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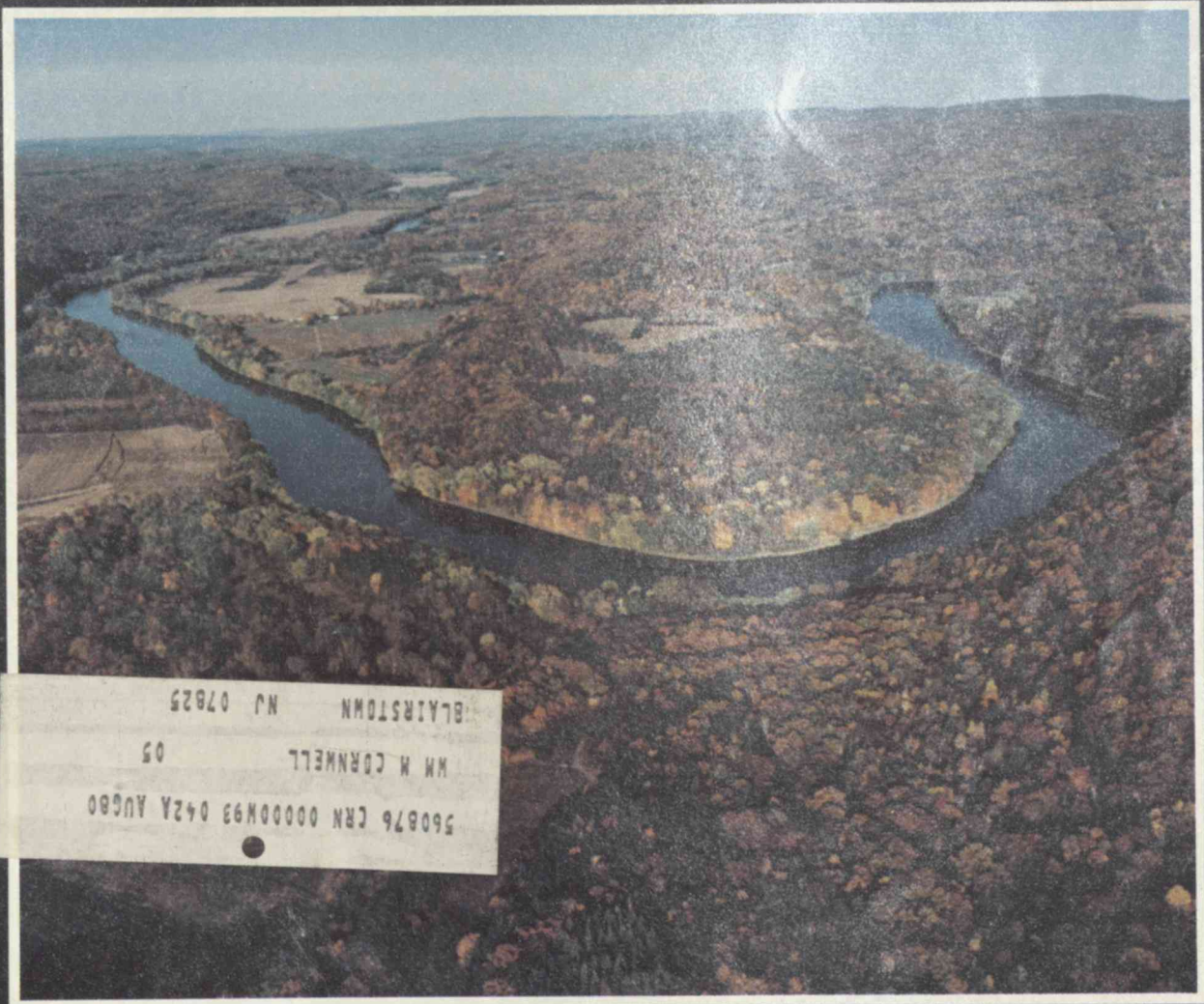
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# New Jersey Monthly

