



Connecting Land and Water in the Upper Delaware



Delaware River Watershed Forum
September 25-26, 2018

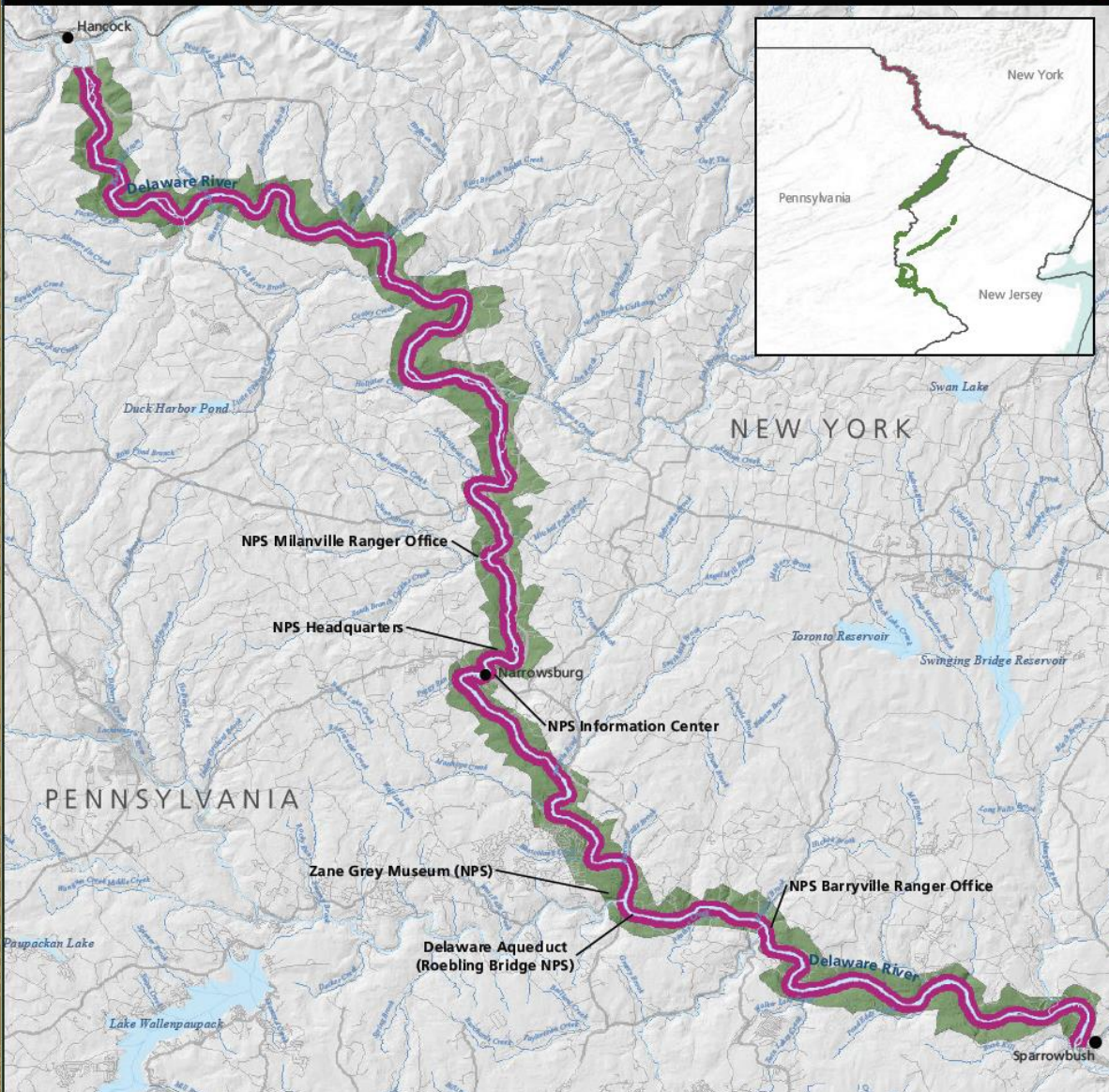


On November 10, 1978 the Upper Delaware Scenic and Recreational River was designated as a unit of both the National Wild and Scenic Rivers System and National Park System.

Upper Delaware Scenic and Recreational River includes 73.4 miles of river between Hancock NY and Mill Rift NY.

