

Parks Without Boundaries Pose Strategic Management Challenge

By Malcolm Ross, Jr.

During the past several months I have been trying to put together an article for *Park Science* detailing the unusual management approach used at the Upper Delaware Scenic and Recreational River for the past eight years. Just as I completed my effort, I found an excellent article in the winter issue of *Park Science* entitled, "Strategic Management Needed to Maximize Park Resources" by Everglades NP Asst. Supt. Robert L. Arnberger. The need for and value of "Strategic Management" philosophies are being incorporated successfully into the Upper Delaware implementation effort, but it took a great deal of trial and error to adapt to a new way of doing business with the public as an equal partner.

The Upper Delaware Scenic and Recreational River is what could be accurately called the razor's edge of new management concepts for public recreational needs. Instead of large scale land acquisition with one management authority and well defined agency generated objectives, we have been designing our management strategy in concert with the 15 towns and townships, 5 counties, 2 states, 9 federal agencies, and an interstate compact, all of whom have some responsibility for resource issues affecting our area of concern.

The demand for water oriented public recreation on the Upper Delaware River has been climbing steadily since the early '70s. Located a short two hour drive from New York City, the area provides an excellent opportunity for city oriented visitors to experience and soak up the out-of-doors that we who live in the parks treasure for most of our lives. Our identification as an agency, along with our management role, is primarily relegated to river interpretation and public safety associated with river recreation. However, in that role we have developed a methodology for teaching urban dwellers to value the resource, to recreate safely, and most of all to understand that we don't own the land and private property rights must be respected. That's a tough job requiring innovative thinking when 80 percent of our water oriented users access the river through one of over 30 private commercial livery operations.

The 1978 legislation that created the Upper Delaware as a unit of the National Wild and Scenic Rivers System, spelled out our interim authority and responsibility to develop a program to manage public recreation on the river. It even contained a somewhat revolutionary method to provide funding for contracting with local governments to hire people who would provide trash collection and law enforcement coverage in the river corridor. Only 6 of 15 local governments had an organized police force in 1980 and only two were fulltime programs. This effort to get local towns to manage these functions within their own jurisdiction became the initial strength of the interagency management concept envisioned by Congress and the local citizens who fought for the legislation in the '70s.

The ultimate strategy describing just how the interagency management effort was to function was not in our 1978 enabling legislation. Congress simply said to the National Park Service: You will be the lead agency for developing this new approach. We want you to develop a River Management Plan with full participation by all affected residents and governmental entities found within a 73.4 mile designated section of the Upper Delaware River between Hancock and Sparrowbush, N.Y.

NPS jurisdiction would be restricted to the surface of the Upper Delaware River and any lands purchased for

administrative or public use needs. In addition, the use of condemnation for land acquisition was severely restricted both in acreage and justification that would trigger such action. Condemnation could be justified only for threats to the resource that were causing a significant impact on the intent of the National Wild and Scenic River Act. The final boundary would be determined as part of the inter-agency effort to create an acceptable river management Plan. Here the Park Boundary designates the **area of federal interest** for monitoring land management issues affecting the river.

Public acceptance of this new concept was, shall we say, less than unanimous. Many of the local residents were all too aware of the land acquisition furor that had occurred at the Delaware Water Gap NRA, our sister area a short three miles downstream from the terminus of the Upper Delaware River designation. Over 600 homes had been purchased under both willing buyer and adverse condemnation procedures. The presence of land condemnation authority in our enabling act was not palatable to many local residents. Fears ran high that the same buyout concept would prevail at the Upper Delaware, regardless of our unrelenting assurances that this time it would be different.

How then does one manage a river resource when one has no jurisdiction over the land that affects it? There is adequate authority and expertise all around but finding ways to identify and communicate with the proper officials to get action on river concerns was not spelled out in any NPS handbook. It was necessary to identify all agencies having some form of administrative responsibility for the area and the particular bureau, office, department, and individual who had the responsibility for responding to toxic pollution, sewage control, mining, or other such serious resource impacts on both sides of the river.

With a lot of help, I put together a "Resource Impacts Directory" identifying all of the key contacts, and distributed it to all those listed so that they could get to know each other as well as the NPS. Our directory contains over 200 names and it grows each year, with revisions identified through the interaction process. Because we work fulltime at coordinating issues, we have become the monitoring agency for a labyrinth of political boundaries. Every newspaper that circulates within the corridor is monitored for all pertinent resource issues, zoning actions, new development, or any other action that affects the area, either positively or negatively.

Each of the 15 towns/townships that border the river is a strong advocate of self determination with no love for outside interference. Some towns had fairly good zoning in the late '70s, however, most of the rural independent residents viewed land use planning as unnecessary; they knew and trusted their neighbors. I was once told at a public planning meeting; "we don't need zoning here. Why, we don't even need stop signs, the cows can't read umm." Our challenge was, and still is, to convince those who had taken very good care of the area in the past that the demand for seasonal housing would soon be a problem for every river edge community. When we set up shop on the edge of the river in 1979, only 6 towns had zoning. Today 11 local governments have a complete zoning ordinance and the others are looking hard at the need for land management planning.

What makes resource management or any other part of park management difficult on the Upper Delaware is convincing people of the need for land use regulation

when you have very limited legal authority to back up the need. It's a little like going on road patrol as a ranger without all the normal signs of authority like a uniform, identification, or a marked patrol car. Your best and most effective approach is your ability to convince those affected that you are willing to listen and to see the issues from their point of view. Folks need to know you as a person first and a federal employee second. How they see you as a person will directly influence their willingness to listen to your ideas.

Fear of federal dominance in the Upper Delaware Valley has created misinformation and misconceptions about NPS intent. In many parks one can dictate management direction with a minimum of dissent and strong control of the outcome. Shifting gears to where park managers must first convince others of their goals, especially when those affected can simply say no, takes conviction, talent, and commitment to the concept.

The basic land use struggle that created the Upper Delaware legislation, and required an eight year effort to define how it would be applied, is that of private property rights versus public use. This is an experiment as to whether the Delaware River, a national treasure, can be protected sufficiently under a partnership agreement rather than through total federal dominance of the process. It requires trust, patience, and perseverance from all parties. We seem to be beginning at last to build the trust that some day will overcome skepticism expressed by the public when told: "I'm from the federal government and I'm here to help you."

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