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## DEATH OF A VALLEY

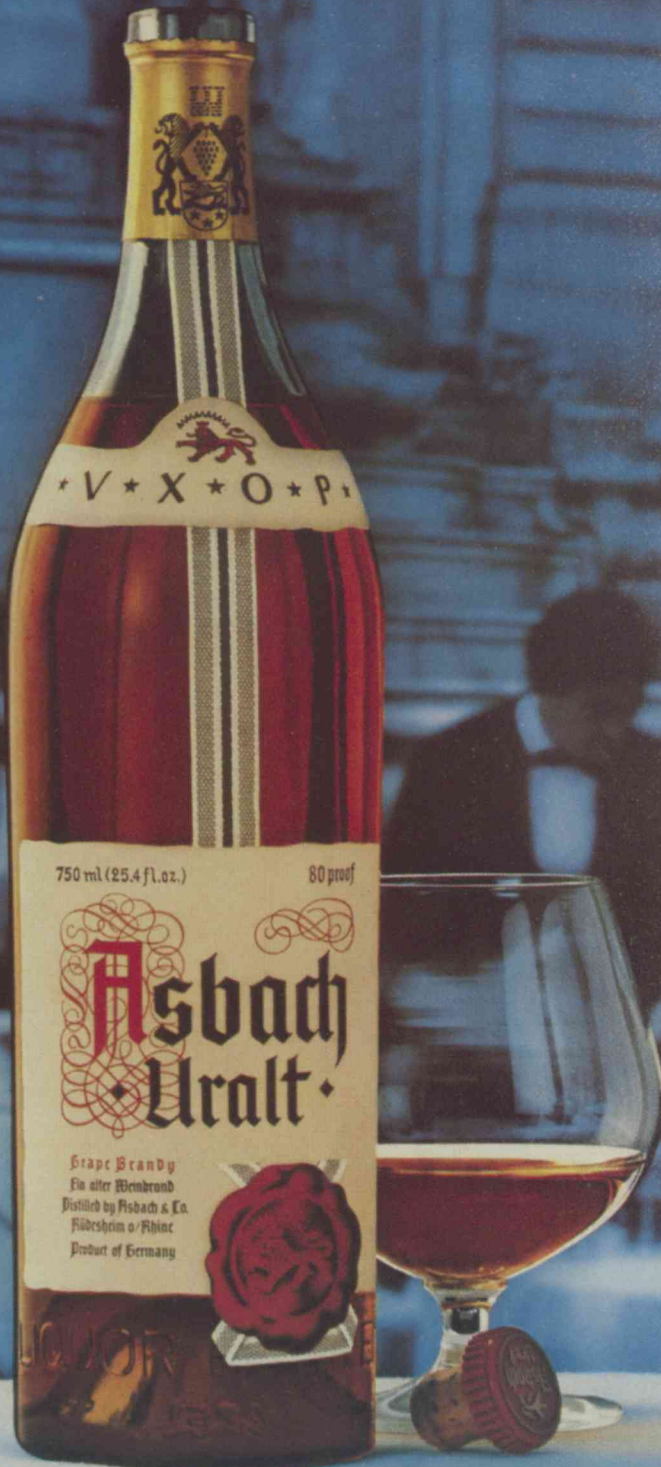


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They wanted to build a dam here. So thousands of people were kicked out of their homes. But where's the dam?

by John Grossmann

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The Old World's Finest Brandy.

About twelve miles upstream from the Water Gap the Delaware River traces a lazy S-curve that from the air looks much like a giant fingerprint whorl. Cartographers, canoeists, and residents of the valley know this curve as the Walpack Bend. In all probability, the name traces back to an Indian word, *wahlpeck*, meaning whirlpool. The river would have us believe otherwise: it slides by gently, brilliant blue, with hardly a ripple or a flash of current. From high above, the land, too, appears peaceful. Various hardwood trees and evergreens cover gently rolling hills. And where the watershed finally meets the river, quilted fields blanket the rich bottomland.

Come closer, though, and the bend seems propheticly named. Here, where Warren County meets Sussex County and about midway in the Delaware's 350-mile journey from its Catskill headwaters to the Atlantic . . . things are not right. In some of these fields, juniper and birch have sprouted through a tangle of weeds. The fields aren't fallow; they're abandoned. Upland a bit, along a roadway known as the Old Mine Road, lie piles of rubble where houses and barns used to stand. Elsewhere the reminders are more subtle: a gravel driveway, a flagstone walk, and in one location, a set of front steps—all without terminus. You begin to feel the *wahlpeck*.

