



## **Delaware Valley Conservation Association News**

Collected as of 5.10.21

The Association produced numerous documents and presentations, and many individuals undertook efforts to present their views in various forums, locally and at the State and Federal levels.

In the early years, the Minisink Bull represented a regular local publication. After its end, the DVCA issued its own newsletter series.

Assembled by Jim Alexander from issue scans provided by Sidney Marshall.

(These cover Summer 1975 to Fall 1980. Seeking previous or subsequent issues)

# TOCKS SPELLS POISON

SPRING 1975

## HISTORY... 1984 style

Throughout 1974, the DVCA agitated to save dozens of historic homes in the Tocks area threatened by Corps bulldozers. The year began badly when the Corps demolished the 1750 stone Everitt house-- one of the three remaining homes from Sussex's first village, the Village of Minisink. Shortly thereafter, pews, door-knobs, sashes, and bricks started to disappear from Monroe County's historic landmark, the Mt. Zion Lutheran Church. It looked like the church was headed for oblivion.

The DVCA and the New Jersey Public Interest Group sprang into action and filed suit in the Philadelphia district court, to enjoin the Corps from any further demolition, burning, or stripping of historic landmarks. A temporary restraining order was granted and has been in effect ever since.

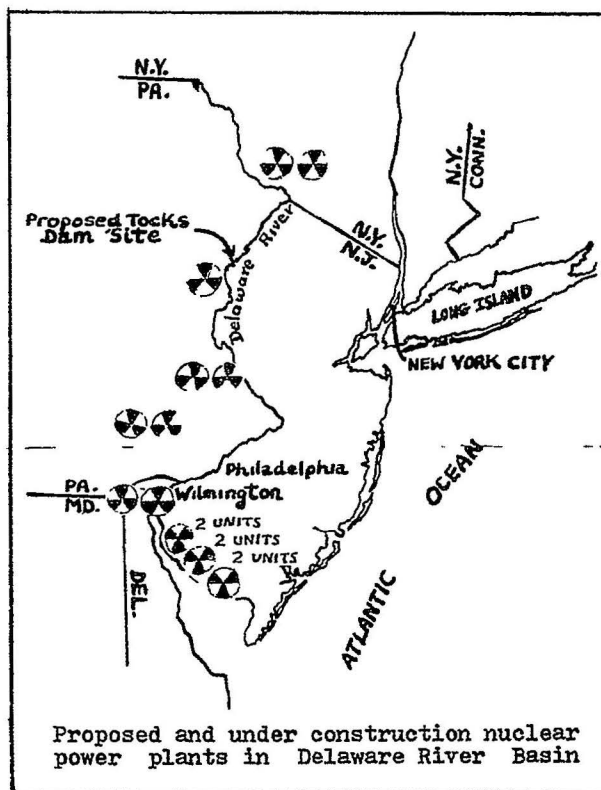
The DVCA, in an attempt to muster support for the valley's threatened heritage, has sponsored two bus tours entitled "A Preview of New Jersey's Bicentennial Demolition". Both tours-- one for the press and a second for local free-holders, county commissioners and mayors-- featured lunch at the 1725 Abraham Van Campen house, currently slated for destruction.

The tour guides, Mina and Marc Haefele, were quick to point out that, while 18th century stone homes in perfect condition were bulldozer targets, 19th century clapboard farm houses of no architectural or historical merit were being moved at vast taxpayer expense to the phony restoration project of Millbrook.

Millbrook is the National Park Service and Army Corps answer to criticism regarding the planned inundation of the valley's history. Look ma, what we saved. Unfortunately, it costs more money to move stone houses, so corn-cribs, sheds, small barns, chicken coops, out-houses, and wooden farmhouses --identical to millions in the State of N.J. and Pa.-- are being moved to this used house lot which looks as silly as a Hollywood movie set.

To add insult to injury, the National Park Service is justifying this expensive program by nominating these ordinary wooden structures to the National Register of Historic Buildings while omitting from the register such homes as the Van Campen Inn where John Adams stayed on his way to the Continental Congress in Philadelphia.

## NUCLEAR STORY UNTOLD



The DVCA testified both in Trenton and in Washington last year that the primary justification for Tocks is to provide cooling water to a conglomerate of fifteen nuclear power plants planned for the Delaware River Basin. Not one newspaper picked up the story.

continued on page two

continued from page one

History repeats itself. Back in 1970 when intrepid ex-DVCA president, Joan Matheson, first started talking about the nuclear connection, nobody believed her. Finally, two years later, an Easton Express reporter broke the story, but politicians feigned surprise and the Corps acted as if nuclear power had just been invented. We called the New York Times but they wouldn't touch the story with a ten-foot pole.

Now times are changing and both the Army Corps of Engineers and the Delaware River Basin Commission are starting to push the energy-crisis button. Meanwhile, the Atomic Energy Commission is stating that only eight nukes are planned for the Basin. Apparently, when TWO 1000 MW units are to be constructed side by side at the same site-- it only counts as one plant!

Recently, the DRBC has commissioned the utilities to do a research project on the cumulative effect of the planned nukes on the ecology of shell-fish rich Delaware Bay. (Why not Dow Chemical researching the effects of napalm or the Corps studying Tocks ?) The DRBC justifies this move on the grounds that they could not find the money to hire anybody else.

It's not the first time the DRBC commissioned the utilities to study themselves. Three years ago, the power companies came out with a study demonstrating that water level fluctuations in the Tocks reservoir caused by the operation of a planned pumped storage unit atop Kittatinny Ridge wouldn't hurt fish at all. In fact, the study concluded that the fluctuation "might be beneficial for fishery management".

➡ don't just read, DO something ! ⬅

Outraged by the destruction of historic homes at Tocks? Convinced the Army Corps cannot do a fair re-evaluation of the dam? Please today write your Senators and Congressman or woman: Senate Office Building, Washington, D.C. 20510 and U.S. House of Representatives, Washington, D.C. 20515

#### FUNDS URGENTLY NEEDED !

If you haven't renewed your membership, please do so now. \$10.00 annual/ \$20.00 sustaining. If you cannot afford full membership, please, at least make us a small donation to help with horrendous costs of mailings, phone bills, stationery, duplications of slide show, press releases, and bus tours. If you want to help further, please fill out the coupon and send it to us and we will contact you when there is an organizing meeting in your neighborhood.

#### LIVE IN PORT JERVIS? MILFORD?

Did you know that most of the expected 3000 to 8000 acres of Tocks mudflats will occur north of Milford? that 10 miles of "protective" dikes will ring Port Jervis and Matamoras? Come see maps, discuss WHAT TOCKS WILL MEAN TO YOU. Public Meeting. Tuesday, March 18, 8:00 p.m., Delaware Valley High School Route 209 between Milford and Matamoras.

#### Joe Evins thwarted by DVCA

In a surprise maneuver last May, Joe Evins (Chairman of House Subcommittee on Public Works Appropriations) decided to mark up the Tocks bill with CONSTRUCTION funds-- despite the fact that Russell Peterson (Chairman of the Council on Environmental Quality) had recommended no construction pending resolution of drawdown and eutrophication problems in the Tocks reservoir. The DVCA went into high gear, and in cooperation with Friends of the Earth, N.J. Sierra Club, N.J. Humane Society, and N.J. Public Interest Research Group, sent out a series of alerts requesting that protest telegrams and letters be sent to area representatives and senators. Within a few days, over 200 letters had arrived on every area congressman's desk. Senator Harrison Williams' aide frankly admitted that it was because of this mail that the Senator was willing to join the other area senators urging that construction funds be deleted from the bill and that a \$1.5 million re-evaluation of the project be initiated. Eventually, all the senators from the four states due to "benefit" from Tocks came out for the study-- with the exception of Senator Hugh Scott of Pennsylvania.

DVCA members should be proud. If ever citizen pressure was shown to be important, last June was the proof. As Margaret Mead has said, during a time of apathy such as the 70's those who speak up are highly visible and more likely to be heard because so few people are shouting.

Unfortunately, DVCA pressure to assure that the \$1.5 million study was conducted by the Council on Environmental Quality or the Environmental Protection Agency--as had been the original intention of Senator Clifford Case of N.J.--was a failure.

The proposal for a fair, independent, impartial study lost out to committee politics and lo and behold the \$1.5 million re-evaluation was handed over to the dam's main proponent, the Army Corps of Engineers. We are still wondering why Senator Case and the other Senators agreed to let the fox into the chicken coop.

## NEW YORKERS :

Your new governor, Hugh Carey, has not yet taken a position on Tocks. Please write his commissioner of environmental protection, Ogden Reid, and request the governor to oppose Tocks. New Yorkers will pay heavy taxes for sewage treatment facilities in N.Y. counties directly north of the dam-- facilities designed to slow down the eutrophication process in the reservoir.

If Tocks is built, New Yorkers will lose forever a valuable, irreplaceable natural resource only 1½ hours away. The surprisingly wild and wonderfully untouched scenic Delaware River and valley could be a resource for future generations or a muddy algal swamp for motor boaters. Let the governor know how you feel.

WRITE: Ogden Reid, Commissioner, Department of Environmental Conservation, 50 Wolf Road, Albany, New York, 12205.

RIVER KILLERS FREE

Martin Heuvelman's shocking documentation of Corps' wanton destruction of rivers, lakes, and estuaries across the land is sent free to any who make a \$25.00 donation or more to the DVCA. This Stackpole hardbound book which retails for \$8.95 is a must for dam fighters and concerned citizens. Available on a first-come first served basis.

## NATIONAL PARKING SERVICE

The DVCA lost round one against the National Park Service on January 27, 1975. The United States District Court in Philadelphia denied the Association's plea for a temporary restraining order to prevent Park Service plans to start building a \$ one million headquarters complex. The DVCA opposed construction on the grounds that an environmental impact statement had not yet been filed, nor a Master Plan for the proposed Tocks Island Recreation (Wreckreation?) Area prepared. Obviously, the headquarters building would be a integral component of such a plan.

The DVCA believes that the National Park Service should comply with the National Environmental Policy Act--which requires the filing of impact statements on major federal action--just like any other federal agency. The DVCA wonders just when, in fact, NPS will finish a Master Plan for the Recreation Area.

Already about \$47 million of the taxpayer money has been spent by NPS at Tocks on land acquisition, parking lots, asphalt overlooks, "scenic" roads and an information center--complete with pro-Tocks glossy color photos. And still no environmental impact statement!

And now we have just heard that NPS plans for more asphalt. President Ford's 1975 budget included funds for construction of a road to give car-dependent tourists a chance to drive right up to the Appalachian Trail atop Mount Minsi in Pa. Hikers and back packers beware.

student membership only \$ 2.00

## THE MINISINK THANKS...

Helen Walther who hand painted eighty posters for the April 23 Trenton demonstration/ Sandy MacDonald who held Tocks Complaint Clinics for aggrieved landowners/ Don Wilson, Tom Wolfe, Sid Marshall, Bob Humbert, and Scott Heist who gave us splendid Tocks Spells Poison slides/ Stephen Sills who wrote more Tocks protest letters than anybody we know/ Nancy Shukaitis who set up the Four County Task Force/ Marion Masland who faithfully attended every DRBC hearing/ Jean Zipser who baked bread for the press and opened her house for historic tours/ Larry Rymon who publicized the fate of furry friends at Tocks/ Tom Garrett who mobilized the New Jersey Humane Society/ Brent Blackwelder who taught us so much about the Washington political scene/ Marc Haeefe who encouraged his wife/ each and every one of you who helped in so many important ways to keep the valley above water

DELAWARE VALLEY CONSERVATION ASSOCIATION  
BOX 159 STILLWATER NEW JERSEY (201) 581-2225

## I WANT TO HELP coupon

NAME.....

ADDRESS.....

TELEPHONE.....OCCUPATION.....

Please circle activity which interests you most:

- |                                      |   |
|--------------------------------------|---|
| <input type="checkbox"/> research    | <input type="checkbox"/> citizen organizing   |
| <input type="checkbox"/> lobbying    | <input type="checkbox"/> petition circulating |
| <input type="checkbox"/> clerical    | <input type="checkbox"/> guide for bus tours  |
| <input type="checkbox"/> lecturing   | <input type="checkbox"/> art projects         |
| <input type="checkbox"/> photography | .....   |



## Fox in the Chicken Coop

Dam opponents have their work cut out for the next five months. It is highly likely that the Corps-sponsored, Corps-directed study--for all its window-dressing of public hearings on the scope of study and citizen advisory councils, will support Tocks or some version thereof. The study --due in on August 28, 1975--might endorse a deferred project (a good way to get rid of the opposition) or a somewhat smaller Tocks dam, but knowing the Army Corps --the study can't come out against the largest Corps project in the northeast.

A \$1.5 million re-endorsement of the project will make it easy for fence sitters in Congress to move over into support and hard for them to support de-authorization. The \$1.5 million study may also seriously undermine our chances for a successful NEPA (National Environmental Policy Act) court suit because allegedly alternatives will have been adequately studied. It is therefore necessary for dam opponents to organize aggressively throughout New Jersey, Pennsylvania, New York, and Delaware to assure enough citizen opposition to make Tocks unpalatable for the politicians to support --no matter what the study says. DVCA has started state-wide organizing in the state of N.J. in cooperation with New Jersey Public Interest Research Group (PIRG) and hope to soon turn our efforts to our states. We are trying to set up meetings and lectures at as many universities, schools, community groups, and environmental organizations as possible.

MOVING ? Please send us your new address

## Tocks Spells Poison slide show available

Looking for a program? Environmental and citizens groups, teachers, exhibit planners! Sponsor a Tocks Spells Poison slide show. Eighty vivid color slides showing threatened Delaware River and Valley plus a devastating look at Army Corps reservoir disasters in the midwest. Script provided.

Rental fee and handling: \$10.00 suggested

## DVCA sparks GAO investigation

After two years of documenting cases of unfair and unequal treatment of local landowners by the Army Corps, the DVCA finally persuaded Congressman Joseph Maraziti to ask for a General Accounting Office (GAO) investigation in June, 1974. The GAO was to investigate the case of the landowner whose rocky steep property was awarded a high price even though it was located directly underneath high tension power lines; of the island inside the Tocks taking area bought by a consortium of real estate men, lawyers, and funeral parlor directors who then made a \$253,400 gain on the sale to the government; of the elderly lady who had received only \$13,500 for her two bedroom home, couldn't find replacement property, and had been offered a trailer by the Army Corps Relocation and Assistance Office. These were just a few of the cases the GAO was looking into. Rumors of the finished report are that it is a whitewash but we haven't yet been able to pry loose a copy.

DELAWARE VALLEY CONSERVATION ASSOCIATION  
BOX 159 STILLWATER NEW JERSEY 07875  
(201) 581-2225

To:

First Class Mail

# TOCKS SPELLS POISON

SUMMER 1975

## Worse than Lake Erie

According to Dr. Shapiro, a eutrophication expert from the University of Minnesota employed by the firm of Madigan-Praeger, water quality at Tocks will be such that a swimmer will not be able to see his feet once the murky water reaches his knees. Unintentionally driving a nail into the coffin of Tocks, Dr. Shapiro said, "Lake Erie is in far better shape than the Tocks Island Reservoir would be."

