the short-term will be the process of evaluating the substantial conformance of local plans and ordinances. It is recommended that this be approached by the NPS, the Council and the individual communities as a good faith negotiation process. Each party should recognize and admit that the others have legitimate interests; and common goals and flexibility in approach should be emphasized. It seems likely that the tone of these negotiations will have as much a bearing as their content on the success of their outcome. It will also be crucial that strong ties and good communication links be developed between the Council and the individual member town governments.

The success of the process will likely be dependent, in large part, on the conduct of negotiations in an above-board, open and honest manner. The

fact or appearance of any behind the scenes "deal making" will tend to damage the public credibility of the process and likely undermine the cooperative nature of the arrangements. In this regard it is important that the legitimacy of the Council as the representative of the member towns be recognized at all times. Positive relationships between agency managers, town governments and individual landowners are very valuable, but the role of the Council as the duly established representative of its member towns appears to be crucial to the long-term success of the cooperative arrangement. In this regard, the legitimate role of the NPS Superintendent as the line officer representing the agency is also important. Any public perception that different entities within the NPS can be "played off" of one another could unnecessarily complicate and even undermine good faith negotiations.

The outcome of the process of evaluating substantial conformance of local plans and ordinances seems likely to have a bearing on the successful achievement of a more generally cooperative arrangement between entities in the Valley. It is recommended, however, that this process be used as a part of a larger scale attempt to build cooperative relationships in the Valley and to build mutual trust between citizens, local governmental bodies, the Council and the NPS.

The reader will recall that the interview data for this study suggests that one of the most important reasons for the failure of the first planning process was the lack of linkages between the NPS and a sizable portion of Valley residents and the result that these residents had no perceived stake or "investment" in the success of the process. In fact, many came to believe that they had a stake in its failure. It is recommended, therefore, that the local NPS managers and the Council place

an emphasis on informal face-to-face interactions with a wide variety of community residents as well as local government officials. This is important for not only building better mutual understanding and, therefore, credibility, but also for helping to keep track of any changing perceptions or developing issues in the minds of residents.

It is important to note that the issues which were in contention in the planning controversy were created over time as a result of community reactions to changes (in this case the coming of the NPS and the content of its particular mandate). Similarly, the River Associations and later the opposition groups formed in direct response to events. As time passes, issues and perceptions of issues will undoubtedly shift. Community groups will change, some may go the way of the River Associations and others may be formed. One of the most important challenges faced by the agency, the Council and the communities is to stay abreast of such changes and respond accordingly. Personal contacts and good communication linkages will aid in timely adaptation to change and the avoidance of possible future conflict.

Concluding Statement

If one thing has been made clear in the two years spent studying the Upper Delaware, it is that the wounds from the conflict and the loss of trust are very real. The loss of trust was not only between government and citizen, it was also between neighbors. There are many in the Valley who currently do not talk to each other as a result of the conflict. A colleague who has devoted his career to studying communities stated recently: "Communities are like elephants, they almost never forget." The battles fought over the federal presence will undoubtedly be remembered for

a long period of time and there remains an open question of whether the division and mistrust will remain.

To restate an important conclusion, what seems to be necessary for the provisions of the plan to succeed and a truly cooperative management arrangement to be achieved is a period of trust building. Words and promises have become almost worthless in the long battle. If the Council and the NPS are to succeed in building useful and trustful relations with local people, good faith will need to be generated by actions. The NPS and the Council face the challenge of proving that their severest critics were wrong about their ultimate intentions. Trust always takes longer to build than to destroy.

7. ISSUES AND THE FUTURE OF THE UPPER DELAWARE

The purpose of this section is to present a discussion of the various issues related to the federal presence as they appear to be relevant to community residents. At the time of the data collection, the semi-structured interviews allowed interviewees to express their views and definitions of issues from their own frames of reference and in their own terms. In light of the fact that the River Management Plan is the document which will organize and guide the future administration of the federal presence in the River Valley, the issues are organized within the framework of that document. In view of the emphasis on community response to the federal presence, a brief synopsis of the "federal" position on these issues, (mostly gleaned from the River Management Plan), is also included where appropriate. A chart (Table 4) is included in Appendix 1 which cross-references the issues with the categories of community- or Valley-based organizations which have an interest and/or a perceived stake in the issue.