Sandy MacDonald is one of the survivors. She lives with her husband, a union electrician, and their two children in a one-story, three-bedroom house in Sandyston. The MacDonalds' property continues behind the house a few hundred yards, steadily sloping to the Delaware. The reservoir behind the Tocks Island Dam would have risen to the apple trees in the backyard. In 1972, one week after the MacDonalds were married, the Army Corps of Engineers offered them \$24,000 for their home and one acre of property with river frontage. A few months later, the Corps

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# DEATH OF A VALLEY

The Tocks Island Dam battle has produced no dam and no winners — only victims.



by John Grossmann

negotiator appeared in person and offered \$29,000. His final offer was \$32,000.

"I told him to 'stick it' . . . in as many words," Mrs. MacDonald says. She and her husband had no intention of accepting any offer. If the government wanted them out, it would have to condemn the property and take them to court—the ultimate battleground for many eminent domain cases. Mrs. MacDonald is blonde and blue-eyed, but at times she seems transfused with the blood of an alley cat. "When they tell me in court that I've lost the place, then we'll get out and find another home. But when they come with the bulldozers I'm going to greet them with a shotgun. I'm not kidding you. I would burn this house to the ground before I'd see a park ranger or anybody else move in here. And I told the guy who runs the bulldozers, 'You come here and I'll shoot the damn thing right out from under you.'

"No, I'm not a crazy lady," she adds. "I just feel that in this country it is insane to think that somebody can come into your house, offer you what they darn well please, and kick you out." A few minutes later her mood mellows a bit. "A lot of people just packed up and moved out of the area—people who had ancestry here, cultural heritage here—because they couldn't take the destruction. A lot of people won't talk about it. The valley is dying all around you. They kicked out the farmers, the houses are torn down, the fields are lying abandoned. It's like sitting here watching a funeral." She slides a bit uneasily into her next sentence. "If I hadn't committed myself so strongly all down the line, it wouldn't be hard, sometimes, to see myself leaving."


People who still live in the valley often avert their eyes when they drive past the demolished homes and the empty clearings. Some force themselves to look; it helps strengthen their resolve. Presumably, many retell the local "horror stories" for much the same reason. But they also cling to the stories out of sheer frustration and bitterness at what has happened here in the last two decades. Many people fear what is yet to come. They feel the swirling starting again.

A whirlpool forms where opposing currents clash. The clash here, in the name of

eminent domain, has been particularly controversial and tragically ironic and has swirled a bitter foam that jumbles rumors with reality. More often than not, the foam coincides with the so-called horror stories that still reverberate around the valley: allegations of threats by federal employees; bureaucratic bungling of the land acquisition process; inequalities in the leaseback program; the deterioration of historic homes; uncontrollable arson and vandalism; the ironic death of a fifth generation farm; and the suicide. The eye of this whirlpool—the vacuum around which all else has revolved—lies a couple of miles downstream from the bend: a small, uninhabited, alluvial island known as Tocks.

In the regional library of the U.S. Army Corps of Engineers in Philadelphia, documents labeled Tocks Island fill three entire bookshelves. If the Corps had had its way and if the original intentions of Congress had been fulfilled, three and one half million cubic yards of earth and rock would have stretched Tocks Island east to New Jersey and west to Pennsylvania and raised it to a height of 160 feet. This damming of the Delaware would have created a narrow reservoir thirty-seven miles long. In the eighteen years since Congress authorized the project, these are among the few undisputed numbers in what has been perhaps the most tangled and tragic controversy in recent New Jersey history.