The Madigan-Praeger report has thoroughly discredited the idea that Tocks will be a mecca for tourists. According to the consultants:

- "The valley of the Flatbrook will, once the impoundment is created, probably be a backwater."
- "The warmer water and high total phosphorus concentrations will probably sustain a sizeable bloom of bluegreen algae and dinoflagellates...from early spring to late autumn."
- "Eutrophication would manifest itself in dense growths of macrophytes along the shallow portions of the lake."
- "It is possible that sandy beaches may be colonized by periphyton algae species thereby becoming slick and unsightly."

All of these predictions are particularly damning to the dam, since currently 44% of the benefits are attributed to recreation. The DVCA has long been arguing that the project would, in fact, be a recreational "minus". If the recreational "benefits" are subtracted from the cost-benefit ratio, as they should be, the project is no longer economically viable.

## TOCKS DECISION SOON

The four basin Governors from N.J., Pa., Del., and New York will have an executive meeting around August 8 to reach a consensus regarding the Tocks Dam project. It is of critical importance for all concerned to write the Governors TODAY and ask them to oppose

-continued page 4

## 3 Cases Investigated

...out of 52

After two years of publicizing land acquisition abuses in the Tocks taking area, the DVCA and concerned citizens persuaded former Congressman Joseph Maraziti to ask for an investigation by the General Accounting Office. The inquiry was to have been of 52 cases of "unfair and inequitable" treatment of landowners presented by the DVCA.

The GAO, however, decided to interview only four of these cases and pulled the files on only seventeen. Three of those interviewed were leasees in the area or still awaiting financial payment from the Corps and thus apparently too terrified to talk. The GAO, in addition talked to the Corps about the 17 and examined the Corps files.

Several newspapers ran editorials calling the report a "whitewash" while Maraziti and the DVCA called for further investigation.

Evidently the examination was cursory, at best, and sloppy, at worst. In one instance, the GAO challenged the contention that a goat farmer had been denied a lease-back on pasture for his goats, stating that the individual was an antique dealer with no interest in animals. The antique dealer was known to the DVCA and indeed did not want pasture for his antiques but, obviously, somebody pulled the wrong file, exhibiting a carelessness one would not expect from the GAO.



## MEMORY LAPSE ??



At the May 22 Trevoise hearing on Tocks, the DVCA raised the issue of whether there had been any collusion between the then Governor of New Jersey, Robert Meyner, husband of current Congresswoman, Helen Meyner and NJ PW and Light.

Mina Haefele, DVCA president, pointed out that the Worthington tract had been sold by Governor Meyner to the power company 14 years ago, 18 months before the Tocks dam legislation was passed. Thus, if the huge pumped storage project is dependent upon Tocks, then NJPW&Light was back in 1961 "indulging in a risky speculation or had knowledge" that the dam legislation would pass. If pumped storage is not dependent upon the dam, then it has no business in the c/b ratio.

The New Jersey Herald promptly contacted the ex-Governor whose memory of the transaction apparently differed from deed books on record in the Belvidere court house.

Robert Meyner as quoted in the New Jersey Herald, May 23, 1975

1) "Talk of pumped storage came later after I left office".

2) Meyner said there was no tie-in to a major dam project.

3) Meyner implies that the agreement to sell the Worthington tract occurred sometime in 1954, shortly after he became governor and before the 1955 flood.

Agreement of Exchange, March 1, 1961 between Meyner and New Jersey Power and Light.

1) Throughout the agreement signed when Meyner was in office (March 1, 1961) reference is made to "pumped storage hydro-electric project".  
2) Vol 438, page 747 makes reference to building of Tocks dam by a federal or state agency.

3) The Agreement of Exchange was made on March 1, 1961 as is perfectly clear from the deed book.

## ART AUCTION JUNE 28

With plans for a 50,000 petition campaign, slide shows, bus tours, memorial walks on the Old Mine Road and bike tours in the valley, the DVCA needs funds desperately. Come to our art auction, bring a friend, enjoy yourselves. Make a sound inflation-proof investment, and help save the Delaware Valley.

Signed etchings, lithographs, paintings and drawings by such artists as Peter Max, Utrillo, Calder, Chagall, Miro, Norman Rockwell. To be held at Holiday Inn of Port Jervis, Greenville Turnpike, Saturday, June 28. Cocktail preview at 7:00 p.m. Auction at 8:00 p.m. Tickets only \$5.00 per couple.

Support our cause and buy tickets even if you cannot attend. Be a donor \$100, patron \$25, sponsor \$15, receive two free tickets & see your name printed in auction catalogue.

## FREE Save The Delaware Bumper Stickers

Carry the Stop Tocks message across the United States. Make a \$5.00 donation or more to the DVCA and you will receive free of charge handsome green on white sticker saying SAVE THE DELAWARE.

## THE MINISINK THANKS...

Webb Leonard who prevented us from being evicted, allowing us to continue the fight/ Russ Handsman for driving 14 hours (round trip) to get to the Port Jervis hearing/ Jane Pegg for re-organizing the DVCA files/Libby Naisby who alerted the Daughters of the American Revolution/ Charles Komonoff for staying up all night to prepare his pumped storage statement/Sid Marshall for the Minisink Mudflat Scandal/ Barry Allen for mobilizing economists at Penn State and Columbia University/Gari Nosti Bill Constantine, Henry Karpinski, Carol Ryan and countless other avid petitioners/ Muriel Mathez for her analysis of ground water supplies in Sussex and Warren counties / Ivonne Mathez for typing the newsletter

## Minisink Mudflat Scandal

DVCA unveiling of U.S. Geological Survey maps marked to show mudflats expected at Tocks caused a sensation at the April 23 DRBC hearing in Trenton. (This was the first of several hearings on draft chapters of the "re-evaluation" of Tocks being conducted for the Army Corps of Engineers by the consultant firm of URS/Madigan-Praeger, Inc. & Conklin and Rossant).

Every highly paid consultant in the hearing room crowded around to view the maps prepared by DVCA self-made cartographer, Sid Marshall. Ray Tillman, project chief for Madigan-Praeger asked if he could "borrow" the map. Mina Haeefele severely castigated the consultants with their \$1.2 million budget for not having prepared such a map themselves.

The map, for the first time, clearly demonstrated that mudflats and drawdown, previously described by the Army Corps of Engineers as a problem which would be limited to the northern end of the Tocks reservoir, would plague the entire Walpack Valley and Bushkill Creek area. The firm of Madigan-Praeger attempted to discredit the maps and announced that henceforth mudflats would be referred to as "de-vegetated" areas--an announcement that elicited cries of derision from the packed audience.

Overheard in the corridors of the Madigan-Praeger office: the new salinity figures "blows up the dam". Tucked away in Appendix 111 to draft chapter C, is an analysis of the salinity problem which flies in the face of 14 years of pro-Tocks propaganda. Dam supporters have long argued that Tocks is necessary to provide fresh water flows supposedly needed during times of drought to keep water considered too saline to be potable safely downstream from the intakes for the Philadelphia water system. But Madigan-Praeger estimates that an unacceptable saline intrusion has a likelihood of occurring once every 100 to 500 years or not within the lifetime of the dam.

## Petition Campaign Launched

Help us get 50,000 signatures on a De-Authorize Tocks petitions. We have workers in NY, Pa., and N.J. circulating petitions at supermarkets, fairs, environmental meetings, the local hairdresser, organic food stores and the like. PLEASE HELP. Every weekend we have students at Sunfish Pond, the Worthington Tract, and Dingman's Ferry. We have gorgeous Support Your Local River posters available on request. Please note on the I Want to Help Coupon, if you can help--even if its only 20 or 30 signatures.

## NEW OLD MINE ROAD

For months, the DVCA has attacked the National Park Service for purposefully mislocating the historic Old Mine Road. The NPS had claimed -- on maps for park visitors and with historic markers--that the historic road began at the Delaware Water Gap.

The road, constructed by the Dutch in the mid-17th century, was built to take copper from the Pahaquarry mines up to Esopus (now Kingston), then across to the Hudson, down to New Amsterdam (now Manhattan) and across the Atlantic to Holland. This road--the longest oldest road in commercial use in the United States, has become a rallying point for citizens fighting to preserve the history of the region.

The advantage to the NPS of locating the road at the Gap, a full six miles below the road's true beginning at the Pahaquarry mines? If Tocks is constructed, this pretend route would not be inundated. And NPS can claim they are "preserving" the historic road.

A small victory. In early April just after a public hearing at which the DVCA, once again, complained about an "Old Mine Road" historic marker sign at the Gap, the sign was discreetly removed. However, pamphlets handed out by the Park Service at the Delaware Water Gap information center still claim this false route for the road.

What you can do: Write Gary Everhardt, National Park Service. Ask NPS to cease distorting the history of the region. Ask NPS to cease supporting the construction of a eutrophied, mudflat-plagued reservoir at Tocks.

student membership only \$2.00

DELAWARE VALLEY CONSERVATION ASSOCIATION  
BOX 159 STILLWATER NEW JERSEY (201) 581-2225

### I WANT TO HELP coupon

NAME.....

ADDRESS.....

TELEPHONE.....OCCUPATION.....

Please circle activity which interests you most:

- |                                      |   |
|--------------------------------------|---|
| <input type="checkbox"/> research    | <input type="checkbox"/> citizen organizing   |
| <input type="checkbox"/> lobbying    | <input type="checkbox"/> petition circulating |
| <input type="checkbox"/> clerical    | <input type="checkbox"/> guide for bus tours  |
| <input type="checkbox"/> lecturing   | <input type="checkbox"/> art projects         |
| <input type="checkbox"/> photography | .....   |

## YOU PAY

### for NEW YORK and PHILADELPHIA

On May 14, 1974 a group of townships and municipal authorities in Bucks and Monroe counties filed a suit against the Delaware River Basin Commission for its water charges regulations. The suit addresses such issues as the fact that those who will receive the major benefits of water supply augmentation from projects like Tocks are either not paying their fair share, or not paying at all. Thus while basin residents will be asked to pay 4¢ per 1000 gallons for water from Tocks, a major beneficiary of the project, Philadelphia, has been exempted from any water charges whatsoever. This exemption also applies to New York City.

Thus the major metropolitan centers which profligately consume vast quantities of water will have no incentive whatsoever to institute the repairs and reforms which would conserve hundreds of millions of gallons of water a day. (According to a Rand Corporation study, NYC loses over 150 mgd of water per day because of leaky faucets, water mains, faulty plumbing). Back in 1973, when the subject of water charges first came up, Carmen Guarino, head of Philadelphia's Water Supply Board stated that Philadelphia didn't want Tocks, if the city had to pay for Tocks water. So the DRBC, anxious not to lose Philly's support, provided for the unfair exemption.

MOVING ? Please send us your new address

#### Tocks Spells Poison slide show available

Looking for a program? Environmental and citizens groups, teachers, exhibit planners! Sponsor a Tocks Spells Poison slide show. Eighty vivid color slides showing threatened Delaware River and Valley plus a devastating look at Army Corps reservoir disasters in the midwest. Script provided.

Rental fee and handling: \$10.00 suggested

#### TOCKS DECISION -cont. from page 1

Tocks. And get your friends to do likewise. Several of these governors (Byrne and particularly Shapp) have vice-presidential ambitions for 1976 so remember letters from all over the United States will help.

WRITE: \*Governor Brendan Byrne  
State House, Trenton,  
New Jersey, 08625

\*Governor Milton Shapp  
225 Main Capitol  
Harrisburg, Pa., 17120

\*Ogden Reid, Commissioner  
Department Environmental  
Conservation  
50 Wolf Road, Albany  
New York

\*Governor Sherman Tribbitt  
State House, Wilmington,  
Delaware

DELAWARE VALLEY CONSERVATION ASSOCIATION  
BOX 159 STILLWATER NEW JERSEY 07875  
(201) 581-2225

To:

First Class Mail



# TOCKS SPELLS POISON

FALL 1975

## TOCKS HYDRA REVIVES

Inaccurate "Tocks Killed!" newspaper headlines and wishful thinking have caused many dam fighters to assume prematurely that victory is ours. Alas, Tocks is very much alive. Just simmering away on the back burner. Ready to be shifted to full steam ahead whenever the political climate is ripe. Hardly a soul in New Jersey thinks Governor Brendan Byrne has a prayer next election and if a pro-Tocks governor got in...

Furthermore, de-authorizing legislation in Congress is going nowhere. Congressman DuPont who introduced de-authorizing legislation on September 3 appears to be willing to let his bill wither on the vine. (Is this because he is running for the Delaware governorship and doesn't want to antagonize labor and power company interests?) DuPont is not actively promoting the bill, has not sent any dear Colleague letters soliciting co-sponsors or urging support of the bill. In fact, to our horror, his aide is now talking about the necessity for yet ANOTHER STUDY of alternatives to Tocks. Such a study would provide just enough delay for pro-Tockers to work hard and dig deep into their lush campaign funds to get a pro-Tocks governor elected in New Jersey.

Only two co-sponsors---Representatives Millicent Fenwick (N.J.) and Robert Edgar (Pa.)---have put their names on the dotted line. Everybody else is back on the fence. Apparently pro-Tocks lobbying by Frank Thompson plus the Don't De-authorize position of Governor Byrne has done the expected damage.

Contrary to newspaper reports, the New Jersey Governor did not at the July 31 meeting call for the demise of the dam. Byrne just said don't build now but continue land acquisition for a "land bank" so that a reservoir can be built sometime in the future, like tomorrow. Because of the general assumption after the July 31 meeting that Byrne was opposed to Tocks, the governors clarified things in a behind-closed-doors meeting with Sherman Tribbitt of Delaware on August 28. The message was Defer, Don't De-authorize. Governor Carey, to his credit, took no position at this meeting and pro-Tocks Shapp didn't bother to attend.

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## MORE LAND for THE FEDS?

In August, the Four County Task Force passed a resolution in opposition to additional land acquisition at Tocks. (The DVCA strongly agrees--though we think an exception of "hardship" cases should be made. (Just as long as "hardship" cases exclude real estate speculators and outside corporations!))

First, continued land acquisition plays into the hands of pro-dammers. Each additional dime of funding tends to keep the Tocks project alive. Second, already 47,000 acres of land have been acquired at Tocks. We think this enough for a Park. Third, we oppose giving NPS more land until they have a willingness to abide by certain laws.

NPS has not yet complied with the National Environmental Policy Act which requires the preparation of an Environmental Impact Statement on the Master Plan for the area. Since the old reservoir-based plans are obsolete an entirely new plan should be developed and subject to public hearings. NPS also has not yet complied with the rules and regulations of the Historic Preservation Act of 1966, and Executive Order 11506 which involve specific procedures, surveys and public hearings regarding the historical heritage of the valley. We see no reason to give the Park Service more land until they start properly administrating the 47,000 acres they already own.