Plan Heading: Management Structure

Issue: Role and Effectiveness of the Upper Delaware Council (Also referred to as Home Rule, Local Control, Responsibility in Government and "Maturing" of Local Governments.)

The heart of the debate and controversy over the federal presence in the Valley centered on the issue of power and control. This was discussed at length in the previous section. The issue has acquired two focal points, the River Management Plan and the Upper Delaware Council. The Plan has, at long last, been hammered out and the formal role of the Council has

been defined. A number of related concerns have been expressed about this issue. One theme has been based on the concern that the Council will be essentially powerless, a mere puppet of the federal government. Another point of view is that the Council might evolve into an autonomous body answerable to no one. Still another fear is that the participating towns will lose interest over time in the Council and essentially abdicate decision making to the federal government. Proponents of the Council predict that it will serve as a genuine mediating institution between local governments and the federal bureaucracy. If the latter prediction is to be upheld, hard work, patience, good faith negotiating, and conscientious and careful trust building will be required on all sides. Anything perceived as a heavy-handed power play on the part of any member would have the potential to reignite the conflict.

Plan Heading: Management Structure

Issue: Possible Litigation Against Local Elected Officials

Many local observers have predicted that the next "logical" step for the conflict over the Upper Delaware is for it to move into the courtroom. The interview data indicates that the most troublesome possibility for litigation from the point of view of local officials is that they will be sued individually for their role in ratifying the Plan. Leaders and members of opposition groups have stated that their interests will be materially harmed under the arrangements proposed in the Plan and have repeatedly threatened to sue individual elected officials who go along with the Plan. The concern of officials appears to be more the expense and bother involved in defending against such suits than their possible legal merit. Regional Director Coleman sent a letter to COUP (cited in Section 3

and reproduced in the River Management Plan) outlining the role federal attorneys could play in defending against such suits but some officials expressed uneasiness about the issue.

Plan Heading: Land Management Program

Issue: Use of Powers of Eminent Domain (Condemnation)

This issue is, of course, tied to the one of local control discussed above. The Secretary of Interior has, under Public Law 95-625, the authority to enter into eminent domain proceedings to acquire land in towns or townships whose zoning laws and ordinances are not in substantial conformance with the land use guidelines. The plan specifies a number of steps that would lead up to such an action. The plan further specifies that the Secretary will contract the initial recommendations with respect to the conformance of such laws and ordinances to the Council for those towns which choose to participate in the Council. The plan specifies that the agency will itself arrange for the performance of such an assessment for nonparticipating towns. The plan further states that any land purchased as a result of eminent domain proceedings in participating towns will be resold "expeditiously" subject to deed restrictions ensuring that inappropriate uses will not occur on that parcel in the future. No such assurance of resale is offered to nonparticipating towns.

This issue has generated an enormous amount of controversy in the Valley and no inconsiderable confusion during, at least, a ten-year period. As was discussed in previous sections, some town officials objected to "looking over each other's shoulders." Other individuals and groups are concerned that the Secretary will overrule the recommendations of the Council, thus rendering the Council impotent in this regard. Some have

objected to the differences in treatment of participating and nonparticipating towns. The initial process of recommendations by the Council and determinations by the Secretary with respect to "substantial conformance" will undoubtedly be a focus of Valley-wide attention.

Plan Heading: Land Management Program

Issue: Regulation of Hunting

Regulation of hunting became a much discussed issue during the controversy over the 1983 plan. During the formulation of the COUP plan, a group or groups in the Valley distributed flyers which charged that the NPS was planning to regulate hunting and/or take residents' guns away.

The plan states: "The special provisions for the Upper Delaware provide that nothing in Section 704 shall be construed as limiting the rights to hunt and fish on any of the lands or waters within the Upper Delaware River. Further, nothing in this plan shall be construed as preventing a private owner from leasing hunting and fishing rights, as long as the lease is in conformance with state regulations" (p. 69). It seems likely that the hunting issue will fade away barring some unforeseen development.

Plan Heading: Land Management Program (Also Upper Delaware Land and Water Use Guidelines)

Issue: Logging Practices

A concern was raised by some residents that the Management Plan might overly restrict logging and forestry practices and several interviewed stated that some landowners were actively logging their land as a result of concerns about possible future restrictions. The Plan calls for the

adoption of one of a number of alternatives for the provision of "sound timber practices" in the Valley; these would include, at a minimum, the subjection of clear-cutting to a "conditional use" review and the regulation of timber harvesting within 50 feet of the river banks or perennial streams so that "ideally" 50 percent of the forest canopy would remain. The alternative chosen in the individual towns to meet the objectives in the Plan may, in some cases, be a subject of local controversy.