Many New Jerseyans know the Tocks Island controversy simply as a lot of fuss about a dam. But consider the high stakes: a proposal for the country's eighth largest public works project; the threatened end to the longest free-flowing river in the East; hundreds of millions of dollars inked on cost-benefit analyses; and the incalculable toll on the more than 10,000 people who had the misfortune to live where all of this came together. Consider, too, the crisscrossing ironies. Thousands of people, more than nine out of ten valley residents, were told to leave their homes for a dam that was never built. The dam was stopped, but the federal government's grip on the valley is stronger than ever: for the valley is to become the largest federal recreation area east of the Mississippi. Families were uprooted so that professional craftspeople could recreate "authentic" folkways for tourists. And if the agricultural heritage of the valley is to be preserved, the National Park Service must quickly secure tenant farmers to resurrect decaying farms—farms that the original owners could have continued to operate had the recreation area not initially been tied to the Tocks Island Dam.



proached a billion dollars. (The toll collector on the bridge between Dingman's Ferry, Pa., and Sandyston still shows visitors two nails hammered into the corner molding of the toll booth more than forty feet above the river: one nail marks the water level in the flood of 1955; the other marks the flood of 1903.) Newspapers, public officials, and the population at large demanded action, and the Army Corps of Engineers gladly obliged. Sites were studied, plans were drafted. In 1962, Congress officially authorized the Tocks Island Dam.

The memory of the great flood faded, though, and as time went on the need for a flood-control dam seemed less pressing. So dam advocates began touting the Tocks reservoir as the potential centerpiece of a giant park. Congress bought the pitch and in 1965 created the Delaware Water Gap National Recreation Area: a saber-shaped swath of 70,000 acres—including both the reservoir and surrounding land—carved out of the valley. (Meanwhile, the mid-sixties brought a bad drought to the Northeast, providing the dam builders with another argument: Tocks would be insurance against future dry years.) The Corps began to acquire land, both on its own behalf (for the dam and its reservoir) and on behalf of the National Park Service (for the surrounding park land). But the war in Vietnam was eating up billions of federal dollars, and acquisition didn't begin to gather momentum until the early 1970s.

By that time, opposition to the dam had grown. And the inevitable resistance that arises when the government invokes the law of eminent domain to compel people to sell their land, plus a new force—the environmental movement—made the dam's opponents all the more tenacious. The critics attacked the project point by point, and they got in some pretty good licks:

- On flood control, the original impetus for the dam: Critics pointed out that by the Corps' own analysis, flood control represented only 13 percent of the projected annual benefits. And they correctly noted that none of the ninety-nine deaths in 1955 occurred on the Delaware itself—all occurred on tributaries that would have overflowed even with the dam in place.

- On the recreational value of the reservoir: Many water quality experts emphatically asserted that the reservoir would become eutrophic, a breeding ground for huge masses of algae. One expert, citing an inevitable abundance of nutrients from the runoff of New York farms upstream, testified at a public hearing that the reservoir behind the Tocks Island Dam would become "vastly" more polluted than Lake Erie.

- On generating electrical power, another supposed benefit: The critics pointed out that the "pumped storage" plan—to pipe reservoir water to holding ponds on nearby Kittatinny Ridge—would expend more energy than would be released when the water was sent back downhill.

In August 1975, twenty years after the

flood, the dam's opponents won a major victory. The Delaware River Basin Commission, a regional planning body that had previously supported the dam, voted 3 to 1 against the project. (New Jersey, New York, and Delaware cast the opposing votes; Pennsylvania favored the dam.) Still, efforts to deauthorize Tocks failed to win the approval of the congressional public works committees that had originally sanctioned it. So concerned congressmen tried an end-around. In 1978, they effectively blocked the dam by convincing Congress to put the middle Delaware into the Wild and Scenic Rivers system. This protected the area on environmental grounds and removed the now widely hated Corps from the scene. But it also placed the entire 70,000-acre district in the hands of the Park Service and gave that agency a legislative mandate to someday acquire the 20,000 acres not yet owned by the federal government. At first, those remaining in the valley were buoyantly hopeful. But now the collective mood has soured considerably, as some residents begin to see in the Tocks controversy an indomitable federal hydra. Cut off one head, and another rises in its place.

**S**andy MacDonald was pregnant with her youngest daughter when she traveled to Washington to testify against the dam. Like others in the valley, she belongs to the Delaware Valley Conservation Association (DVCA), one of many citizens' groups dedicated to protecting the valley and the rights of its inhabitants. She joined because she is a fighter, and also, she intimates, for reasons related to the porch swing of her parents' home. That home, in Lawrenceville, sat beside Route 206, which twenty-five years ago was a two-lane country road. As a young girl, Sandy MacDonald would lie on that swing on summer afternoons and count maybe four or five cars go by. Neither her adolescence at tumultuous Trenton High School nor her early adulthood were quite so peaceful. Then she married and moved to the valley. She thought she had landed in paradise. God's country, in her words.