Doctor DoLittle's Pushmi-Pullyu had trouble making up its mind...like some politicians we know

## Hydra continued

It is obvious that the governors are playing a game of have your cake and eat it too: appear to kill Tocks (for the anti-dam vote) but simultaneously supply vigorous artificial respiration (for the pro-dam vote).

Probably the best and only chance for de-authorization legislation lies on the Senate side of Capitol Hill. Both Senators Javits and Hugh Scott sent letters to the Save the Delaware Coalition in early September saying they would support de-authorization. But when push comes to shove, will they? (Scott was the one holdout who would not support re-evaluation of the project last year). And Clifford Case is talking about introducing a bill. But will he? And when?

### What You Can Do

\*If you live in N. Y., N. J., Del., or Pa. write your senators and request that they introduce de-authorizing legislation NOW. This is particularly important for N.J. residents. Address: U. S. Senate, Washington, D. C. 20510.

\*If you live in these four states, please help us set up de-authorizing committees in key Congressional districts. We will soon be setting up organizing meetings. If you want to attend such a meeting in your neighborhood please send us your name, address, and name of your Congressperson. Remember the Congressional primaries are coming up next June! And we want to make Tocks an issue in each and every contest.

\*Out of staters as well as basin residents write President Ford and ask him to eliminate any and all Tocks funds from the 1976 budget. The president wants to cut \$28 billion from the budget. Tocks is a good place to start. Address: President Gerald Ford, The White House, Washington, D. C.

\*Write Governor Byrne and Governor Carey and ask them to permit sound planning for the region by killing the Tocks Dam for once and for all. Address: Governor Brendan Byrne, State House, Trenton, N. J. 08625/Governor Hugh Carey, State House, Albany, N.Y. 12225.

## Dam Fighters Confab

Over 200 citizen activists, teachers, students from 17 states attended the DWCA-sponsored conference on Environmental, Social, and Economic Impact of Big Dams and Reservoirs. The roster of speakers was superb and the audience packed with highly-informed, dedicated, do-or-die dam fighters. The result was a lot of valuable cross-pollination, excitement, and renewed commitment to keep up the good fight.

Workshops covered a myriad of topics, including Grass Roots Organizing, Techniques of Flood Damage Reduction, Archaeological and Biological Resources Endangered by Reservoir Construction, Land Acquisition: Abuses and Reforms, Current Battles Against the Army Corps of Engineers.

The proceedings of the conference will be incorporated in a workbook designed to help citizen activists and teachers both analyze major water resource projects and effectively combat them, when desirable. The workbook will be available in about two months time. If you have any suggestions of material you would like to see included in the workbook, please write Barry Allen, Box 159, Stillwater, N.J. 07875.

In the meantime,  $\frac{1}{4}$ " tape, appropriate for radio broadcasting, was made of the proceedings. WBAI-FM in New York will be airing selected sections of the conference in January. Try to interest your local radio stations in running a program. We will provide tapes at cost.

## INNER GLOW

Want the inner glow that comes from knowing you are helping to save the scenic Delaware River and valley? Give DWCA membership as a Christmas gift to a special friend. Members receive periodic newsletter, discounts on historic home bus tours, discounts on books, plus that inner glow. We will send Christmas season announcement to recipient of your gift. Only \$10.00 Make check out to Delaware Valley Conservation Association.

## EMINENT DOMAIN under ATTACK

One of the topics most passionately discussed at the Dam Conference was the shocking record of Army Corps and Bureau of Reclamation land acquisition abuses. Conferees repeatedly suggested that a national conference on Eminent Domain was desperately needed. Others urged a full-scale Congressional investigation. As a first step, conferees unanimously passed the following resolution: "All further land acquisition by the U.S. Army Corps of Engineers, Bureau of Reclamation, Tennessee Valley Authority and the Soil Conservation Service shall cease until there is a Congressional investigation, or Congressional oversight hearings are held regarding eminent domain abuses."

It's a long step from a resolution to a Congressional investigation. One of the necessary intermediate steps is preparation of a dossier on abuses throughout the country. If anybody has any well-documented examples of unfair and unjust treatment of landowners, mistreated by any of the agencies mentioned above, please contact the DWCA. However, please do not send us any examples of case histories that fall into category of sour-grapes, personal gripes.

## Annual Meeting

Come one, come all to the Blairstown Municipal Building on December 7 at 3:00 P.M. Help us plan strategy for de-authorization campaign. Elections! Slide-show! Reports from DVCA board members! Celebrate. Don't miss. We need your support.

### let the people stay!

The DVCA strongly supports the idea of multiple ownership in the Park. We have heard too many outside conservationists blithely talking of ousting anybody who lives in a weekend cabin or runs a small farm. This smacks of elitism. Of course, certain additional landholdings may have to be bought to assure reasonable contiguity within the Park, but such acquisition is endorsed only if a balance is achieved between the most favorable design for a park and the least dislocation of bona fide residents.

Certainly, outholdings of private land within the Park can only work if strict zoning regulations are implemented so as to freeze properties in a current use and prevent sub-divisions or commercial development.



Some of the advantages of multiple ownership: 1) Saves the federal taxpayer money. 2) Reduces social and economic dislocation of residents. 3) Benefits small farmer who can continue to farm his land. Currently, original Tocks farmers are kicked off their land which identical land is then leased to outside farmers! 4) Benefits local economy through continued operation of small businesses within the Park---businesses which would otherwise be awarded to outside corporations, who are able to bring in the lowest bid on a concession. 5) Benefits visitors to the area who have choice of rustic inns, local restaurants and small hotels instead of the homogenized, Holiday Inn type of facility. 6) Benefits visitors who pay competitive prices for services in the Park. A recent GAO (General Accounting Office) report sharply criticizes NPS concession policy which favors monopolistic development and high prices at Park facilities. 7) Benefits visitors who can see historic structures preserved in situ. If these structures were not occupied by residents, they would have to be bulldozed or maintained by 24-hour guides for

which NPS does not have sufficient funds. 8) Prevents further erosion of tax ratables on a local level. 9) Prevents total federal control which leaves the door open for a reservoir in the future. 10) Keeps the site for Tocks Dam---the Worthington Tract---in New Jersey state ownership and outside of federal control.

### What You Can Do

If you support the idea of multiple-ownership, write Dennis Drabelle, Department of the Interior, Washington, D. C. 20240. And please send us a copy of your letter.

## NUCLEAR BLACKMAIL

The two giant Limerick nuclear power plants received the green light from the Delaware River Basin Commission (DRBC) on November 5. This is an extremely ominous development.

In March, 1973, the DRBC said that it would wait until January 1, 1977 to determine the adequacy of existing water storage facilities on the Delaware. If, at that time, the DRBC saw the need for an additional reservoir, Philadelphia Electric would "build or cause to be built, at its own expense" the necessary reservoir.

In other words, without Tocks Dam, PE would have to foot the bill for a reservoir which the company estimated might cost \$40 million. Now, why would PE proceed to construction on Limerick without knowing the ultimate fate of Tocks?

Is Philadelphia Electric assuming that Tocks can be re-activated in the future? Is PE hoping to force the Tocks issue by building the nukes now, then sending its customers a friendly message: "Hi, folks! we're awfully sorry but because of those silly birdwatchers that stopped the Tocks Dam, we must shutdown 14% of the time. Now, we don't think you nice customers out there want to see your electric bills triple to pay for the very expensive reservoir we might have to build. We think you'll agree! What's best for PE, is best for you. Build Tocks Today."

If you think this scenario is too nasty to be true, remember the threat of fuel hikes out in Santa Barbara, California that suddenly withered the opposition to off-shore oil drilling? The most effective remedy for this ugly possibility is publicity--lots of it--and de-authorization now.

Meanwhile the Environmental Coalition on Nuclear Power is contesting the Nuclear Regulatory Commission's construction permit given to Limerick earlier this year. The Coalition's lawyer, Lawrence Sager, feels that the

## Blackmail continued

construction permit should examine the environmental impact on the private reservoir Philadelphia Electric will have to construct if Tocks is not built. Thus far, both NRC and DRBC have irresponsibly refused to consider this issue.

## WRECKreation Area or Historic Park ?

Should the already acquired land at Tocks become a National Recreation Area, Wild and Scenic River, National Historical Park, National Park?

What is important about these different categories of Park is, a) the management policies that tend to predominate in each type, and b) the scenic and historic significance given to the region which will play a key role in determining whether a Tocks reservoir is built sometime in the future or not.

Recreation area was dubbed wreckreation area by the DVCA long ago. Wreckreation areas usually emphasize high density, mass recreation. Parking lots, scenic overlooks, new road trailer camp sites, snowmobile trails and motorboat docks are to be expected. Most importantly, a wreckreation area can easily be converted to a reservoir. A wreckreation area suggests that the region is not of great historic or scenic value and therefore it would not be so shocking if it were flooded sometime in the future.

If, however, the important archaeological, historic and natural resources of the

valley have been officially recognized in Washington by the National Historical or National Park designation, it would put up a formidable barrier to future flooding. Furthermore, these categories tend to stress preservation, to emphasize less disruptive activities such as hiking or canoeing.

A hitch is that designation other than wreckreation will require time-consuming re-study, master plans, public hearings. Time for dam supporters to organize against Byrne. If the issue of de-authorization is segregated from the issue of what kind of park comes to the valley, this problem can be avoided. Thus we support de-authorization now, with already acquired lands immediately shifted over to the Department of the Interior, leaving the specific category of park open for discussion and analysis.

### What You Can Do

Write the DVCA. Let us know what you would like to see happen in the valley. We will take your letters to the next planning meeting with the National Park Service. Also send us your name and address if you would like to be informed of the next meeting NPS schedules on this topic.

## Join the DVCA

We can't do it without you. Wishful thinking will not stop the Tocks Dam. Only hard work will, and lectures and bus tours and public meetings and grass roots organizing in four states. We need you and you need us. Join the DVCA, today. For just \$10.00 you will receive newsletter, discounts on historic home tours, on nature hikes, discounts on books, discount on Handbook for Dam Fighters (coming out this winter).

DELAWARE VALLEY CONSERVATION ASSOCIATION  
BOX 159 STILLWATER NEW JERSEY 07875  
(201) 581-2225

To:

First Class Mail

DON'T FORGET ANNUAL MEETING DEC 7

# DELAWARE VALLEY CONSERVATION ASSOCIATION

## DVCA NEWS

Summer 1976

### Co-sponsors of de-authorization legislation

Congresspersons: (N.Y.) Richard Ottinger, Benjamin Rosenthal, Edward Koch, Hamilton Fish, Bella Abzug, Thomas Downey, Herman Badillo, Charles Rangel, Benjamin Gilman, Matthew McHugh, James Scheuer, Edward Pattison / (N.J.) Millicent Fenwick, James Howard, Dominick Daniels, Helen Meyner, Andrew Maguire, Edwin Forsythe / (Other) Pierre duPont (Del.), Robert Edgar, (Pa.), Norman Mineta (Calif.)

Senators: Clifford Case (N.J.), Richard Schweiker, Hugh Scott (Pa.), Jacob Javits, James Buckley (N.Y.), Joseph Biden, William Roth (Del.).

## De-authorization in 1976!

Legislation to deauthorize the Tocks Island Dam has been introduced in both the Senate and the House. Hearings to consider the issue will take place after the July recess in the Senate. House hearings will probably take place later in the summer. A list of current co-sponsors is in the box.

It seems that we have a decent chance of getting deauthorization passed this year. Having seven of the possible eight area Senators as co-sponsors (Harrison Williams of N.J. is the one holdout) helps tremendously.

Aides of all of the Senate members of the Subcommittee have indicated that there should be no problem. However, the controversy over 209 could torpedo the legislation, and if Senator Williams decided to try to block the bill, he could just pass on the word to Senator Randolph Jennings to bottle S. #3106 up in committee. A lot of nasty things could happen to nip deauthorization in the bud.

This is a key year for the bill since we currently have the support of President Ford in the White House. Several of our key supporters for deauthorization are either retiring (Senator Hugh Scott of Pa.), running for another office (Congressman DuPont is trying for the Delaware governorship), or under stiff competition (Senator James Buckley of N.Y.).

In addition, Governor Byrne of N. J. who appears willing to take a neutral stand on deauthorization and not lobby actively against it, is up for re-election next year. If a pro-Tocks N.J. governor is elected in 1977, the whole Tocks battle could revive again. Finally, 1977 is an ominous year because June of 1977 is the date by which Philadelphia Electric is going to have to come up with an alternative to the Tocks reservoir as a means of providing water to its two giant Limerick nuclear power plants.

Given all these factors, deauthorization this year is a must. Anybody interested in travelling to Washington to attend the hearings, lobby or otherwise help us during this critical phase, please contact us immediately. In the meantime, be sure to write to our Congressperson and Senators. Ask them to co-sponsor and to testify at upcoming hearings on Tocks deauthorization.

## CATCH 209

The achilles heel of the Tocks Deauthorization bill is a provision calling for the relocation of route 209. This provision to build a \$100 million highway through scenic glens, over waterfalls and streams of the Pocono mountains crept in, apparently, through the hard work of Congressman McDade of Pa.

When the Tocks dam was first planned, 209 had to be relocated since it would be inundated by the reservoir. Now that Tocks is supposedly on its way to deauthorization, the original justification for rebuilding 209 no longer applies. However, 209, a two-lane highway between Stroudsburg, Pa. and Milford, N.Y. is extremely hazardous, heavily travelled by truck traffic which nobody wants in a park, and STANDS IN THE WAY OF FUTURE CONSTRUCTION OF THE TOCKS DAM.

The scheme to build a new highway is seriously flawed. 1) It will take at least eight years for the new highway to be completed. In the meantime, dangerous traffic on the existing 209 will be compounded by visitors coming to the Delaware Water Gap National Recreation area. 2) The new highway will not be a significant improvement on the old highway since there is not sufficient money in the budget to construct a four-lane, limited access highway. The relocated new 209 will be very similar to the old 209--two-lane with many grade crossings. The highway will be designed according to 1976 specifications and thus graded more safely than the old highway, but is this worth \$100 million? When Pa. Department of Transportation was queried as to how the new 209 would improve the traffic situation, we were told that at least, there would then be two highways, roughly parallel, in the region. 3) None of the necessary traffic studies have been done demonstrating the necessity for the road. The last point of origin and point of destination studies done were in 1963, THIRTEEN YEARS AGO. Since that time the completion of I-80 has radically changed transportation needs in the region. 4) The alternative of shifting the dangerous and undesirable truck traffic to alternate routes has not been studied mainly because the origin and destination studies have not been done. 5) Relocation of 209 will necessitate the buying up of hundreds of additional acres by the Army Corps of Engineers and the Department of Interior, subjecting more residents to the harassments and pain of expropriation. 6) The relocation of 209 will leave the door wide open to the reauthorization of the Tocks Dam two, five or ten years from now. With 209

Continued on Page 4



## Teton Dam COLLAPSES

On June 6, a terrifying 15-foot wall of water, mud and debris swept down the Snake River valley as the just-finished, \$60 million Teton Dam collapsed. As we go to press, the gloomy statistics continue to pile up—at least six dead, 50,000 acres of farmland inundated, 4000 homes washed away, thousands of cows drowned and dozens of communities covered with muck and mud. And damage estimates are now close to \$1 billion.