Plan Heading: Land Management Program (Also "Guidelines")

Issue: Bluestone Quarrying

Bluestone Quarry operators in the northern end of the Valley were surprised to learn that the NPS personnel initially believed their industry had died out in the beginning of the current century. As a result, they were apprehensive about how the Plan would effect their businesses. (It should be noted that most but not all current bluestone activity is outside the boundary.)

An objective stated in the Plan is to "Ensure traditional resources extraction operations (not including subsurface mining and major surface mining) are permitted, but consistent with the protection of the public health, safety and welfare" (p. 123). Major surface mining is later defined as any new mining operation exceeding two acres in size.

It remains to be seen whether bluestone operators will, in the long run, find this restriction difficult to live with.

Plan Heading: Land Management Program

Issue: Pesticide Restrictions (Agricultural Use)

During the controversy over the 1983 plan a number of Valley farmers became concerned that their use of pesticides would be restricted by the Plan. The final plan contains no provision for such regulation.

Plan Heading: Project Boundary and River Classification

Issue: Boundary Location and Meaning

The issue of the location of the boundary for the area has been among the most divisive of the entire controversy and discussion of the evolution of the issue is found in Sections 3 and 5. The original boundary encompassed about 86,000 acres. The boundary included in the final plan covers 55,574.5 acres. As of this writing it appears that the boundary location issue has been resolved.

The meaning of the boundary however, is a more difficult issue. During the height of the controversy the boundary was described as everything from "meaningless" to a "take line." Some landowners were genuinely fearful of what it meant to be included in the boundary. One persistent rumor during the controversy was that to be included within the boundary meant that one's land would be subject to Title 36 of the Code of Federal Regulations. (This is explicitly denied in the Plan.) One homeowner who was interviewed in early 1986 was utterly convinced that if she left her residence for more than 24 hours that Park rangers would be able to nail signs to her door prohibiting her to reside there any longer. This interviewee was obviously an extreme case but her fears are reflective of how intense the boundary issue became.

The plan explicitly discusses the objectives of the boundary but so many claims and counter claims have been made that only time will allow for residents to decide for themselves what practical implications the boundary has for their lives.

Plan Heading: Water Resources Management

Issue: Water Flows and Quality

Water flows and water quality are highly technical issues. It is not appropriate here to attempt to discuss their technical aspects; however, they are of concern to community residents. The concern most commonly raised in the interviews with respect to water was that of flow levels. The typical concern expressed particularly by fishers was the variations of flows on a seasonal, monthly, and even daily basis and their effects on fish populations. Local newspapers periodically run articles on New York City water usage and how it effects the Delaware River. A number of those interviewed expressed the hope that the NPS can influence the DRBC and other responsible parties to regulate water flows more "appropriately." The canoe liveries are also concerned about the maintenance of adequate flows during their peak business times.

Plan Heading: Water Resources Management

Issue: The Cortese Landfill

The presence of toxic wastes in the so-called Cortese Landfill, which is located on the river bank in Tusten, came to public attention in 1983. The major concern was possible leaching of toxic materials into the river. The NPS has stated that the landfill is privately owned and the issue is largely a matter between the State of New York DEC and local authorities.

The agency has conducted tests for chemical accumulations in fish. The results revealed no significant accumulations.

The typical local view of the issue expressed in the interviews is that if the NPS is really serious about protecting the river it should make every effort possible to help alleviate the problem. Wording to this effect is in the Plan. This is an issue which is likely to persist until someone cleans up the dump.

Plan Heading: Water Resources Management

Issue: Possible Dams or Water Impoundments

The Wild and Scenic Rivers Act clearly prohibits the construction of dams on the main stem of the river. The question of impoundments on tributaries is a bit less clear-cut. The plan citing the law states "Water resource development on tributaries is restricted to those developments that do not invade the area or unreasonably diminish the values for which the river was designated" (p. 64).

The plan gives authority to the Council to review proposed water projects on tributaries and to make recommendations to the states, the DRBC and the federal government with respect to "project consistency" with the Act. The NPS is directed to inform the Council of any requests for licensing with respect to proposed water projects.