"I couldn't believe there was someplace like this in New Jersey. I had never been up here," she says. "I've had bear in my backyard, deer, and rabbits, and a fantastic assortment of birds. But it's more than that. It's a way of life up here, being able to turn my kids loose and not worry about them bumping into a fence or somebody else's tricycle. My kids are 3 and 5 and they know about the river. They know which way it runs and how it rises and goes down. They've fished in the river."

Her daughters have also seen and heard the splintering of wood and the crashing of window panes as a bulldozer tore through the home vacated by a neighbor. "To this day," Mrs. MacDonald says, "when a piece of heavy machinery comes down the road my kids go nuts. They're scared."

"I don't make it a point of driving through

**T**he idea of damming the Delaware to prevent flooding had been around since the 1920s, but it was not until August 1955, when two hurricanes struck in less than a week and produced a catastrophic deluge, that the idea took on a sense of urgency. Ninety-nine people died in the flood of '55, and property damage ap-



With a quiet understatement attributable perhaps to age, Mrs. Aseneth Sweet, 70, describes her move from her Layton home as "quite an upheaval." Her house, one of five on a cul-de-sac, with a right-of-way to the river, was bulldozed about five years ago, along with those of her neighbors. "They made a wilderness of the whole bit," says Mrs. Sweet, standing in what was once the living room of her home and surveying the dying maples out back, trees which she originally had planted. The Sweets summered for many years in Layton before moving there permanently twelve years ago. When the Tocks Island Dam project forced them to consider moving, Mr. Sweet was very ill and in the hospital, so the couple bought a house in nearby Hainesville. Mrs. Sweet moved there with her son. "We were fortunate we could stay so close," says Mrs. Sweet, noting, however, that most of her friends have moved away. "Everybody was so compatible," she recalls. "I'm content here," she says of Hainesville, "but it's hard to look and remember how beautiful it was. The house now is nothing like being on the river."



the valley anymore," she says. "It's a heart-ache. And it's incredibly frustrating when you think of what you're up against. All the government people you've talked with and they say, 'Yes, we'll try this, and yes, we'll try that,' and how they've never followed through and how they've lied and deceived."

"I put a lot of faith in Stanton to come through. One night he sat right there in that rocking chair. How stupid I was, though. Stanton was a troubleshooter, brought here to calm people down, to placate them. To make it easier to get them out, perhaps?"

Until January 25 of this year, Richard Stanton was director of the mid-Atlantic region of the National Park Service and the man most responsible for government policy in the 70,000-acre recreation area. I caught up with Stanton on his last day as head of the Philadelphia office before a promotion moved him to Boston. The day we spoke, fourteen months after the Wild and Scenic River designation, the Park Service was finally drafting a policy to deal with the thousand or so people still living in the valley (perhaps 60 percent of them in New Jersey). Roughly half, families like the MacDonalds, still own homes within the federal boundary. The rest had already been bought out by the government, some more than ten years earlier, but continue to live on their former property under one of two arrangements: A handful had paid the Park Service upfront for a "life estate"—the right to remain for the rest of their lives; and close to 250 former homeowners live on as tenants under a "leaseback" arrangement, a holdover from the Army Corps of Engineers days.

Throughout most of our conversation, Stanton measures his words carefully. He has talked with reporters before and he is trying to tread a delicately thin line: namely, to distinguish the behavior and policies of the Park Service from the conduct of the Corps of Engineers, without unduly incurring the Corps' wrath. "I can't speak for the Corps of Engineers, because I wasn't around then," he says. "But I feel the National Park Service has been able to get closer to the people and bring a little peace to the valley and proceed a little more slowly. When the Corps has a job to do they have to get in and buy the land and get out. But we buy land to protect it for recreation and for future generations. We don't have to move that fast. We don't need that person's property today, and so we can afford to be reasonable and come back next year if necessary."