It is all too tempting and comforting to view the Teton disaster as an isolated freak accident which cannot happen again. But a similar dam disaster can and probably will happen unless elected officials in Washington and the American Taxpayer learn a few lessons from the tragedy.

One lesson is that the judgment of outside independent experts, such as the geologist, Shirley Pytlak, who warned that the Teton Dam was being built on an unsound foundation, must not be ignored by the federal dam building agencies. A second is that the judgment of the Bureau of Reclamation, Army Corps of Engineers or Tennessee Valley Authority cannot be relied upon.

Repeatedly, at dams throughout the country, the dam builders' engineering incompetence and gross negligence of geological and other factors have resulted in near-disasters and enormous cost overruns.

\*Construction on the Corps' Gathright Dam in Virginia was initiated even though proper foundation studies had not yet been conducted. The Corps started to pour concrete and found it was disappearing into limestone caverns under the dam site. (The caverns' existence could have been easily detected if the Corps had used fracture trace analysis.)

\*The Wolf Creek Dam in Kentucky was built on a porous limestone foundation. The dam is now being shored up with a massive concrete diaphragm in order to prevent its collapse.

\*The Bureau of Reclamation's Garrison Diversion canal has collapsed four times and been rebuilt four times due to engineering miscalculations and inadequate study of the geology of the region.

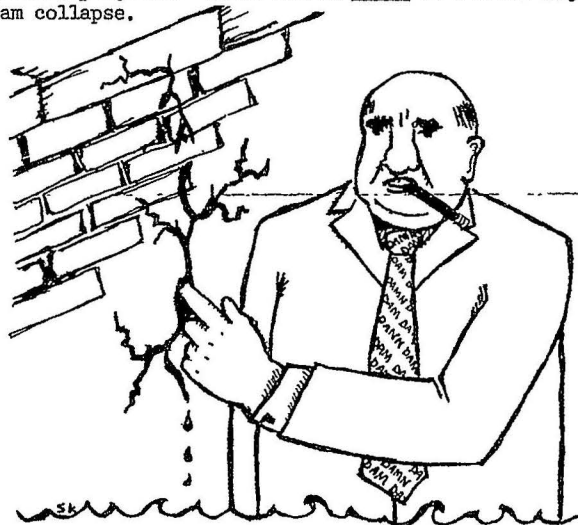
Very often these problems have been anticipated by outside critics whose warnings were ignored. It is clear that there is a need for an independent review board to evaluate big dam projects prior to the initiation of construction so as to give a fair assessment of concerns raised by citizens and outside experts.

It is also clear that a full-scale investigation of what happened at the Teton Dam is in order. The planned investigation by a blue-ribbon panel appointed by the state governor and the Department of Interior (under whose jurisdiction the Bureau of Reclamation falls) is not going to have sufficient independence to make a meaningful investigation.

For Tocks watchers there is cause for considerable concern regarding the geology of the Tocks Dam site. Test borings have been conducted over and over again without locating a satisfactory bottom, the dam site already has been moved once because of anticipated seepage problems, and the problems posed by porous shale and limestone in the Tocks region have never been resolved.

Unfortunately, hitherto dam builders have not cared if engineering problems have suddenly emerged in the midst of construction. The Corps just goes back to Congress for more money, which has been easy to obtain, particularly if construction is already under way. Thus, the Army Corps racks up staggering cost overruns with project costs sometimes increasing by 240%, 488% or even 888%.

It is to be hoped that the Teton disaster will not be forgotten and that people living in communities threatened by dam projects all over the country will bring in outside experts in geology to evaluate all planned projects. There should never be another major dam collapse.



Joe Evins to the Rescue

Before any investigative reports on the Teton disaster had been conducted, Joe Evins, the powerful chairman of the House Subcommittee on Public Works, sprang to the defense of the dam builders. Evins on June 15 announced on the House floor that "above normal precautions were taken to assure the safety of the Teton Dam" and reported that extensive tests by the Bureau of Reclamation had shown that the dam-site "rock was hard and durable and suitable for the dam foundation." As far as Joe is concerned, the dam builders can do no wrong.

## BEHIND THE SCENES

Congressman Frank Thompson has been boasting that the up-coming chairman of the House Subcommittee on Public Works, James Wright, who will replace retiring Joe Evins in 1977, has promised Thompson not to de-authorize Tocks unless Thompson agrees. Thompson, one of the original co-sponsors of the 1962 legislation to authorize Tocks, is adamantly pro-Tocks, and has never for an instant wavered in his vigorous support for the project. We will probably never know whether James Wright actually has made such a promise to Thompson or not, but it is extremely disturbing that Thompson should boast of making this kind of backroom deal to assure the survival of a project that the Council on Environmental Quality, the Environmental Protection Agency, the U.S. Army Corps of Engineers, 20 Congresspersons and 7 Senators are all on record as wanting killed for once and for all.

Congressman James Wright, Democrat of Mississippi, is no relation to the Executive Director of the pro-Tocks agency, the Delaware River Basin Commission.

## NPS VETOES PUBLIC HEARINGS

The National Park Service is currently not planning to hold public hearings on their long-awaited assessment of different park options with and without a dam for the Tocks region. The decision was apparently made by Chester Brooks, regional administrator in Philadelphia. In answer to protests from the Save the Delaware Coalition, Brooks responded that NPS had already received public input at a series of workshops in the fall of 1975, and that opinions presented at those workshops were repetitive anyhow.

So the public is only to be allowed to submit comments in writing during a 45-day response period. We think this is an ill-advised decision. The dedicated citizens who have fought long and hard to keep the 12,000 acres of the scenic Delaware valley above water surely should have the right to comment in public--before the press and each other--regarding NPS plans for the area.

We would hope that NPS would learn from its mistakes elsewhere in the country. Usually, when NPS does not permit meaningful public participation in the planning process, the resulting master plan is so inadequate that it has to be redone--at high cost to both the park service and the federal taxpayer. At Yosemite National Park, after 4 years of labor on a master plan prepared without public input, the plan was so poor that it was thrown out and the planning process begun all over again. Now costs on the Yosemite master plan are close to \$1 million.

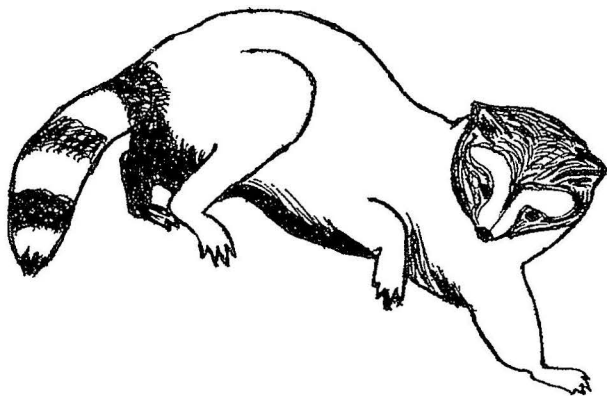
Continued on Page 4

## A Letter Always Helps

U.S. House of Representatives  
Washington, D.C., 20515

U.S. Senate  
Washington, D.C., 20510

National Park Service  
U.S. Department of Interior  
Washington, D.C., 20240



**Book BONUS To New Members !**  
**In Defense of Rivers FREE**  
**to new and renewing members**

## In Defense of Rivers

The DVCA has just published **IN DEFENSE OF RIVERS: A CITIZENS WORKBOOK ON IMPACTS OF DAMS AND CANAL PROJECTS**.

The workbook draws on the experience of dam fighters across the country who have stopped undesirable water development projects. It provides valuable information for the citizen activist hoping to stop the Army Corps of Engineers (or Bureau of Reclamation or Tennessee Valley Authority) / for the elected official who wants to analyze a reservoir project planned for his district / for the environmental education teacher preparing a school curriculum on dams and riverine ecology / for students requiring a bibliography on water resource development.

The 208-page book with photos includes a section analyzing ecological and economic impacts of projects like Tocks Island Dam, Cross-Florida Barge Canal, Tennessee-Tombigbee Waterway and the Garrison Diversion Project.

Authors include such well-known environmentalists as David Sive, Chairman of the Environmental Law Institute; Bruce Hannon, Director of the Center for Advanced Computation at the University of Illinois; David Stansbury, Director of the Museum of Zoology at Ohio State University; and many others.

For activists and educators there is information on how to \* Prepare for a public hearing, \* Obtain a good film for an ecology program on flood-plain management, \* Protect historic and archaeological sites threatened by dam or other construction, \* Use scenic easements to protect a river, \* Organize effectively against the federal dam building agencies and many other important topics.

**IN DEFENSE OF RIVERS** is offered free to new or renewing members of the DVCA. Or at the following rates: 1 copy @ \$5.95, 2-4 copies @ \$5.35, 5-10 copies @ \$4.75. All of the above prices include postage and handling. Teachers or groups wishing special discounts for larger orders should contact the DVCA. Only PREPAID orders will be filled.

Please send me **IN DEFENSE OF RIVERS**. I enclose a check payable to the Delaware Valley Conservation Association, Box 159, Stillwater, New Jersey 07875 for \$\_\_\_\_\_.

Name \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Please send me **IN DEFENSE OF RIVERS** free! I want to join the DVCA and help save the Delaware River and valley. I enclose a check for \$10.

**Catch 209 continued from page 1**

out of the way, there is virtually nothing to stop the Corps from proceeding rapidly to construction on a revised Tocks Dam. We assume this is the reason the Corps has recently stated that they would be happy to relocate the highway. The Corps never does something for nothing. If the Corps--a dam building agency--agrees to build a highway, a dam cannot be far behind.

Please write your Congressperson and Senators immediately and ask them not to authorize the relocation of 209. Instead, request that they authorize a feasibility study including point of origin and point of destination traffic studies, evaluation of regional transportation and alternative ways of meeting them. To authorize the relocation of a \$100-200 million highway prior to the completion of such studies is bureaucratic folly and madness.

**NPS vetoes hearing continued from page 3**

We can only assume that NPS does not want the possible adverse publicity of a hearing covered by the press. In the past, NPS has been strongly criticized for tacitly supporting the Tocks Dam project, for not adequately protecting historic homes, for constructing a headquarters building prior to the preparation of a master plan, and for plans to build a \$1 million highway to the top of the Delaware Water Gap, thereby permitting motorists access to the Appalachian trail. Given this record, we think it is particularly important for any and all planning for the Tocks region to be open to public scrutiny, analysis and participation.

If you agree, please contact your Senators and Congresspersons and urge them to request NPS to have a public hearing on the NPS assessment. Also you might mention that the hearing should not be held on a holiday and should be in a central place like Trenton.

The last public hearing on the Delaware Water Gap National Recreation Area was held in 1975 on Good Friday of the Easter weekend. Short of holding a hearing on Christmas Day, it would be almost impossible to select a more inconvenient day!

**Return the Worthington Tract**

Bill Schluter, who is running on the Republican ticket against Helen Meyner in the upcoming Congressional elections, has taken a commendable stand on the Worthington tract. Schluter, in a recent statement calling for the deauthorization of the Tocks Island Dam, also requested that the entire Worthington tract be sold by the power company back to the state of New Jersey.

When Governor Meyner was in office, 715 acres of a beautiful mountainside tract including the 44-acre glacial Sunfish pond, was sold to New Jersey Power and Light as use for a pumped storage project. The transaction was conducted in secret. It was not approved by the state legislature. When the sale came to light it was bitterly opposed by concerned citizens since the Worthington family had given the tract to New Jersey with the express wish that the land be used as a park. Given the fierce opposition of citizens, the power company returned Sunfish pond to the state but retained about 370 acres of the original Worthington tract.

The power company retained the acreage so that the existing Yards Creek pumped storage reservoir could be substantially expanded. Expansion, however, would entail the construction of a 280-acre reservoir which would be visible from Sunfish, and would require the re-routing of the Appalachian trail. Also the crystal clear waters of Sunfish would be threatened by leakage from the pumped storage reservoir.

Mrs. Meyner, the wife of the former Governor, has not taken a position on the Worthington tract. Hopefully, she will do so now and remove questions of conflicts of interest which have persisted since she first ran for office. Mrs. Meyner was a member of the Board of Directors of General Public Utilities, when she announced her candidacy for Congress, and her husband's law firm has had New Jersey Power and Light as a client. We are glad to report that Mrs. Meyner has taken a position in favor of deauthorization of the Tocks Island Dam, and is a co-sponsor of H.R. #12462. Voters might want to thank her for her position on Tocks Island and request a clarification regarding her position on the Worthington tract.

DELAWARE VALLEY CONSERVATION ASSOCIATION  
BOX 159 STILLWATER NEW JERSEY 07875  
(201) 581-2225

# DELAWARE VALLEY CONSERVATION ASSOCIATION

## DVCA NEWS



WINTER 1977

### Sleight of Hand

Tocks Dam de-authorization hearings held in Washington on July 23 and 26, 1976 brought out all the old dam proponents and opponents. Forty-five individuals and organizations sent statements in support of de-authorization, while only twenty-five sent in opposing statements. The subcommittee on water resources, however, decided to allow only selected persons to testify. In the selection process the numerical superiority of dam opponents was eliminated with an even number of persons testifying for and against the legislation. This legislative sleight of hand clearly benefited dam supporters.

Only a handful of the co-sponsors of the legislation bothered to testify in favor of the legislation. Apparently, behind-the-scenes lobbying by David Bardin, Commissioner of N. J. Department of Environmental Protection who urged people like Congressman Maguire not to testify, paid off. If your Congress person or Senator is one of those who did not bother to testify, please write them. Thank your representative for co-sponsoring the legislation, request that they co-sponsor again this year and that they testify in support of the bill. (Asterisks appear by Co-sponsors who did testify; double asterisks by co-sponsors not re-elected.)

De-authorization legislation will once again be introduced in Congress in 1977.

### Who Killed De-authorization?

If there is one man who is responsible for the demise of the Tocks de-authorization bill, it is Congressman Frank Thompson of New Jersey. After the hearings in the Senate, the bill was tabled in committee in the House by an agreement between Thompson and Robert Jones of Alabama, chairman of the House Subcommittee on Water Resources. Already last Spring, Thompson was freely boasting at a reception at Princeton University that he intended to kill the bill. This boast was published in the DVCA summer 1976 newsletter, but nobody really believed that Thompson was quite so unprincipled.

The boast was that Thompson had made a deal with Congressman James Wright, who was in line for the chairmanship of the committee on public works, not to let Tocks be de-authorized. Now that Wright has become majority leader of the house the boast has a particularly ominous ring. Those who last year did not believe that Thompson would kill the bill had better decide now what to do to counter Thompson's strategy in 1977.