Plan Heading: Fisheries and Wildlife (also Threatened and Endangered Species).

Issue: Preservation of Wildlife Habitat

Although preserving wildlife habitat has not been a "front burner" issue, it is of concern to a number of Valley residents. The two types of groups most concerned are environmentalists and hunters. The plan clearly

endorses a continuation of "sound forestry practices" to insure a variety of vegetative successional stages necessary for appropriate habitat for species such as deer, turkey and grouse. It is, of course, up to individual landowners to make management decisions on individual parcels.

The plan states that there are no federally listed threatened or endangered species currently known to be permanent residents of the Valley. Although the wintering range of some bald eagles does extend into the Valley, there currently appear to be no controversies brewing over this issue.

Plan Heading: Cultural Resources

Issue: Preservation of Cultural Resources

As is so often the case in local areas, the number of residents in the Valley who have taken an active interest in the preservation of cultural resources is rather small. As was noted in Section 5, the Heritage Alliance serves as an umbrella group for those who do have such an interest. Aside from apparent miscommunications and resultant misunderstandings concerning the placement of the Damascus Baptist Church on the National Registry of Historic Places and the local inconvenience resulting from the extended closing, during construction, of the Roebling Bridge, cultural resource preservation appears to be noncontroversial from the local perspective.

Plan Heading: Water Use Program

Issue: Trespassing and Littering, Visitor Behavior

Concern with the negative effects of visitation to the area has been apparent since the BOR era. As the Chronology Section indicated, in the late 1960s and 70s many riparian land owners were at wits end in dealing

with the issues. The interview data indicates that all but the most ardent NPS opponents seem to agree that the agency's presence on the river and that of the National Canoe Safety Patrol in combination with funding for police and garbage pick up have made a significant difference in relieving the problems. One of the primary causes of the problem was the lack of public rest stops. A typical canoeist had no choice but to trespass in some stretches of the river if a rest was needed. The plan calls for the provision of rest stops and access points. There is also evidence of increased cooperation between the agency and the canoe liveries with respect to educating river users and reminding them about the rights of private landowners. At present it seems from the local standpoint that the "corner has been turned" on this issue but that it will require continued future attention.

Plan Heading: Water Use Program

Issue: River Safety

River safety may seem to be more of an issue with respect to the visitor than it is to the community resident. However, it should be noted that community residents are often involved when a drowning or near-drowning occurs and many have taken an active interest in the issue.

The number of drownings have decreased dramatically during the agency's tenure in the area. Local observers attribute this to a combination of NPS river patrol enforcement efforts, the work of the National Canoe Safety Patrol and increased attention to the matter by the canoe liveries. Some individuals interviewed felt that additional cooperation between the NPS and local search and rescue organizations would work to the benefit of everyone involved.

Plan Heading: Water Use Program

Issue: Viability of Canoe Livery Businesses

Livery operators interviewed stated that a chief concern for them with respect to the federal presence is the continued viability of their businesses. Early in the process many were worried about what they would see as excessive governmental regulation. Negotiations in the process of "hammering out" the water use guidelines have addressed many of their concerns. Some operators remain wary, however, of positions the Council may take in the future on issues related to their businesses.

Plan Heading: Upper Delaware Land and Water Use Guidelines

Issue: Effects of Land Use Regulation on Property Rights, Land Values and Local Tax Base

The issue of land use regulation has been at the center of the conflict over the Upper Delaware from the beginning. The old River Associations felt that zoning was preferable to no federal presence or to large-scale federal land acquisition but later NPS opponents did not agree. The agency has sponsored independent studies which have concluded that the land values and the local tax base are not likely to be negatively affected by the proposed management scheme while opponents challenged the conclusions. The passage of time, of course, is ultimately the only sure way to judge their validity.

The issue of zoning as an infringement of property rights or personal freedom is, of course, a largely philosophical issue and one which will likely be the subject of debate in the Valley for years to come.

Plan Heading: Upper Delaware Land and Water Use Guidelines

Issue: Preserving the Character of Local Communities

The "character" of a community is a very difficult attribute to define, and different people in the Valley have predicted different effects of the federal presence on community or Valley character. At one extreme is a commentary which was published during the height of the controversy in several Valley newspapers by Andrew Boyer who predicted that the federal presence would eventually rob the Valley of its economic and social vitality rendering it a lifeless shell of its former self. On the other extreme are those who are concerned that unrestricted commercial and residential development could destroy the beauty and rural charm of the Valley.