I ask Stanton why the Corps acquired not only its own land for the reservoir but also Park Service land for the recreation area. He answers matter-of-factly, "They were directed by law." And when he is asked if the Corps could have used Park Service philosophy to acquire much of the land surrounding the reservoir, he agrees: "Could have, but didn't. Had I been there I would have insisted on it." The force of those last words starts to pull him off the line. "There is no question about it, mistakes were made. We inherited 250 tenants from the Corps. Some of those were not paying rent. Rents were inequitable. Some people had left and were

subletting to other people. There was a whole potpourri of unusual situations."

Stanton correctly anticipates the drift of the conversation and leans back in his chair. "I have gone up there and listened to people for hours, listened to all kinds of horror stories. I've been invited into people's homes. I don't know what is true and what is not true. I've only been here two and a half years," he says. "I'm like you. If they are true, it makes me feel bad. If they are not true, it makes me feel bad that people are saying those things. But I don't worry about that. I've got too much to do. I'm not really interested in what the Corps did, because that's past. I know there were people roughed up and hurt and so forth, but rather than worry about what happened, I'd rather spend every minute thinking constructively about how we can go forward than spend one minute worrying about what happened. And I really don't know what happened."

On September 12, 1978, the morning after his 79th birthday, Isaac Dunlap got up early, left a note for his wife, and started down the steep hill behind his home in Bushkill, Pennsylvania. The Dunlap home is a modest ranch—two bedrooms, living room, kitchen, bath, basement—a retirement home, much of which Dunlap built himself. Five months earlier a Corps negotiator named John Kelleher had offered Dunlap \$32,000 for his home and one acre of property. Kelleher later upped the offer to \$35,200. Dunlap considered that a fair price and was by then a bit more resigned to the fact that had he built his home on the other side of the street, none of this would be happening. But if he had to move, he at least wanted to keep his home. As others in the valley had done, he asked the government for salvage rights. He knew that for prices ranging from several hundred dollars to several thousand dollars, many homeowners had bought their homes back from the government and then paid to have them moved to new locations. The arrangement saved the government bulldozing fees and often netted the homeowner several thousand dollars, after paying the home mover, an electrician, a plumber, and other contractors.

Dunlap, however, was denied salvage rights to his home. The news came by telephone on the evening of his 79th birthday. He could not have his home because the Park Service wanted it so a ranger could live there (something since discontinued). Members of Dunlap's family recall that he "acted all right" the rest of the evening. But when his wife woke the following morning, she found the note: I leave everything to my wife, Mabel. Signed, Isaac Dunlap. She discovered, too, that the bottom drawer of her husband's bureau was slightly open and that a .32-caliber pistol was missing from its brown leather holster.

A search party scoured the countryside until it became too dark to continue. Early the following morning Dunlap's body was found on land belonging to the government. His right hand still held the pistol, which he had fired into his mouth. He died facing a creek where he had often fished for trout.

Word reached the Dunlap household within minutes, and Dunlap's middle daughter, Leah, instinctively searched for Kelleher's business card and dialed Philadelphia. Even before she could shout that all the gold in Fort Knox wouldn't be enough to buy the home now, Kelleher was expressing his sympathy. "I already know what happened to your father. I'm very sorry." The family views that knowledge as an inadvertent expression of government guilt. Both the Corps and the Park Service are mum, declining to discuss the incident on the record except to confirm the family's story on salvage rights. The Dunlaps know only too well that they can never prove that the government drove Isaac Dunlap to suicide, but his daughter Leah speaks for more than herself when she says, "I know in my heart that this is what happened."

Back across the river, Dr. Everett Kunkel was also denied salvage rights to his home. Kunkel, a semi-retired dentist, settled with the government for what he termed "an almost fair price"—\$114,500, plus \$8,000 in relocation expenses. This, for a four-bedroom ranch house, a small guest house, a greenhouse, and an in-ground swimming pool on a bit more than twenty-six acres in Sandyston. Kunkel, too, considered moving his home. He says the government granted salvage rights to the guest house, but "they told us we couldn't take anything else—not the home, the greenhouse, the shrubs, or even the fixtures or carpeting." Kunkel had a new home built a mile and a half away, just outside the 70,000 acres.