### 1976 Co-Sponsors

Congresspersons: (N.Y.) Richard Ottinger, Benjamin Rosenthal, Edward Koch, Hamilton Fish, Bella Abzug\*, Thomas Downey, Herman Badillo, Charles Rangel, Benjamin Gilman\*, Matthew McHugh, James Scheuer, Edward Pattison / (N.J.) Millicent Fenwick\*, James Howard, Dominick Daniels\*, Helen Meyner\*, Andrew Maguire, Edwin Forsythe / (Other) Pierre duPont\* (Del.), Robert Edgar\* (Pa.), Norman Mineta (Calif.)

Senators: Clifford Case\* (N.J.), Richard Schweiker, Hugh Scott\* (Pa.), Jacob Javits\*, James Buckley\* (N.Y.), Joseph Biden, William Roth (Del.).

It was rumored last year that one reason a number of Congresspersons agreed to co-sponsor the Tocks de-authorization bill was that they had been tipped off that the bill was going to be killed. Thus, the Congressperson could keep opponents happy by co-sponsoring; dam proponents happy with a dead bill.

### WHO SAID WHAT

At the Tocks Dam de-authorization hearings in July there was much obfuscation and scant enlightenment. Some samples of the testimony:

Most mis-leading: Congressman Frank Thompson argued that five years ago Russell Peterson, chairman of the Council on Environmental Quality said the Tocks Dam was "vitally necessary." Thompson did not bother to mention that Peterson has reversed his position and now strongly supports de-authorization. Thompson also quoted a statement by Russell Train, EPA chairman, supporting the Tocks reservoir back in 1969. Again, the Congressman conveniently ignored that Train had come out in opposition to the project since that time.

Most snide: Congressman Frank Thompson in opposing the concept of a park without the reservoir quipped: "Mrs. Fenwick said people can sit around and churn butter or have someone else churn butter."

Most outrageous: Head of the National Park Service, Gary Everhardt, in calling for continued land acquisition by the Army Corps of Engineers, stated: "They have done a tremendous job in land acquisition. They are known in the community. They have a good rapport with the landowners." Landowners who have suffered the terrible abuses of the Corps land acquisition policies should protest this statement loudly to the new NPS head. Everhardt, furthermore, while on the one hand urging continued land acquisition also called for a provision in the de-authorization bill to allow for the "disposal" of excess land--i.e. putting the land up for public bid. Keep buying land boys even though we may sell it at auction later! It is exactly this callous attitude which has caused the DVCA to oppose any further land acquisition until a management plan is developed for the park.

continued on page 2



Who said what continued from page 1

Most pusillanimous: Governor Brendan Byrne of New Jersey who called for no final de-authorization until the 1980's "The proposal to de-authorize now is premature....New Jersey has not yet reached the point where de-authorization is necessary or wise."

Most surprising: Commissioner Goodard of Pa. in opposing the relocation of 209 commented: "I think we have gone through the trauma of displacing hundreds and literally thousands of people for the project. Why displace a lot more people and acquire a lot more land and do a lot more grading and cutting and filling that will do a lot more environmental harm to relocate this highway?"

Most rhetorical: From Harry Boyer, President, Pa. AFL-CIO: "Let not the tunnel vision of those who consider the displacement of a flea an ecological disaster but who close their eyes to massive human deprivation weaken the Congress' will to make possible the great human benefits the Tocks Island project provides."

## ABSENT

Groups and organizations conspicuously absent from de-authorization hearings included: National Audubon Society, Izaak Walton League, Humane Society of the United States, Defenders of Wildlife, Environmentalists for Full Employment, Critical Mass, Appalachian Mountain Club, Environmental Action Foundation, Common Cause, National Farmers Union, Wilderness Society. If you are a member of any of these organizations, please contact your conservation chairmen and urge them to testify in person this year or to send us a written statement which we will submit into the record.

## EPA ATTACKS 209

On November 11th the U. S. Environmental Protection Agency strongly attacked the Army Corps of Engineers draft environmental impact statement on 209. EPA stated that possible alternatives had not been given sufficient consideration and environmental impacts were not adequately described.

EPA, noting the tie-in between 209 and Tocks, recommended that "construction of this road should not be initiated until an affirmative decision is made regarding the Tocks Island Lake Project, or until a directive is issued to construct the entire road regardless of the decisions on Tocks. Furthermore, we do not believe that the project should be initiated with the construction of Bushkill Bridge. In the event that construction were halted, there would be no access to the road, and it would serve no useful purpose." Currently, the Corps plans to start construction on a bridge over the beautiful and undeveloped Bushkill river in the spring of 1977.

EPA also suggested that the alignment of the highway be changed to avoid "highly scenic areas" such as Adams Creek Gorge and to skirt significant wetland areas like Dawson's Swamp. Adams Creek Gorge, a deep gorge shaded by 80 foot hemlocks and lush rhododendrons and graced by six spectacular waterfalls, is one of the Poconos' most scenic spots. It is a travesty that NPS, the U. S. Army Corps of Engineers, and the Appalachian Mountain Club are supporting its destruction.

## TILT

November 11th Department of Interior comments on the draft prepared by the Corps of Engineers on the proposed relocation of 209 state: "An archaeological survey of the highway corridor is in progress under the direction of Professor Fred Kinsey of Franklin and Marshall College and will be completed in time for the findings to be used in the final statement."

November 22 DVCA is suspicious regarding the veracity of the Department of Interior comments and writes Dr. Fred Kinsey to see if, in fact, he is doing an archaeological survey.

November 30 Dr. Fred Kinsey notifies the DVCA by letter that "in no way can it be construed that I am doing a corridor survey."

December 7 Dr. Fred Kinsey notifies Department of Interior that he is not doing an archaeological survey along the highway corridor.

December 15 Department of Interior asks the U.S. Army Corps of Engineers to please delete the reference to the archaeological survey from Interior's comments on the environmental impact statement. The letter states: "It seems that neither Professor Fred Kinsey nor anyone else is engaged in such a survey... Since no archaeological survey is being conducted, we urge that one be initiated." (Underlining DVCA's.)

Interestingly, this situation only came to the attention of the DVCA because we had requested and obtained copies of the Department of Interior's comments. Initially, the Department said that the comments were not available for public review. It was only after we threatened a Freedom of Information Act suit that the comments were forthcoming.

We have been informed by the National Park Service that the reference to Dr. Kinsey's work was a mistake! Dr. Kinsey was under contract to NPS to do other archaeological survey work in the area and the agency supposedly got mixed up regarding exactly what he was doing. The implication is that NPS did not understand the nature of work being conducted by an archaeologist under contract to them. Is this explanation plausible? Or did the agency, a strong supporter of the relocation of 209, hedge on the issue, hoping to fulfill the requirements of historic and archaeological preservation law?

Neither explanation of the "mistake" is particularly re-assuring. Hopefully, now Department of Interior will take the necessary steps to persuade the Army Corps of Engineers to do the legally mandated archaeological surveys.

continued on page 3

## WRITE CARTER TODAY

While Governor of Georgia, Jimmy Carter intervened in the battle to save the Flint River from the Army Corps' Spewrell Bluff Dam. Carter canoed down the Flint twice, carefully studied stacks of detailed analyses of the project, and ultimately came out in favor of a Park River plan.

continued on page 3



Tilt continued from page 2

It would seem that the Department of Interior has either 1) purposefully mis-represented the work of Dr. Kinsey in order to fulfil the requirements of the Historic Preservation Act of 1966, or 2) it is grossly uninformed regarding the nature of work being conducted by an archaeologist under contract to the Department. Either explanation is exceptionally disturbing. Question what is Interior going to do now to assure that the necessary highway corridor archaeological surveys are done?

## JOIN THE DVCA

We Cannot Win Without You



### T-SHIRT BONUS

Free to new or re-newing members, a wildlife consciousness T-shirt, designed by David Klein of Conscious Decision of New York. We are offering a soaring condor or a flock of geese (see illustration above), with a choice of a sky blue or yellow background. Of excellent quality, 100% cotton, machine washable, hand stenciled and signed, these T-shirts regularly sell for \$7.50. By special arrangement, when ordered through the DVCA, your T-shirt will cost \$5.00 plus 75 cents for handling and postage. Buy several for friends and relatives. An unusual and pleasing gift.

If I wish an additional T-shirt to my free T-shirt, I understand that the cost is \$5.00 plus 75 cents per shirt for handling and postage. Or if I wish to buy a T-shirt without becoming a member in the DVCA, I understand this same price applies. All New Jersey residents add sales tax. I also understand that no orders will be filled unless accompanied by a check or money order and that no exchanges can be made.

Carter continued from page 2

In a statement opposing Spewrell on October 1, 1973, Carter stated "The construction of unwarranted dams and other projects at public expense should be prevented." Carter also noted that the dam's 3 1/4% interest rate was unrealistically low, that recreational benefits would be better achieved by purchase of river-bank properties, and that land-use planning should be used to reduce flood damage. These are all arguments which have been used over and over against Tocks.

The 1976 Democratic Presidential Campaign Committee, Inc. printed and widely circulated a position statement by Carter on the Army Corps of Engineers in which the President-Elect was quoted as saying "I have stated many times that as President I will halt the construction of unnecessary dams by the Corps of Engineers.....We must realize that the federal government's dam building era is coming to an end. Most beneficial projects have been built. It is time the Corps enters a new phase for the overall benefit of the general public."

One reason scenic and wild river advocates and many Tocks foes voted for Carter was because of his actions to save the Flint and these campaign statements. Now that Jimmy is in the White House will he bow to the powerful water resource development lobbyists? Will he help us stop the Tocks Island Dam? The answer to this question probably depends upon how much pressure is exerted by each side. But with one democratic governor pro-Tocks, Milton Shapp, and the first governor to endorse Carter for president, Brendan Byrne, waffling, citizens will have to express their views loud and clear to the White House.

Please write President Carter today and ask him to support the de-authorization of the Tocks Island Dam. Remind him of his public statements on dams during his campaign. You might also want to ask Jimmy to canoe down the Delaware. If the President were willing to walk down Pennsylvania Avenue (a refreshing innovation), maybe we can persuade him to canoe down the Delaware!

Write: President Jimmy Carter, The White House, Washington, D. C.

Yes, I want to become a member of the DVCA. Please send me my free Wildlife Consciousness T-shirt. I am enclosing ten dollars (\$10.00) payable to the Delaware Valley Conservation Association.

Name.....

Address.....

City.....State..... Zip.....

I am specifying below which color (blue or yellow) and in what size (Adult: sml, med, lg, x-lg; and Children: sm, med, lg). I would like

Quantity      Color      Size

Condor

Geese

(ALL ORDERS PLEASE NOTE CONDITIONS)

## Barge Canal Snagged

The Cross-Florida Barge Canal has once again been turned back by citizen opponents in Florida. On December 17, Governor Reubin Askew and the Florida Cabinet voted 6 to 1 to recommend a halt to the partially completed project. The Canal has been previously "stopped" in 1936, 1951, and 1971, and now in 1976. In intervening periods, the canal has been revived through the determined efforts of canal supporters and pro-dam congressional committees. The history of these repeated attempts over a span of forty years to revive the canal offers an important lesson for Tocks opponents, who mistakenly think that the battle to stop Tocks has been won. It will be interesting to see if Congress is any more responsive to Florida citizens' efforts to de-authorize the \$425 million canal than it has been to citizen efforts to kill Tocks.

## Tocks Pipeline

Construction proceeds on two giant 1055 megawatt Limerick nuclear power plants located 21 miles northwest of Philadelphia--even though the plants are without an adequate water supply. Originally, the 34 million gallons a day water cooling requirement of the plants was to be supplied from the Tocks reservoir, via a pipeline between the Delaware and Perkiomen rivers. Now that Tocks is uncertain, Philadelphia Electric is talking about building its own private water supply reservoir. But the power company is not anxious to start construction. Clearly PE would rather have the federal taxpayer finance its reservoir construction by building Tocks. Until the Limerick water supply issue is resolved, the pressure for Tocks will continue. A full analysis of the Limerick Tocks connection is in the January 8th issue of Environment Action Bulletin. Send in \$1.00 and we will send you a copy.

## Studying Tocks ?

We are flooded with requests from students and planners for information on the Tocks battle. We simply do not have the staff to meet these requests.

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(201) 581-2225

We, therefore, are listing the following sources: Articles all by Mina Hamilton Haefele: in Not Man Apart February, 1974; October 1975; mid-October, 1976; in Environment Action Bulletin January 8, 1977; Environmental Action, July 5, 1975; Design and Environment fall 1976; article by Michael Reich in Planning, December 1976

Also the Save the Delaware Coalition at 2126 Land Title Building, Philadelphia, Pa. and Appalachian Mountain Club at 5 Joy St., Boston, MA 02108, have a number of valuable publications in limited supply.

## Advanced Engineering

For months the DVCA has been warning that the proposed relocation of 209 is an integral part of the Tocks Island Dam project and will be used as a powerful lever to prevent de-authorization of the dam. The current \$4.5 million 209 funding is tied to keeping the Tocks Dam on the books and specifies that work on the road will cease as soon as the dam is de-authorized. If construction starts on 209, it is clear that dam and road proponents will argue: you can't de-authorize Tocks until 209 is completed, which could take 5, 10 or 15 years.

A Dec. 6 letter from Colonel Rowe of the Army Corps of Engineers to the DVCA confirms our fears: "Our Philadelphia District Office is preparing detailed design and cost estimates for relocation of 209 as part of the advanced engineering and design studies for the Tocks Island Project...Relocation of 209 is a construction feature of the Tocks Island Lake Project since its reservoir pool would inundate 23 miles of the existing alignment. Corps of Engineers involvement in relocation of Route 209 arises solely from Congressional authority to construct the Tocks Island Lake Project, and its feasibility is dependent upon the economic justification of the overall Tocks Island Project."


"The Tocks Island Lake Project, including relocation of Route 209, is economically justified by benefits expected for flood control, water supply, hydro-power, and recreation." (underlining the DVCA's)

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# DELAWARE VALLEY CONSERVATION ASSOCIATION

# DVCA



# NEWS

SUMMER 1977

## De-authorization Axed Again

The Tocks De-authorization Bill has again been killed, this time by Congressman Ray Roberts of Texas, chairman of the Water Resource Subcommittee.

This year legislation was co-sponsored in the Senate by Case, Biden, Roth, Javits, Moynihan, Nelson and Proxmire. Senator Moynihan of N. Y. was a welcome addition to the list and should be thanked by New Yorkers. Both Pennsylvania Senators--Richard Schweiker and John Heinz--were conspicuously absent as co-sponsors. Pa. voters should be sure to register their concern to both Schweiker and Heinz by writing the U. S. Senate, Washington, D. C. 20510.

On the House side of the Hill there were 19 co-sponsors with four N. J. sponsors--Fenwick, Meyner, Forsythe and Maguire--and three Pa. sponsors--Edgar, Ertel and Kostmayer. McDade still refuses to support de-authorization, although this year he is not using the excuse of 209 to justify his position. No doubt McDade's position has had an important influence on preventing the Pa. Senators from joining the bandwagon.