Upper Delaware Scenic and Recreational River Pennsylvania, New York

National Park Service
U.S. Department of the Interior

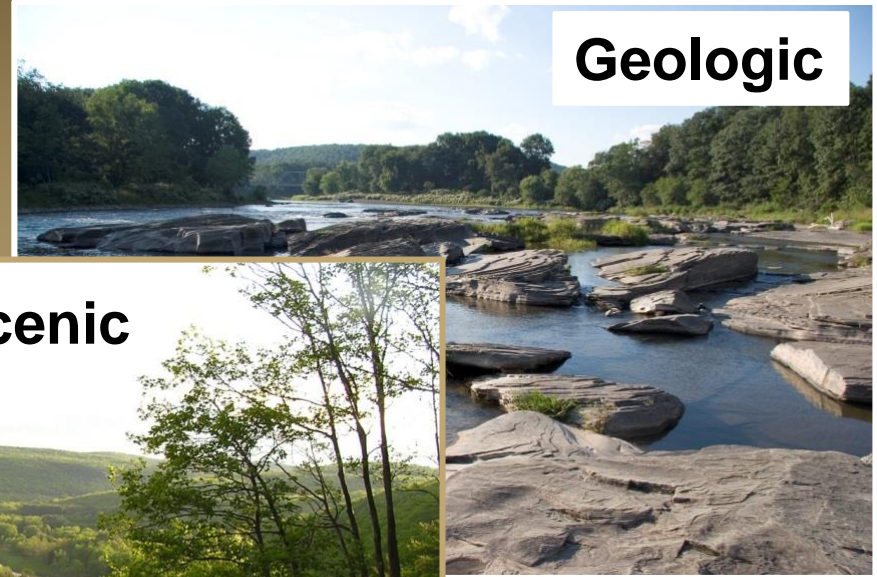


Outstandingly Remarkable Values

Cultural



Geologic



Scenic



Ecological



Recreational



These are the resources and values that we are here to protect and serve as the foundation for planning and management.

3 Different Management Structures

- **Partnership River** – unit of the National Wild and Scenic Rivers System (NWSRS); managed collaboratively
- **Unit of the NPS and NWSRS** – 100% of land in Federal ownership; NPS administered and managed; Delaware Water Gap National Recreation Area
- **Unit of the NPS and NWSRS** - > 95% of land in private ownership; NPS administered and managed collaboratively; Upper Delaware Scenic and Recreational River

Regardless of management structure, NPS has sole responsibility for implementing Section 7 of the Wild and Scenic Rivers Act



Partnership River....OR.....Park....OR ?

- No federal land acquisition or management

- Locally developed river mgmt. plans—approved prior to designation—guide management

- Per RMP - Shared management responsibilities w/ local council and NGOs

- 31 (of >55,000) acres of land within park boundary in federal ownership and managed by NPS; NPS management of the river

- Locally developed river management plan with input and approval from NPS – after designation – guides management

- Per RMP – shared management responsibilities w/local council, 15 local municipalities, 5 counties, 2 states, DRBC

Partnership River....OR.....Park....OR ?

- Preserves existing zoning/land use
- Administration through NPS/local council/NGOs
- Council budget ~ 180k provided by NPS; 1 NPS staff provides support for 1 or more partnership rivers

- Zoning, ordinances, plans, significant projects must conform to a set of land and water use guidelines
- NPS has final authority and responsibility for administering and enforcing the River Management Plan; Council responsible for coordinating and overseeing implementation of RMP
- Council budget of \$300k provided by NPS with 3 full-time staff; NPS budget ~ \$3.3 million with 24 full-time staff