Five years ago this summer, about six months after moving into his new home, Kunkel's daughter called him where he was vacationing. "Dad," she said. "They're tearing the house down." The government employee who negotiated with Kunkel is dead, and the Kunkel file, I'm told, is inconclusive. "I wish I had better records for most of this stuff," said a real estate specialist for the Park Service. Neither he nor anyone else could explain why Kunkel was denied salvage rights if his greenhouse and home were to be demolished. Nor could they explain what happened to the wall-to-wall carpeting and the light fixtures. As for the bulldozed shrubs, regulations don't allow the removal of trees. To this day, Kunkel is bitter.


He feels a different kind of anguish when he thinks of what happened to his father-in-law, Herman Davidson. Davidson was in his 80s and was paid \$23,500 by the government for his small home on a sparsely populated dirt road. Kunkel helped his father-in-law look for another home, and after finding nothing comparable at that price, Davidson reluctantly purchased a home for \$32,500 on a well-traveled road in the county seat of Newton. He had to dip into his savings be-

cause the government picked up only \$3,500 of the difference. Under legislation effective at the time, the government could have made up the entire amount; Public Law 91-646 authorizes relocation and replacement benefits up to \$15,000, depending on the availability of comparable housing. "There must have been housing available for less than \$32,500," theorizes a Park Service employee. Kunkel says no, they searched "all over." Davidson, it turns out, did not live long enough to outgrow his anger. A couple of years ago he was struck and killed by a car while walking one evening on the busy road in front of his new home.

Before her family home was acquired by the government and she moved to upstate New York, Mina Hamilton traveled up and down the valley for weeks trying to get to the bottom of stories like these and trying to document examples of people mistreated at the hands of the government. She did so as president of the DVCA, and she brought many of the acquisition irregularities she discovered to congressional hearings. One story went like this: A modern, two-bedroom home on eighteen acres with "open meadows rolling down to 450 feet of river frontage" was condemned by the government in 1972 for \$49,800. Five years earlier a roughly comparable home on 4.4 acres with "about 400 feet of steep inaccessible road frontage" went for \$50,000. "To say that a riverfront property with eighteen acres is worth less than a four-acre one bought five years before," she testified, "is peculiar indeed." (A local real estate broker I spoke with estimated that property values in the area increased by about 25 percent during those five years.)

Looking back on her own day in court, Mrs. Hamilton says the government "made a deliberate attempt to misrepresent the value of my family's property." She says the government officials trying the case presented the jury with out-of-focus photographs of the primary residence on the 233-acre property and emphasized deteriorating outbuildings "as a means of making it look like a Tobacco Road property." She says the government also tried to downgrade the value of the property's one mile of river frontage by showing photographs of graffiti scrawled on rocks on the opposite side of the river. Those rocks, Mrs. Hamilton maintains, were not even visible from her property. After hearing both sides, the jury awarded \$469,000—better than \$200,000 more than the amount at which the government condemned the tract. Mrs. Hamilton's lawyer, Gordon Meyer, says that in condemnation case after condemnation case "the government played hardball." And he asks, is it any wonder people left the courtroom disillusioned?

The Assistant U.S. Attorney who handled many of the condemnation cases for the government certainly doesn't waste any words trying to correct that assessment. "In condemnation cases," says Carolyn Arch, "there is no such thing as a win. The law says we are to provide a just compensation, not replace what has been taken. The 'value



to me' concept is not acceptable in condemnation cases." That, she says, and the grim reality of being displaced probably account for a large percentage of the bad feelings in the valley.

I ask her about something I have picked up in conversation with a couple of people whose property was condemned. I have been told that the government's first offer was always written, but that later offers were usually verbal, and that if a final verbal offer was rejected, a government negotiator might warn: "If you turn down this latest offer we'll have to condemn the property and take you to court. Understand, though, that in court we present only the original written offer. Those other verbal offers, they don't count. A jury might end up giving you less than I just offered you and you're going to have to pay your lawyer out of that too." Several residents termed this a "slick" negotiating strategy and equated it to a verbal shell game. Assistant Attorney Arch disagrees, saying the inadmissibility of such verbal offers is "a maxim in American jurisprudence. I don't know how anyone could be surprised at that." Lawyers I spoke with agreed with at least the first half of her statement.

Although apparently not underhanded, this policy of written and verbal offers clearly bowled over a number of people, and would seem to point to another reason for many of the horror stories: confusion—confusion born of complicated legal principles and constantly changing circumstances and legislation.