Absolutely everybody in McDade's district should vigorously protest the Congressman's persistent refusal to listen to the wishes of his constituents and support de-authorization. Address: U. S. House of Representatives, Washington, D. C. 21515.

Suggestion: Next year is again election year for Congresspersons. Get ready to set up a Stop Tocks Now Chapter in your Congressional district so that we can build up enough support no matter who is New Jersey governor. Please notify the DVCA if you would be willing to participate in a Stop Tocks campaign in your district.

## WHATS IN A GLASS OF WATER?

The House Majority Leader, James Wright of Texas, is a vigorous supporter of water resource projects, now under sustained attack by environmentalists and President Carter. Back in April, in a successful at-

tempt to defeat an amendment to delete \$100 million from the 1978 funding for dams and canals, Wright's legendary eloquence soared to new heights.

Wright: "Mr. Chairman, there is exactly the same amount of water in the world that there was in the beginning--no more, and no less. Science tells us that this glass of water (here Wright held up a glass of water from the rostrum) contains some tiny molecules that fell in the flood of Noah, some that parted in the Red Sea, some that floated fishing craft on the Sea of Galilee, and some that washed blood off the beaches of Normandy in World War II." Wright went on to discuss the "marvelous process" whereby the "fixed supply" of water will "refresh the parched and thirsty Earth"--if man builds more dams and reservoirs.

Congressman Emery of California retorted: "The difference, of course, between a glass of water on the rostrum and a dam or water project is the fact that a glass of water does not cost \$100 million."

Other remarks by the Majority Leader were equally flamboyant and inaccurate, as well.

Wright: "We have spent \$7 billion on flood control. Some 235 projects already have saved us \$53 billion in calculable damages that otherwise would have been inflicted upon the American people. They have paid for themselves seven times over."

Comment: There has been a steady increase in flood damages throughout the country. The President's Task Force on Federal Flood Control policy has stated that the increase is, in large measure, due to construction of structural flood control projects which have unwisely encouraged development on flood plains and increased potential for loss of lives and property. The failure of the federal flood control program is attested to by the fact that federal disaster relief, mostly for floods, has risen from \$52 million in 1953 to \$2.5 billion in 1973. The federal taxpayer is paying twice for flood control programs: once for the structural solution and secondly for damages indirectly resulting from those solutions.

Wright: "We have expended some \$8 billion on irrigation projects to make the deserts bloom, to bring food-stuffs out of the dry and unremitting Earth."

Comment: An alarming amount of this money has been spent to subsidize rich landowners and agribusiness corporations at the expense of the small, "family" farmer. Among the projects which President Carter wished to eliminate from the budget were many such subsidies: The Fruitland Mesa project in western Colorado would represent a federal investment of \$1,200,000 for each of 69 farms; half of the benefits of the \$107 million Cache River project will go to 10% of the landowners; 220,000 acres, most of which is in pastureland and wheat crops, would be condemned by the Garrison Diversion project in order to irrigate an acreage only slightly larger--250,000 acres.

## The California Lesson

The 18-month drought in California is forcing citizens of that state to re-evaluate water supply systems and introduce water conservation measures. It is becoming clear not only to California residents, but to citizens throughout the country, that a rational, conservation-minded approach to water must be developed now, to prevent unwise and unnecessary reservoir construction in the future. Several publications from California are highly recommended for reading by citizens opposing destructive and costly dam and canal projects elsewhere in the country.

North Marin's Little Compendium of Water Saving Ideas, \$7.50 from John Nelson, North Marin County Water District, P. O. Box 146, Novato, California, 94947. This 273-page compendium is not "little." It is brimming with useful suggestions on how to save water. It has an invaluable list of manufacturers of water saving devices. Everything from shower-head retro-fittings to reduce flow from 6 gallons per minute to 3 gallons per minute (not only does this save water, but also hot water and energy), to low flush toilets, to drip irrigation devices is covered.

Water saving strategy emphasized is, primarily, for domestic use and focusses on retro-fitting existing houses, developing new plumbing codes, water pricing reform, lawn and garden irrigation techniques. (Simple measures like not cutting lawn grass shorter than 1½" substantially reduces lawn water needs.) Some good water conservation plumbing codes already in effect elsewhere in the country, as in Fairfax County, Virginia, are provided as models for citizens who might want to lobby for passage of similar codes in their own communities. Most of the strategies presented are applicable anywhere in the country.

Water Conservation in California, Bulletin No.198 available without charge from State of California, Department of Water Resources, P. O. Box 388, Sacramento, California 95802. Although much of this book is pertinent only to California, it has extremely valuable description of the water management policy of the Department of Water Resources. This policy with its emphasis on utilization of already developed water resources before construction of new sources, and focus on pricing reform should serve as a model for water resource departments all over the country.

The bulletin has excellent charts on potential interior residential water and energy savings for various fixtures and appliances, as well as charts on disadvantages and advantages of different pricing systems. It also cites a number of water agencies with effective conservation campaigns, and has data, but not enough, on industrial water conservation.

## New De-Authorization Angle

Congressman Peter Kostmayer (Pa.) has introduced a bill (H.R. 6403) to make the Delaware River from Hancock, New York, to just south of the Delaware Water Gap part of the National Wild and Scenic Rivers System.

The legislation would add to the Upper Delaware, long under consideration for Scenic River status, that 32 mile segment of the Delaware River threatened by the Tocks Island Dam. The bill would prevent future construction of the Tocks Island Dam. Kostmayer's bill, like the Fenwick-Meyner bill to de-authorize the Tocks Island Dam, would preserve the river for future generations.

The advantage of the Kostmayer bill is that it does not have to go through the hostile, non-cooperative subcommittee on water resources, which for two years running has peremptily refused to give de-authorization a hearing. H. R. 6403 would be handled by the more sympathetic committee on interior and insular affairs. Co-sponsors of the bill are listed in the box. Please write your Congressperson and ask him to co-sponsor H. R. 6403.

H. R. 6403 - To designate the Delaware River from Hancock, New York, to Delaware Water Gap as Wild and Scenic River - introduced by Kostmayer, Peter H. (Pa.) April 20, 1977. Co-Sponsors: Meyner, Helen S. (N.J.); Ertel, Allen E. (Pa.); Beilenson, Anthony C. (Calif.); Simon, Paul (Ill.); Stark, Fortney H. (Calif.); Burton, Phillip (Calif.); McCloskey, Paul N., Jr. (Calif.); Holtzman, Elizabeth (N.Y.); Krebs, John (Calif.); Fraser, Donald M. (Minn.); Murphy, Austin J. (Pa.); Seiberling, John F. (Ohio); Ottinger, Richard L. (N.Y.); Edgar, Robert W. (Pa.); Badillo, Herman (N.Y.); Waxman, Henry A. (Calif.); Weiss, Theodore S. (N.Y.); Luken, Thomas A. (Ohio); Bingham, Jonathan B. (N.Y.); Fenwick, Millicent (N.J.)

## Byrne vs. Bateman

It is extremely important for New Jersey voters to contact the New Jersey gubernatorial candidates, Brendon Byrne and Raymond Bateman, and request them to support de-authorization of the Tocks Island Dam now. Brendan Byrne's position on Tocks has been widely misunderstood. Although the governor took a position against construction of the dam in 1975, Byrne also took a contradictory position against de-authorization in 1976. Byrne's opposition to de-authorization was, in large measure, responsible for defeat in 1976 of Senator Case's and Congresswoman Fenwick's bill to kill the dam.

Raymond Bateman, in answer to a New Jersey Public Interest Group question on Tocks, ducked the issue of whether he would or would not support de-authorization. Bateman did, however, state he questioned the wisdom of having the entire area as a federal park and strongly supported the rights of property owners.

The argument being used by most New Jersey politicians, anxious to avoid a commitment on Tocks, is that the dam should not be de-authorized for THREE YEARS--the time it will take to complete a water management plan for the state. Let the candidates know that you feel that the Tocks Dam has been studied ad nauseum. Any further delay is going to wreak financial hardship on the Tocks region, and alternatives to Tocks can only be implemented when the dam is dead once and for all. Let the candidates know that any further stalling on this issue is unacceptable to New Jersey voters.

Write the candidates at the following addresses: Honorable Brendon Byrne, The State House, Trenton, N. J., and Raymond Bateman, Plaza 2 Office Building, 197 Highway 18, East Brunswick, N. J. 08816.



## RESEARCHERS NEEDED

The Delaware Valley Conservation Association needs volunteer researchers to help with ongoing projects on land acquisition abuses, on water conservation strategies, and non-nuclear energy development. If you are interested, please send us a letter describing your background, special skills, time availability, and access to research materials. Students looking for term paper topics might find one of the DVCA's research projects would fit in with a class project. Faculty looking for interesting class assignments are also urged to contact us.

## JOIN THE DVCA

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\* Please note -  
price increases  
\$1.00 after Aug 1st

## T-SHIRT BONUS

Free to new or re-newing members, a wildlife consciousness T-shirt, designed by David Klein of Conscious Decision of New York. We are offering a soaring condor or a flock of geese (see illustration above), with a choice of a sky blue or yellow background. Of excellent quality, 100% cotton, machine washable, hand stenciled and signed, these T-shirts regularly sell for \$7.50. By special arrangement, when ordered through the DVCA, your T-shirt will cost \$5.00 plus 75 cents for handling and postage. Buy several for friends and relatives. An unusual and pleasing gift.

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## Congressional Scorecard

The League of Conservation Voters has just released its annual analysis of "How Congress Voted on Critical Environmental Issues." In the New Jersey-Pennsylvania delegation, scores varied tremendously.

Out of a possible score of 100, based on 23 key votes, in New Jersey, Congressman Forsythe came in lowest in the state with a 39, while Maguire scored highest at 100. Other low scores were racked up by Hughes (61), and Roe (65).

Of interest to dam fighters, Hughes and Forsythe opposed deletion of funds for the disastrous Garrison Diversion project in North Dakota; nuclear power opponents should note that Florio, Hughes, Howard, Thompson, Roe, Patten all voted to permit initiation of construction on the Clinch River Breeder Reactor before the Nuclear Regulatory Commission had decided whether the facility would be safe or not; highway critics should be aware that Hughes, Howard, Roe, Rodino, Minish, Rinaldo and Patten all voted to oppose the placing of a spending ceiling on highway construction. Forsythe was the only member of the delegation to support continued mining in Death Valley National Monument after a four year moratorium!

In Pennsylvania, appallingly low scores were registered by Schneebeli (6), Eshelman (12), Johnson (13), Shuster (13), Schulze (15). (Both Schneebeli and Johnson were not re-elected.) Highest score in the state was Edgar with an 89. Given the large size of the Pa. delegation, space prevents us from detailing votes specifically. But voters are urged to contact the League of Conservation Voters at 317 Pennsylvania Ave., S.E., Washington, D. C. 20003 for a copy of the chart, or send \$1.00 to the DVCA and we will give you your Congressman's record.

In the Tocks region, Helen Meyner and Benjamin Gilman came in with a good score of 87 and 84, respectively, and Joseph McDade tallied a fair 63. Meyner opposed a limitation on highway spending, opposed an amendment which would have prevented the SST from landing in the U.S., and supported a drastic reduction in federal regulation of dredging of wetlands. McDade opposed deletion of funds for the destructive Garrison Diversion project, supported massive subsidies to allow private industry to move into the uranium en-

continued page 4

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Name.....

Address.....

City.....State..... Zip.....

I am specifying below which color (blue or yellow) and in what size (Adult: sm, med, lg, x-lg; and Children: sm, med, lg). I would like

	Quantity	Color	Size
Whale			
Condor			
Geese			

(ALL ORDERS PLEASE NOTE CONDITIONS)



## ANOTHER DRBC STUDY!

It may seem hard to believe but the Delaware River Basin Commission is once again studying the Tocks Island Dam, saline intrusion of the Delaware Bay and water supply problems for the basin in a \$1.5 million study. The study is funded by a federal grant under section 209 of the Federal Water Pollution Control Act Amendments of 1972, and by local sources and the DRBC. The study will provide the basis for updating the Commission's Comprehensive Plan for the basin, prepare an environmental impact statement for the recommended programs, examine water and related land resource management plans. The study which will be finished in April, 1979, will have a critically important role in determining how many and what reservoirs will be built where in the basin.

Considering the Commission's heavy biases towards the interests of power companies and industry and previously poor record in developing flexible, non-structural alternatives to reservoir development, citizens have a lot to worry about. -Already the old biases are creeping into the study plan: The DRBC is allocating \$116,000 to the U. S. Army Corps of Engineers for its part of the study, while the U. S. Environmental Protection Agency must get by with a paltry \$4,000!

The federal agencies contribution to the water supply issue are limited to discussion of depletive water demands for electric power generation and high-flow skimming of the Delaware River. Water conservation strategies will be handled by the DRBC Staff. Since the DRBC budget is in part supported by sale of water from newly constructed reservoirs in the basin, DRBC staff can hardly be expected to emphasize water conservation as a desirable strategy.

Furthermore, although public input is a key part of 209 planning, DRBC is up to its usual tricks. Originally, there was to be a public hearing on the Plan of Study for June 15. Now that hearing has been eliminated and the plan of study approved without a public hearing. Furthermore, at this time no public hearings are scheduled for the study, though public meetings will be held.

We recommend that all citizens concerned by future reservoir construction in the basin 1) get on the DRBC mailing list so you will be informed of key dates

in the study process: write David Longmaid, DRBC, P.O. Box 7360, West Trenton, N.J. 18628; 2) appoint a member of your group to watchdog the study; 3) protest the lack of public hearings to Guy Martin, Assis. Sec. for Land and Water, Dept. of Interior, Washington, D. C. 20240.

## \$1 MILLION FOR 209?

Despite enormous local opposition to the construction of 209 through a particularly scenic and wild section of the Poconos, the House Appropriations Subcommittee voted in closed session on May 2 to allocate \$1 million for the highway relocation. Sessions of the subcommittee are now supposed to be open.

There was no reason for this one to be closed unless Congressman McDade wanted to push for the highway construction, privately, while publicly telling his constituents he is opposed to the \$50 million highway. It is absolutely essential to get the 209 funds out of next year's 1979 budget; please write President Carter today and ask him not to include ANY funds for the relocation of 209 in the 1979 budget. The budget will be prepared this fall. Write the President, c/o Hamilton Jordan, The White House, Washington, D. C.

## Congressional Scorecard - continued from p. 3

richment process (hitherto a secret process controlled by the government), and supported postponing, until 1982, automobile emission standards. Gilman voted against expansion of the Indian Dunes National Lakeshore and against a ceiling on highway spending.

Next year is a Congressional election year! Please write your Congressperson and let him know if you are concerned about his voting record on these (and other) environmental issues. It is extremely important for your Congressperson to know that you are watching his voting record and will take it into account next election. Addresses for Congresspersons: The Honorable \_\_\_\_\_, U. S. House of Representatives, Washington, D. C. 20515.