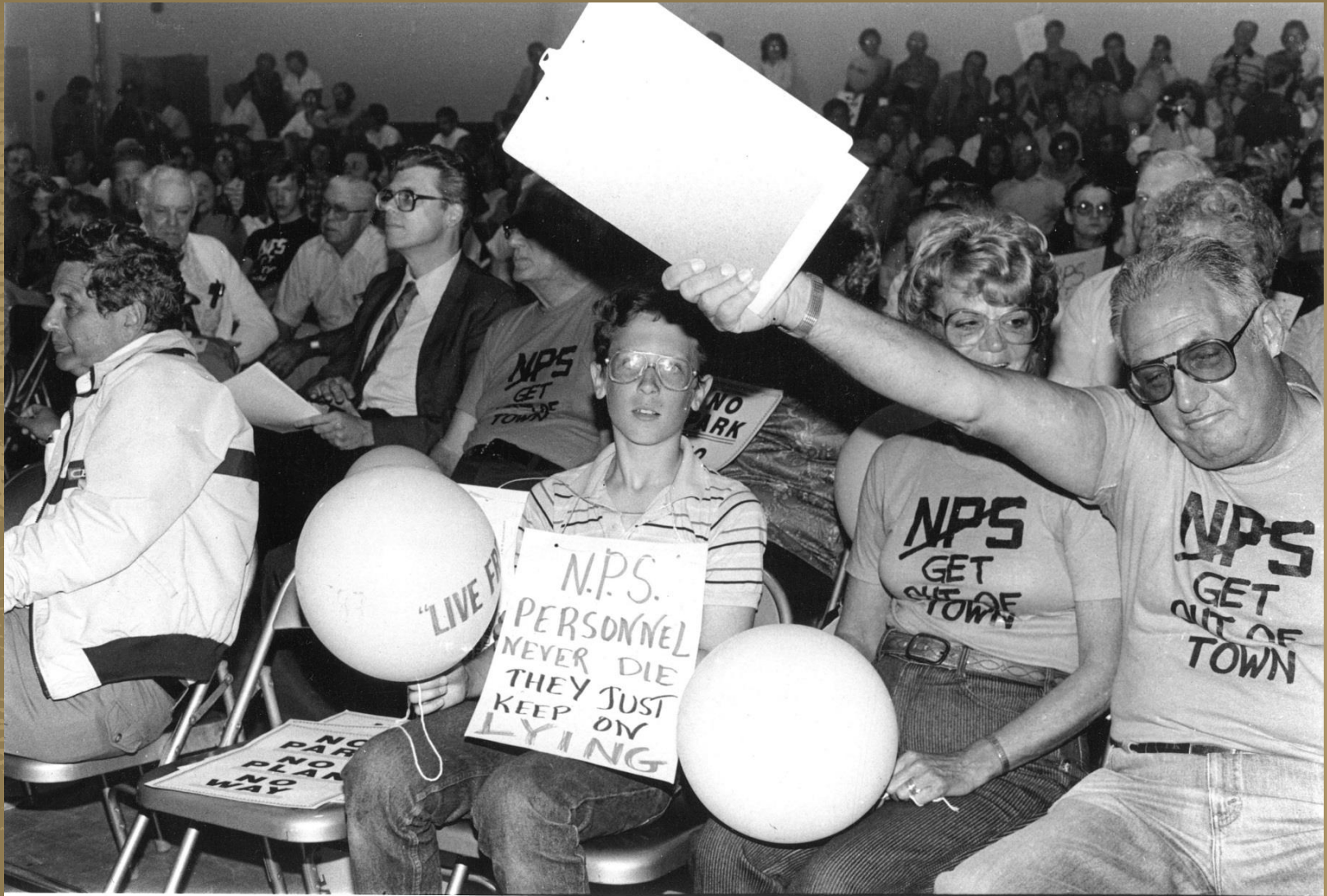


UPDE represents a working partnership dedicated to preserving the “outstandingly remarkable scenic, recreational, geologic, fish and wildlife, historic, cultural ... and other similar resource values that qualified Upper Delaware for inclusion in the National Wild and Scenic Rivers System.”

(Upper Delaware Act P.L. 95-625; November 10, 1978)



The Upper Delaware Deal: The government won't take the land; The people will protect it



Land and Water Use Guidelines: The Law

- ... the Secretary shall publish in the Federal Register general guidelines for land and water use control measures to be developed and implemented by the appropriate officials (Section 704 (b) of Public Law 95-625)
- Secretary shall review all relevant local plans, laws, and ordinances to determine whether they substantially conform to the approved management plan ...and to the general guidelines
- May contract for services needed to carry out this review



Land and Water Use Guidelines

Relate Directly To:

- Objectives of the National Wild and Scenic Rivers Act
- Implementation of the legislation creating the Upper Delaware Scenic and Recreational River.
- Carrying out the purposes of the River Management Plan

All federal, state, and local agencies are obliged to be consistent in their decision-making with the Land and Water Use Guidelines