An important fact to bear in mind is that the Upper Delaware Council, if it works as it is designed in the Plan, stands to have a great deal of influence on what is envisioned to be a mutual adjustment process between the towns and the federal government. If all sides remain flexible in their dealings, it would appear that the communities will have a great deal of influence over their own destinies.

8. LESSONS LEARNED AND RECOMMENDED STRATEGIES FOR FUTURE AREAS

"Hindsight's 20-20 and I'm nearly goin' blind."

Randy Travis

An observer not familiar with the internal dynamics of the Upper Delaware situation might reach the conclusion that the federal designation was an experiment that failed. Such an observer might conclude further that the conflict over the Upper Delaware is evidence that a cooperative planning process or, more generally, arrangements whereby federal land agencies attempt to establish a presence in already inhabited areas without wholesale land acquisition are unworkable. We would suggest that the evidence collected for this study suggests neither conclusion. Rather, we would argue that the Upper Delaware has every chance of success and has taught some valuable lessons which should be considered in designing and implementing future federally designated areas. Specifically, we would suggest the following:

Lesson 1: There is ordinarily little in the typical training or background of an NPS manager or planners to prepare him/her for negotiating or dealing with local communities. Training and experience in natural resources administration emphasizes what Samuel P. Hays (1959) has termed a "technical rationality" complete with a specialized language and way of thinking and systematic, goal-oriented, linear approaches to problems. Dealing with local community residents who often do not share this language and view of the world requires a reorientation of thinking, an ability to translate ideas across what amount to cultural boundaries and to creatively arrive at compromises and

solutions to problems not faced in a traditional park. It is important, therefore, that agencies appropriately select and train managers for nontraditional assignments. It would also be useful to attempt through training or other means to take advantage of the experience and insights of those managers who are veterans of such assignments.

Lesson 2: The process of establishing mutual understanding and respect with all groups of community residents who have a stake in federal designation planning or regulation is challenging, time-consuming and painstaking. It is easy to make the mistake of assuming that if the most visible and articulate members of such communities are "on board" that the rest of the community residents will follow. A reasonably thorough, well-grounded, understanding of community structure and dynamics should be considered a prerequisite for establishing successful cooperative planning and management of an area. There is no good substitute for extensive face-to-face interaction and active listening in acquiring such an understanding.

Lesson 3: Formal public meetings are usually a necessary but certainly insufficient means for communicating with community residents and seeking their "input." Such meetings serve important symbolic and legal purposes but in many cases residents find them intimidating, confusing or both. It is particularly questionable in a local community setting to assume that all interests will appear and be heard on any particular issue. Some groups simply lack the experience or inclination to participate in such meetings and some may be slow to understand the salience of a

meeting or even of a planning process for their lives and for their interests. Other more aggressive or articulate groups may successfully dominate the agenda of such a meeting. If a reasonable "balance" of interests is desired in a particular situation it may be necessary to actively seek out non-meeting goers to ascertain their views or interests on any given issue and to encourage them to participate.

Lesson 4: Misconceptions and misinterpretations are common and potentially damaging to agency - community relations. Such are often the product of language and cultural barriers and can result in frightening and destructive rumors. They can best be remedied by establishing and maintaining strong communication linkages and an atmosphere of openness between agency and community.

Lesson 5: Planning is an inherently political as well as technical process when viewed from a community member's perspective. Avoidance of unnecessary conflict can perhaps best be achieved by approaching a planning process with sensitivity to local values, views and levels of knowledge and experience. The political nature of such processes may require abandoning a preset timetable and deadlines and negotiating issues which may appear pointless or obvious to an agency planner.

Lesson 6: It is best to attempt to avoid dealing with more than one divisive issue at a time in establishing a new area. If difficult issues can be postponed or at least dealt with sequentially, the probability of establishing some "common ground" with community residents is greater.

Lesson 7: It is important that managers, planners and others representing the federal government are all "on the same team." Any intermural differences or conflicts should be quickly resolved through the effective use of leadership.

Lesson 8. Trust is easier to destroy than to build. It is far more "efficient" to work to build trust and credibility early in an agency - community interaction than to attempt to reestablish them after a conflict.