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# DELAWARE VALLEY CONSERVATION ASSOCIATION

# DVCA NEWS

SUMMER 1978

WRITE YOUR SENATORS. URGE THEM TO  
SUPPORT SCENIC RIVER STATUS FOR BOTH  
UPPER AND MIDDLE SECTIONS OF DELAWARE  
in addition

PEOPLE IN N.J., N.Y., PA., & DEL.  
WRITE YOUR GOVERNOR. URGE HIM  
TO SUPPORT SCENIC RIVER STATUS.

Scenic River designation would not de-authorize Tocks, but would bar any impoundment that would affect the protected segment of the river. Pro-dam forces have argued that use of the Wild and Scenic Rivers Act to halt dam construction is a misuse of the Act! Yet the Act specifically states that "the established national policy of dam and other constructions at appropriate section of the rivers of the U.S. needs to be complemented by a policy that would preserve other selected rivers, or sections thereof, in their free flowing condition... The purpose of the Act is to implement that policy."

As is the case with many other laws designed to protect the environment, the Wild & Scenic Rivers Act is attacked when it succeeds, or promises to succeed, in carrying out congressional mandate.

## THE HOUSE ACTS

Peter Kostmayer, Philip Burton, Helen Meyner, and other Congressional supporters of the free flowing Delaware were not put-off by these anti-river arguments. The bill moved through sub-committee hearings on Nov. 11, 1977, through the full committee on May 10, 1978, and finally to the House Floor as part of the Omnibus Parks Bill on July 10, 1978. For the first time, a stop-Tocks measure reached the floor of Congress. It was actually the first time a stop-Tocks measure got out of sub-committee, despite the overwhelming public opposition to this environmental disaster!

The floor debate was a lively one, with Peter Kostmayer courageously taking on Frank Thompson (D-NJ), a long time Tocks proponent and Chairman of the House Administration Committee, who introduced an amendment to delete the Middle Delaware from the bill. When the smoke cleared, the vote was an amazing 110 - 275! The Middle Delaware stayed in the bill! The following Congressmen spoke for the Delaware and deserve your thanks and support:

Peter Kostmayer (D-NJ), Helen Meyner (D-NJ), Millicent Fenwick (R-NJ), Philip Burton (D-Ca), Joseph McDade (R-Pa), Bob Edgar (D-Pa), Ben Gilman (R-NY), Andy Maguire (D-NJ), Tom Evans (R-Del).

Speaking against the River, and worthy of your uncensored ire were:

Frank Thompson (D-NJ), Joshua Eilberg (D-Pa), Raymond Lederer (D-Pa), John Dent (D-Pa), Edward Patten (D-NJ).

## Changes In The DVCA

Well it's been quite a while since we've gotten out a newsletter. I think you'll understand how busy we have been when you read further. But first, we'd like to note some changes within the DVCA. Mina Baefele, who served as President since 1973, was succeeded in that office on Dec. 11, 1977, by Barry Allen. Mina's very life was the Delaware River for five years. She was a leader in the fight to stop Tocks and helped gain widespread recognition for the Delaware. Mina has stayed on as a member of the Board of Directors. Two other Board Members, Sid Marshall and Jane Egbert, are moving to Maine in August. Both of them will be sorely missed by the DVCA and all friends of the Delaware. Sid was a charter member of the DVCA when it was founded in 1966.

## SCENIC RIVER STATUS

After being thwarted for three years in efforts to de-authorize the Tocks Island Dam, those interested in saving the last major unpolluted and free flowing river in the northeast U. S. initiated a new approach. Peter Kostmayer (D-Pa.) introduced legislation in the House of Representatives to add the Middle Delaware (from Port Jervis to Delaware Water Gap) to the nation's system of Wild and Scenic Rivers. In the Senate, Clifford Case (R-NJ) has introduced identical legislation. The virtue of this approach is that Wild and Scenic River Legislation is routed through the Interior Committees, which are more responsive to environmental protection. De-authorizations legislation died each year in dam builder's heaven, the Public Works Sub-committees.

## HIGHLIGHTS OF HOUSE DEBATE

Thompson: "This approach to deauthorize through this back-door process is unconscionable."

Kostmayer: "I am not interested in procedural gymnastics. I am interested in the waste of the taxpayers' money and in the assault on the river..."

Kostmayer: "(It) is possible to study any issue, including this one ad infinitum. Sooner or later, however, the studies must stop, and we must make a decision... Let us make a decision on it here today."

Meyner: "We must retain what little natural beauty is left in N.J.... We must not consign our heritage to the bottom of a putrid lake."

Meyner: "Certainly the last thing we need is another hearing, another meeting, another report on the Tocks Island Dam. There has been more ink spilled over this issue than would fill any lake created by the dam."

McDade: "What we are trying to do today with this bill, is to bring some symmetry to what has been a death struggle for an awful lot of people for almost 20 years."

Fenwick: "I think the moment has come when we have to leave that river alone."

Evans: "If this (Thompson amendment) is passed we will be shoving a billion dollar boondoggle down the throats of the affected states and the American taxpayer."

Edgar: "(This proposal) will save a lot of aggravation, time, and commitment to a project which should have been de-authorized several years ago."

Gilman: "This legislation is needed to end the uncertainty over the status of this stretch of the river."

Maguire: "Any intelligent combination of structural and non-structural alternatives to Tocks Island Dam would provide many more jobs."

Patten: "Any study I have ever seen indicates this project is self liquidating." - we wish it were true!!!

Burton: "This, a solution that not only is desirable from an environmental point of view, ...but will result in the reduction of potential outlays of roughly \$500 million."

Lederer: "Thank the Almighty the salinity range stopped where it did because if it had not, the Campbell Soup Co. in Camden, N.J., would not have had to put any salt in its soup."

Lederer: "I have been very active in environmental affairs, and I have held every position the Boy Scouts of America offer." - what an environmentalist!!!

TWO DAYS LATER THE HOUSE APPROVED THE FULL BILL BY A VOTE OF 341-61.

## THE SENATE PONDERERS

The Senate sub-committee on National Parks and Recreation heard testimony on the Case Bill on May 5, 1978. At that hearing the Carter Administration formally endorsed both Scenic River status for the Delaware and de-authorization of Tocks. Senator Moynihan (D-NY) testified he would support Scenic River Status for the Delaware provided it does not conflict with the Upper Section. (The two sections are, in fact, separated by a 6 mile non-designated stretch.) In addition Senators Biden (D-Del), Proxmire (D-Wis) and Ribicoff (D-Conn) have signed on as co-sponsors of the Case bill. Committee staff had said that the Senate was waiting to see the outcome of the House debate on the Delaware before acting. Surely, the 275-110 drubbing the Thompson amendment took will not be lost on the Senators. However, Thompson has stated in the press, "You may get the bill through the House, but we'll stop it in the Senate."

The DVCA urges all those anxious to protect the Delaware to contact your Senator, urging him to support Scenic River status for the Delaware. Those Senators from the Delaware River Basin states are crucial. The key figure is Sen. Harrison Williams of New Jersey. He has stated that if Scenic River status did not de-authorize Tocks, he would not oppose it. The Interior Dept. has supplied him with legal opinion to this effect. All New Jersey readers should press Williams to carry out his pledge.

PLEASE CONTACT YOUR SENATORS, URGING BOTH SPEEDY ACTION AND SUPPORT FOR THE CASE BILL.

## Yet Another DRBC Hearing

Unable to reach a "consensus" on Scenic River designation for the Delaware, the Delaware River Basin Commission called a public hearing for July 13, 1978. If the DRBC was truly looking for public support upon which to make their decision, they certainly should have no problem now! At a packed hall in Port Jervis, proponents of the Scenic River status outnumbered dam supporters by over 6 to 1. Most anti-Tocks groups felt the hearing was a ploy to cloud the issue and keep Tocks alive.

The DVCA provided the highpoint of the hearing when Board members placed a coffin at the feet of the Commission members amid a near-standing ovation. The coffin, marked "Tocks Island-RIP", represents "our desire to give Tocks a death with dignity," Barry Allen, DVCA President, told the Commission. We have felt for a long time that the Tocks project has been kept alive by the never ending studies and lobbying of the DRBC.

If you live in the Delaware River Basin, write your governor urging him to support Scenic River status for the Middle Delaware!

## SCENIC RIVER PROPOSALS

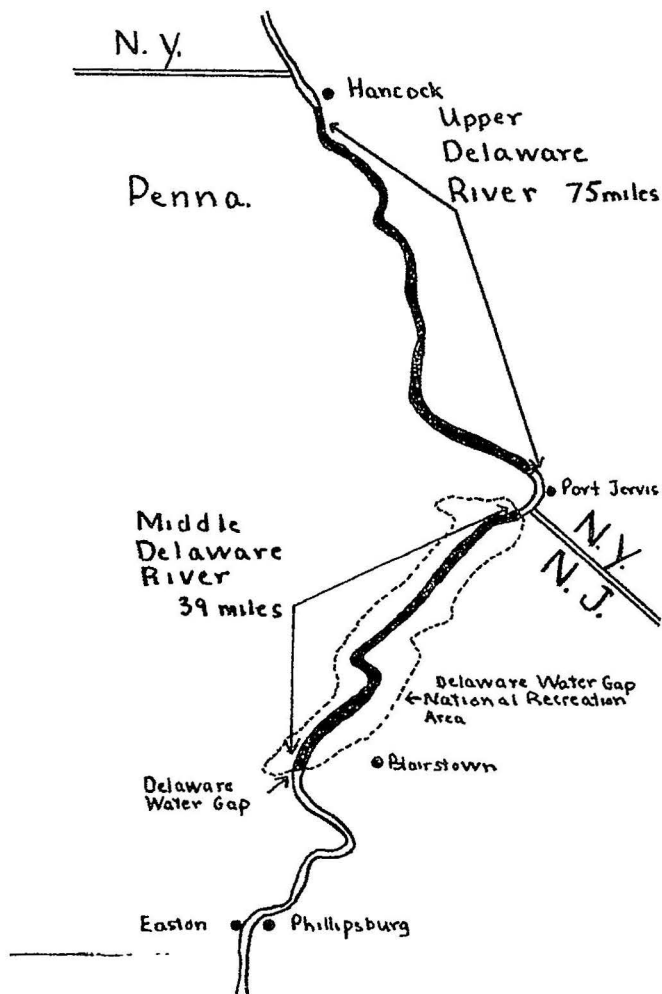
WE CAN USE YOUR HELP !!  
THE DVCA IS SEEKING ACTIVE MEMBERS  
IF YOU WOULD LIKE TO JOIN THE  
FIGHT TO SAVE THE DELAWARE  
PLEASE CALL (201) 581-2283.

### Delaware River Photographs

On October 12, 1977 at the peak of the fall colors Bob Humbert, professional photographer and vice-president of the DVCA, flew over the Delaware in a small plane. The result was the most magnificent and stunning photographs of the Delaware we have ever seen. These photographs have since been introduced by the DVCA in testimony to the House of Representatives and the Senate. Helen Meyner also showed these photographs on the floor of the House of Representatives during the debate on Scenic River Status. We feel that all the testimony of the past sixteen years cannot convey the beauty of the river as can a single glance at any of these views of the Delaware.

### JOIN THE DVCA

The DVCA is offering a set of five 16"x 20" photographs to friends of the Delaware for \$60. They can also be purchased separately for \$15 each. A complete set will be sent free to all Life Memberships of \$100. Supporting Memberships of \$25 will receive the photo of their choice FREE. The prints are DePue Is., Walpack Bend, VanCampen Inn Area, Eschbach's Farm, Mashipicong Is. Please Use Order Form Below. For single orders or Supporting Membership (\$25) please specify which print you would like.



### Sun Day Bike Tour

The DVCA celebrated SUN DAY with a bicycle tour and rally on April 30. Over one hundred bicyclists peddled up the river road in New Jersey escorted by the National Park Service. Bicyclists of all ages rode bicycles of all descriptions. There were numerous ten speeds, trusty coasters and even two tandems (including one with a cart attached). The object of the event was to highlight the potential for low energy recreation in the DWGNRA.

The rally featured Appalachian Mountain music by Lowe Arkwright and the Backdoor Oilers. In addition, the DVCA's own resident engineer, Sid Marshall, showed the Army Corps a thing or two with a working scale model of a solar powered trolley.

- ☐ Enclosed is \$10 DVCA membership fee.
- ☐ Please send the following print(s) at \$15 each. \_\_\_\_\_
- ☐ Please send a set of prints(5) at \$60 a set.
- ☐ I would like a Supporting Membership at \$25 annual fee. Please send my FREE print \_\_\_\_\_.
- ☐ I would like a Life Membership at \$100. Please send my FREE set of prints.

Name.....

Address.....

City.....State.....Zip.....

Enclosed find my check payable to the DVCA in the amount of \_\_\_\_\_.

Delaware Valley Conservation Association  
P.O. Box 159, Stillwater, N.J. 07875.

## SHAPP SUES FEDS

Lame Duck Governor Milton Shapp of Pennsylvania along with the City of Philadelphia, has filed a suit against Jimmy Carter, Cecil Andrus and other federal officials. The objectives of the suit are to: 1) prevent the Dept. of the Interior from implementing Middle Delaware Wild & Scenic River legislation until approved by the DRBC; 2) compel the Dept. of the Interior to follow the full study and report procedure of the Wild & Scenic Rivers Act in cooperation with the DRBC; and 3) compel the Dept. of the Interior to file an Environmental Impact Statement as required by the National Environmental Policy Act.

In our opinion and in the opinion of legal counsel, none of these arguments contain any legal merit. Making Scenic River status contingent upon DRBC approval would be both improper and unconstitutional. Enactments of Congress are not subject to necessary approval by the DRBC. The DRBC was created by, and is totally subservient to Congress. Gov. Shapp is trying to reverse the chain of command.

The request for more studies of the Delaware is as ridiculous as it is typical of the delaying tactics of dam supporters. The Delaware is probably the most studied river in the entire United States. It is not only economic sense that invalidates the need for further study, however. The Wild & Scenic Rivers Act clearly states that the study review procedure is only one procedure under the Act. Congress can designate scenic rivers without following this particular procedure, as with the designation of the Snake River within the Hells Canyon National Recreation Area

in Idaho and Oregon. As a matter of fact, no rivers have ever been through the entire recommended procedure and added to the system, usually because the agencies and/or the Office of Management and Budget have dallied long beyond the limits of Congressional patience. The Dept. of the Interior has already studied the Delaware enough to recommend its inclusion, with strong support from the President.

Shapp's demand for the immediate filing of an EIS is obviously premature, since this proposal has been congressionally initiated. An EIS will be filed by the Dept. of the Interior before implementation of Scenic River status. In fact, an EIS on the National Recreation Area is now being prepared and would be revised to include a Scenic River.

The DVCA feels that Gov. Shapp realizes the weakness of these arguments and that this suit is the last act of a desperate politician. Furthermore, both candidates for Governor of Pennsylvania, Richard Thornburgh and Peter Flaherty have called for Scenic River status for the Middle Delaware and for deauthorization of Tocks. Each has also pledged to withdraw this meaningless suit upon assuming office.