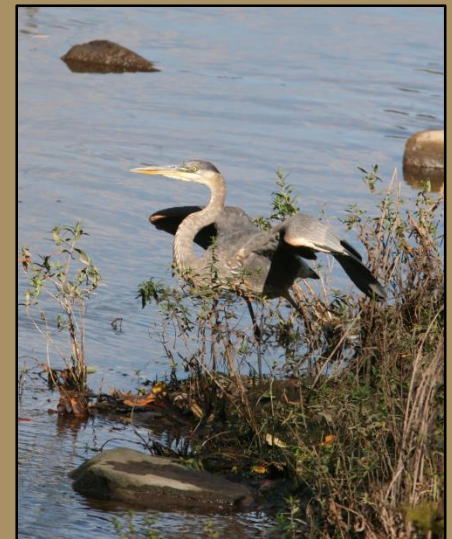
(RMP 1986)



Land and Water Use Guidelines

*The adoption and enforcement of local plans, laws, and ordinances which relate to the protection of river corridor resources will be the **backbone of the River Management Plan.***

- The most basic purpose of these guidelines is to encourage a cooperative approach to land use decisions by all the various agencies, at all levels of jurisdiction, within the Upper Delaware River Valley
- Leaving land use decisions in the hands of local governments is the most important step in building a cooperative working arrangement among all levels of government.



Land and Water Use Guidelines: Implementation

- NPS provides funding to the Upper Delaware Council to review local laws, plans, zoning, ordinances, significant projects and monitor enforcement.
 - Make an initial determination on whether they conform to the Land and Water Use Guidelines
 - NPS makes final determination
- If recommendations are consistent with law, RMP, and LWUG we accept
- NPS has primary responsibility for preventing incompatible land uses within the corridor.



Challenges

Complex planning environment

- multiple stakeholders and conflicting goals
- various planning scenarios with different legal authorities
- high degree of collaboration and communication required

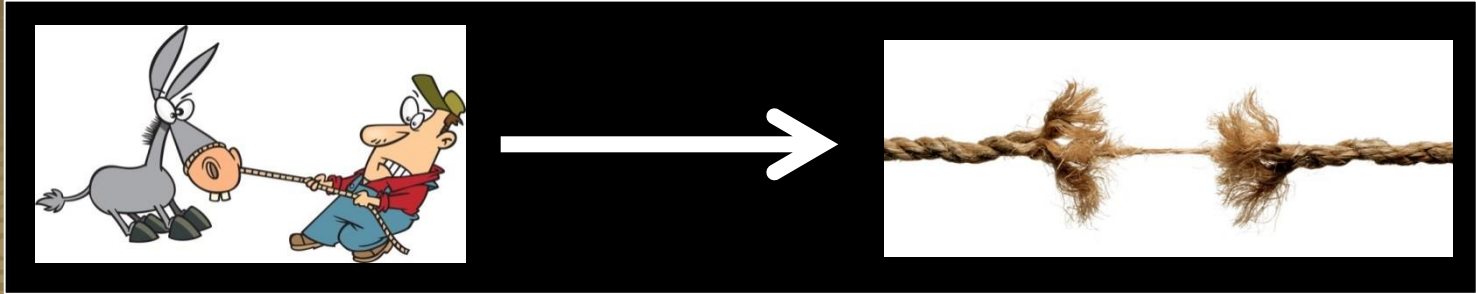
Distrust of federal government and environmental organizations

Key documents (River Management Plan) have not been updated in >30 yrs – e.g. fails to address alternative energy such as solar, wind and natural gas

Education of state, county, local govt and public to improve understanding of resources, authorities and management documents

Lack of outside funding and support

The Solution



1. Find the Rope



2. Pull in the Same Direction

Advocacy

- Support for the Land and Water Conservation Fund and Delaware River Conservation Fund, Del. River Watershed Initiative, etc.
- Flows that support the ecological needs and recreational needs of the Upper Delaware River (e.g. fishery, dwarf wedgemussel, high quality canoe experience)
- Stronger science to support understanding of the ecological and recreational flow needs in the Upper Delaware; Methods and documentation related to scenic resources
- Recognition that Upper Delaware is a “partnership river” and involvement of Upper Delaware Council in communications with other partnership river councils

Advocacy

- More comprehensive approach that includes recognition of the value of unspoiled areas equally with areas that have significant problems
- New York doesn't recognize the Upper Delaware as a Wild and Scenic River – not state-designated and no recognition of federal designation
- Consistency across state lines – fishing regulations, state planning regulations, etc.
- Be an active citizen! Land use is decided at the local level and it must be a reflection of community values.





**Party Time!
50th Anniversary of the
Wild and Scenic Rivers
Act!**