Each of these lessons was learned "the hard way" on the Upper Delaware. They are offered here as a guide to future managers and planners of similar areas. We will argue further based on our interpretation of the experiences of the Upper Delaware that one of two strategies be followed in designating and establishing similar areas in the future.

Strategies for Future Areas

Strategy 1 - Cooperative Planning & Management

Cooperatively planned and managed areas present a particular challenge in terms of agency - community relations because property owners are typically asked to give up certain development rights in return for the common benefits of maintaining a presumably high-quality, esthetically pleasing environment. This arrangement requires a strong consensus of property owners involved or runs the risk of being seen as a "taking" of property rights without just compensation. It is recommended, therefore, that in future cooperative efforts, a planning process be carried out in advance of any formal legislative designation. If such a planning process fails to forge a consensus, a recommendation can be made based, in part, on local sentiments, to either drop the area from consideration or to pursue

some other means of preservation. This arrangement would prevent the kind of fears and political pressure which occurred on the Upper Delaware and allow for freer interactions between planners and local people in arriving at agreements concerning protection strategies.

Strategy 2 - Other Areas.

In areas proposed for some form of federal designation where federal land acquisition is appropriate but yet some form of cooperative existence with local communities is desired, an alternative strategy is suggested. The first step in such a strategy would be a careful analysis of local sentiments concerning designation prior to formal designation. This analysis should include extensive face-to-face interviews with a cross section of community leaders and residents. The results of this analysis should be transmitted to Congress or the appropriate authorizing body. If the decision is made to authorize the area, the second step would be the assignment of a small staff of managers carefully selected from the authorized agency. Such selection should be on the basis of personal flexibility, interpersonal skills and ideally, successful experiences in interacting with local communities. Such managers should operate initially on the basis of very minimal interim regulations and should be directed to focus attention for a five-year period on assessing the resources of the designated area and carefully building relationships and mutual understanding with local residents and other relevant parties. At the end of the five-year period, formal planning can be carried out and management programs developed.

The advantages of this strategy are that the planning process would be "grounded" on acquired knowledge of the resource and the local population and the local response and participation in the planning process would be

informed by local residents' experience and knowledge of the agency. This approach might require some modification if it appears that irreversible degradation of resources could be reasonably expected to occur in the five-year interim period.

Conclusion

The era of the setting aside of national parks and other natural areas in remote undeveloped areas of the U.S. is largely over. New set asides are more and more likely to be in areas where communities already exist and the growing trend is to attempt to maintain the integrity of such communities while preserving the natural resources in the areas. Additionally, many existing national park areas are witnessing community development around their boundaries. The park manager of the future will be more and more likely to find himself or herself faced with interactions and the necessity of reaching accommodations with local communities. The lessons of the Upper Delaware thus seem relevant on a national scale to a broad range of park managers and community residents alike.

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APPENDIX

Appendix 1. Community-Based Groups and Issues of Concern

Issue	Private Sporting Interest (i.e. hunters & fishers)	Opposition Groups (i.e. the ILA Coalition and Alliance)	Environmental Groups	Riparian Land Owners	Local Government Officials	Cultural Resource Interests	Search and Rescue Interests	Commercial Recreation Interests	Extraction Interests (i.e. logging, bluestone quarrying)	Agricultural Interests
Role and Effectiveness of Upper Delaware Council	x	x	x	x	x	x	x	x	x	x
Litigation Against Local Officials					x					
Use of Eminent Domain		x	x	x	x			x		x
Logging Practices									x	
Bluestone Quarrying			x		x				x	
Boundary Location and Meaning	x	x	x	x	x	x	x	x	x	x
Water Flows and Quality	x	x	x	x	x		x	x		
Cortese Landfill		x	x		x			x		
Dams or Water Impoundments on Tributaries	x		x	x	x					
Wildlife Habitat	x		x							
Preservation of Cultural Resources						x				
Trespassing, Littering, Visitor Behavior	x	x	x	x	x		x	x		x
River Safety	x			x	x		x	x		
Viability of Canoe Liveries								x		
Effects of Land Use Regulation on Property Rights and Land Values		x		x	x		x	x	x	x
Preserving the Character of Local Communities		x	x	x	x					

Note that community groups are listed categorically rather than individually and that issues which appear to be "settled" (i.e., regulation of hunting and pesticide use) are not included.