WRITE YOUR SENATOR TODAY !!!

The Hon. \_\_\_\_\_

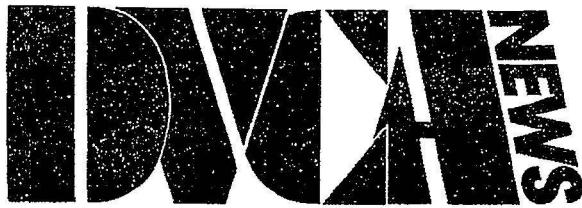
United States Senate

Washington, D.C. 20510

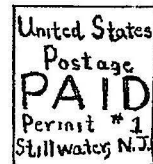
DELAWARE VALLEY CONSERVATION ASSOCIATION

Box 159, Stillwater, New Jersey 07875





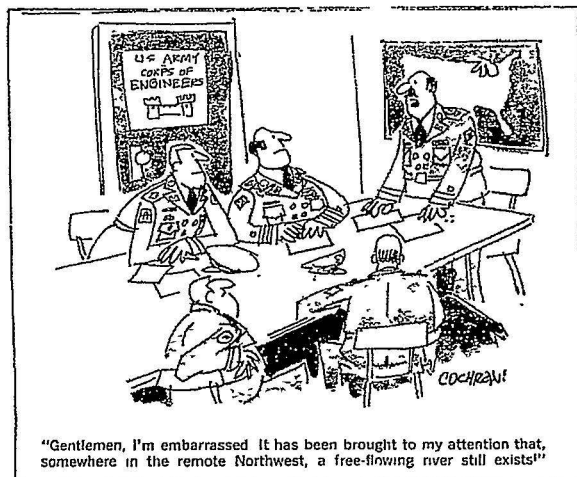
**Delaware Valley Conservation Association**  
 BOX 159, STILLWATER, NEW JERSEY 07875



Sidney Marshall  
 Lovejoy Pond Road  
 Wayne, Maine 04784

\* Fall 1980

- G M P Finally Released
- Lease Update
- Rt. 209 Ceded to Feds
- We Are Not Alone
- The Great Reservoir Debate: II
- Master Plan and You



## Management Plan Highlights

- \* No provisions for ongoing citizen input.
- \* One million dollars for a new road to Park Service Headquarters.
- \* Over half a million dollars for a new Millbrook "bypass." (1978 price estimate)
- \* Eight hundred fifty thousand dollars for constructing new houses for Park Service.
- \* Six 450-500 car parking lots along the banks of the Delaware.
- \* No plans for use and or occupancy of the historic structures of the Minisink.
- \* Permanent closing of ten miles of the Old Mine Road.
- \* Closing of 23 of the 34 access roads to the DWGNRA.
- \* Visitation rates over 4 times current levels.
- \* No appreciation of cultural heritage of our valley.
- \* Inadequate provisions for continued agricultural use.
- \* No provision for removing heavy truck traffic from Route 209.
- \* Overall reduction in lands being farmed.
- \* No appreciation that the Wild and Scenic River Act serve as the unifying principle of the NRA.

# More Reservoirs for the Basin ?

## PART II : DROUGHT WATCH

It is now two years since the Congress of the United States sealed the fate of the Tocks Island Dam by placing the Middle Delaware in the nation's Wild and Scenic River System. As early as August, 1975, however, it was becoming clear that there would be no massive reservoir on the Delaware.

It's not surprising that the ongoing drought has brought the dam builders out of the woodwork. Nor is it surprising that a great deal (too much) of energy has been spent rehashing the Tocks Dam Project. It is not surprising because it was always the favorite of the power elite dominated by the "more is never enough" psychology.

This is, despite three major independent studies (URS-Madigan Praeger, 1975; DRBC-Level B, 1979; State of New Jersey - Water Supply Master Plan, 1979) funded by the taxpayers that deem Tocks unnecessary at least until the year 2020.

Living in the past is not healthy. The DVCA had a funeral for Tocks Island in 1978, hoping we could all then go on living in its absence. Yet, so many politicians and planners continue to carry Tocks' pictures in their wallets and frequently convene in an effort to conjure up its departed spirit.

These Tocks seances are a waste of their time and our tax dollars. Water Planners should get on with implementing environmentally sound and economically efficient projects to protect New Jersey, and the Basin from drought conditions. Special emphasis should be placed on efficient utilization of existing sources of supply.

At the present time, for example, New Jersey is allowed to divert 100 million gallons a day from the Delaware River via the Delaware and Raritan Canal. Yet, only 40 million to 45 million gallons are being drawn per day because the needed dredging of the canal has gone undone for years.

Perhaps more shocking is the fact that the Round Valley and Spruce Run Reservoirs built in the mid-60's are underutilized by at least 80 million gallons per day. This is because insufficient pipelines exist to get that water to Northeast New Jersey.

One final example of poor planning and management of our water resources is the lack of interconnections among the various purveyors in the drought stricken part of the state. The Passaic Valley Water Commission complained last week that six million gallons a day were being allowed to flow to the sea because of the inability to transfer the water to the other suppliers.

Just there, three inefficiencies, if corrected, would increase water supplies by 141 million gallons per day. This seems to be more than enough to end the water shortage in North New Jersey. At any rate, it is 41% more than the 100 million gallons a day maximum that New Jersey is allowed to take from the Delaware, TOCKS OR NO TOCKS!

So we are not in trouble because of insufficient storage capacity. We are in trouble because of insufficient planning and inefficient use of our existing water supply sources. Before the state plans to spend more of taxpayers' money on additional reservoirs, it should deliver to us the water we've already paid for.

## Toxic Waste Confab

Many readers of this newsletter attended last spring's conference Water & the Public Interest at Ramapo College. The conference was sponsored by the School of Environmental Studies at Ramapo College and organized by DVCA president, Barry Allen.

In its continuing effort to focus on the crucial environmental problems of the region, the School of Environmental Studies will host a conference on The Social Dimensions of the Toxic Waste Problem on April 3 and 4, 1981. This latest effort focuses on a problem that will undoubtedly be as important as energy and water in the 1980's.

For additional information, readers should write Margaret Ottum, Conference coordinator, at School of Environmental Studies, Ramapo College of N.J., Mahwah, N.J. 07430, or call her at (201) 825-2800.



## MEMBERSHIP

### SEND:

\$100 — LIFE

\$ 30 — SUPPORTING

\$ 15 — ANNUAL

\$ 1 — Newsletter's cost  
if you can't afford  
to join

name \_\_\_\_\_

address \_\_\_\_\_

\_\_\_\_\_

## SPEAK UP AMERICA

We strongly urge you to participate in the review process for the General Management Plan. The schedule of public hearings is listed below. If you cannot attend the hearings, you may submit written comments directly to the National Park Service (143 S. Third St. Phila., Penna. 19106.) Comments are due by Dec. 15. Copies of the General Management Plan are available from the National Park Service. It is crucial that the public's views are aired NOW, before the National Park Service begins to implement this ill-conceived development plan.

We did not fight so long and so hard against the Army Corps of Engineers only to have their bulldozers replaced by those of the National Park Service. Together we can stop the National Park Service from planning us into chaos.

Date	Place
Nov. 17	East Stroudsburg, Pa. High School.
Nov. 18	Belvedere, NJ High School
Nov. 19	Halsted St. School, Newton, NJ
Nov. 20	Delaware Valley High School, Milford, PA
Nov. 21	313 Walnut St., Philadelphia, PA
All Hearings begin at 7:30p.m.	

## General Management Plan

Whether you're living inside or outside the boundaries of the Delaware Water Gap National Recreation Area, the plans of the National Park Service will affect you directly.

If you live within the park boundaries and still own your home, you are truly an endangered species. You should know that the NPS has stated publically that "eventually the Park Service will acquire an interest in all property within the boundaries of the DWGNRA. This "interest" can range from a "scenic easement" or "restrictive covenant" to condemnation proceedings. The NPS is presently following procedures which greatly restrict the rights of landowners to modify or sell their property. Any prospective buyer of your property will not qualify for any "rights of occupancy" whatsoever if the NPS decided (in its infinite wisdom) to take title. Nor will any prospective buyer (or yourself, for that matter) be allowed to sub-divide or build on your property under this policy. If the NPS is able to continue this policy, the value of your property will decline dramatically.

If you reside outside the park boundaries, you should be aware of how easily NPS can make "minor boundary revisions." With the stroke of a pen, the NPS can determine the fate of hundreds of acres and hundreds of lives. This past year alone the NPS boundary revisions at DWGNRA totalled 1389 acres. The NPS also requests from Congress each year the right to make major revisions in parks across the nation.

If you are "leasing back" from the National Park Service, you are all too aware of life within the "Park Service Family." For years you have had to fight to save your homes from Park Service bulldozers. We needn't tell you that it is the wish of the National Park Service to totally de-populate the area within the boundaries of the DWGNRA.

The proposed developments associated with the recreation area will affect everyone in the region. The recently released management plan contains such items as 500 car parking lots at Milford Beach and Pahaquarry; 450 car parking lots at Sandyston, Eshback and Sandy Bend; 125 car parking lots at Walpack Center; 160 car parking lots at Dingmans Ferry, and many other sites. All this, in an effort to attract 2.8 million people per year (approximately four times the present visitation rate). According to the NPS, "peak day visitation is expected at about 44,000 people, generating around 12,000 cars." At the same time, NPS plans to close 23 access roads to the area. This will create havoc in the surrounding communities. Even the NPS admits that already "serious traffic problems exist on several access roads leading to the recreation area," and that, "on summer weekend days some road capacities may be exceeded by as much as 40%. The additional burdens on local and/or state police, fire and medical services resulting from this huge influx of people will be tremendous. The plans of the Park Service would seriously degrade the natural resources and surrounding communities.

## WHAT OTHERS ARE SAYING

The DVCA is far from being alone in its criticism of the NPS actions in the Minisink. Below is a sample of what others are saying, about the proposed General Management Plan.

N.J. Herald (Sept. 14, 1980): "In words of one syllable, it plain stinks."

Sussex Spectator (Sept. 17, 1980): "The National Park Service's proposed General Management Plan for the Delaware Water Gap National Recreation area is indescribably nauseating."

Easton Express (Sept. 29, 1980): "The public does not have to accept what the NPS seems to have thrown together. It is hoped that the Park Service will be listening (to the public) and will prepare the kind of document needed to assure that the DWGNRA will not turn into a Coney Island."

Harold Lockwood, Chairman, Save the Delaware Coalition: "The National Park Service has not done an adequate job in integrating the concept of a scenic river into the management plan."

David Conrad, Assistant Director, American Rivers Conservation Council: "The National Park Service appears to have no appreciation for the scenic river designation. The General Management Plan is simply unacceptable and beneath even the NPS's normal standard. We are deeply disturbed by the release of the original rejected draft management plan with nothing but a window dressing to bring it up to date."

## Thanks

MANY THANKS TO THE SCHOOL OF ENVIRONMENTAL STUDIES AT RAMAPO COLLEGE FOR THE CONSTANT TECHNICAL AND MORAL SUPPORT IT HAS GIVEN TO THE DVCA.

## Lease Update

As many of you already know, the NPS has revised its lease policy. This revision comes after months of effort on the part of the DVCA and its supporters to guarantee fair and equitable treatment of valley residents (see DVCA News, Summer, 1980).

Briefly, the new policy grants "renewable special use permits" to all residents that would have qualified for "life estates" had their properties been purchased by the NPS and not the Corps of Engineers. In a recent telephone conversation, Regional Director James Coleman, assured the DVCA that renewable special use permits would be granted to all those "permanent residents that were in year round occupancy at the time of the transfer of their properties from the Corps to the NPS," and that letters to this effect would go out shortly.

While the DVCA applauds this action, the issue is far from resolved. The new policy still discriminates against seasonal residents in an arbitrary manner. The DVCA sees no reason why those seasonal structures that do not detract from the "scenic qualities" of the area need be removed.

Park Service reasoning that "these structures interfere with public use and enjoyment of the area" can not withstand scrutiny. Nor has the NPS recognized that these residents are a potential asset in the management of the NRA.

Furthermore, the NPS is using the Scenic River designation as justification for removing area residents. Yet, the river was designated "scenic" with reference to existing conditions. To the extent that these structures are visible from the river, they certainly do not detract from its scenic qualities.

In any event, the timetable for implementation of the General Management Plan stretches over a thirty-five year period. Does the NPS truly need to evict these (mostly elderly) residents in such haste? The DVCA sees no harm in allowing all present residents to spend their remaining years living in harmony with the river as they have done for so many years.

The DVCA will continue to work for a lease policy that protects all valley residents from arbitrary and capricious actions of their new landlords.

In the meantime, NPS officials claim they are unaware of public dissatisfaction with the new tenant policy. If you are upset, be sure to write the Acting Regional Director James Coleman, NPS, 143 South Third Street, Phila., Penna. 19106

## Feds to get Route 209?

The Pennsylvania Senate has unanimously passed a bill that gives jurisdiction of that portion of Route 209 within the DWGNRA to the Federal Government. The action on September 30 followed a similar unanimous vote in the Pennsylvania House of Representatives earlier this year. Governor Thornburgh signed the bill into law earlier this month.

The State action comes four years after the furor created by the Army Corps of Engineers' plan to relocate the highway along the Pocono rim. The DVCA was the first group to oppose the plan which was eventually dropped because of strong local opposition. The DVCA's position was "relocate the trucks, not the road."

The NPS has stated that it too, favors a truck ban within the DWGNRA. In its addendum to the General Management Plan, however, the National Park Service stated "it appears unlikely that U.S. 209 will be transferred to the National Park Service, and unlikely that truck traffic will be reduced."

Having been caught somewhat off guard by the state's actions, the National Park Service is now moving quickly to request additional appropriations to begin formulating regulations and later to set up enforcement of the truck ban.

Yet, even now after the passage of the necessary legislation, a new hitch has developed. A spokesman for the governor has stated that before the transfer of Route 209 is accomplished two conditions must be met:

- 1) the federal government must develop an alternate route that is satisfactory to area residents; and,
- 2) the alternate route must be economically feasible for truck traffic.

These new "conditions" that surfaced after the transfer proposal was signed into law has surprised Pennsylvania legislators who fought for the bill's passage. Rightly so. The conditions appear to be both illegal and redundant.

It is doubtful that any valid interpretation of the Act would give the Governor or Penn Dot the power to unilaterally impose new conditions for the transfer to take place.

The conditions are also redundant because:

- 1) area residents will still be able to use Route 209 (as long as they are not driving semi-tractor trailers); and,
- 2) traffic surveys conducted in 1975 by the DVCA showed that economically feasible alternatives already exist for 92% of all trucks currently using Route 209.

There is, therefore, no reason for the state of Pennsylvania to drag its feet. The removal of heavy truck traffic from Route 209 will benefit both the environment and the local communities. The DVCA will strongly support the NPS efforts to accomplish its promised truck ban.