"It's about the most thoroughly confusing situation—it has a most tangled history and a very tangled present," says one Park Service official. "It's almost impossible not to misunderstand." For instance: Many complain about the "hopscotching" of the acquisition process. "I thought they were supposed to start at the dam and proceed up the valley" is a common refrain, especially among the displaced who feel they were singled out because of their opposition to the dam. According to one former resident, a Corps negotiator told him: "I don't know whether you know it or not, but you've been numbered because you fought against the Tocks Island Dam. They're not going to give you any quarter." Unfortunately, there is no way to know if the negotiator really said that, but there are explanations for the "hopscotching" that may have escaped many angry residents. For one thing, many people asked the government to purchase their property—some thinking they might turn a profit, others simply anxious to leave a bad situation. The government had to act on these requests first. A much less obvious explanation involves the availability of acquisition money. Though the Corps acquired land for both the reservoir and the surrounding recreation area, the acquisition money came from separate federal sources, and because of Capitol Hill funding quirks, money was sometimes budgeted for recreation area purchases but

not for the reservoir. The fact that the reservoir tracts deserved a higher priority carried no budgetary clout.

Ironically, the way things stand now, many of the people so displaced probably could have kept their homes for the rest of their lives. So they have every right to their anger. But to direct it against the Corps and the Park Service, on this count anyway, seems largely to undershoot the target. And people clearly have needed targets for their anger. Children in the valley have pelted ranger vehicles with crabapples and rocks. Many parents hurl four-letter words. Says one woman whose family was displaced: "I wonder if a lot of it isn't just a way of fighting back the frustration. People really had no recourse and all they could do was complain."

When they do, many invoke the name of Joseph Cooke. Beginning in 1972, Cooke directed land acquisition in the valley for the Corps. He now works in a similar capacity for the Park Service out of its Bushkill headquarters for the Delaware Water Gap National Recreation Area. Cooke spent much of last summer in Philadelphia "cooling off," at the insistence of regional director Stanton. The temporary transfer followed Cooke's remarks to a *New York Times* reporter: "It's squirts like him [Barry Allen, the present head of the DVCA]—3 percent representing 100 percent of the people—that pushed up the cost of the Tocks Dam, made more people miserable, and complicated my work. Look, the Corps of Engineers are experts, and if they say that the dam should be built, they must know. Remember, the dam was never deauthorized. What happened is just going to make it a little harder to get it built."

I ask Cooke if he was quoted correctly. Calmly, he nods his head but adds that his words were taken out of context. He seems indeed to have cooled down and he patiently fields my questions; intentionally or not, he sheds some additional light on the acquisition process. He explains that prior to 1971 and the enactment of Public Law 91-646 (also known as the Uniform Relocation Act), "people really didn't get a fair shake." For one thing, the government paid almost no relocation expenses. "About all we did was pay mileage and cover a couple of lunches so people could look for another place to live," he says. For another, negotiators didn't have to offer fair market value for a property and in fact didn't even have to inform homeowners of the amount at which their homes were appraised.

Cooke notes that he came to the Delaware Valley after 91-646 but explains how things worked under the previous legislation. "Say I've got a \$20,000 appraisal and maybe my reviewer and I think it's liberal, a little high. There is nothing really wrong with me going in and offering him \$19,000. I'm going to pitch him and see what happens. If I buy it for \$19,000 I haven't cheated him out of anything. Maybe he'll give me a hard time and I'll get up a couple, maybe three hundred dollars. But remember, it's a liberal appraisal. *Continued on page 141*



**F**or six of the eleven years the Kirschner family lived in this 1830 farmhouse near Dingman's Ferry, they lived in limbo. They were told by the government in 1972 that they would have to sell their home to make way for the Tocks Island Dam, but they were unable to settle the sale — or find out precisely when they had to move — until 1978. Meanwhile, “we had some very lean years,” says Mrs. Basia Kirschner, who recalls the year she couldn't meet mortgage payments on the house, or find a willing private buyer.

Although the Kirschners would gladly have salvaged the house — with its lead-pane windows and fieldstones — or leased it from the government, they were given only one option: sell. Last year the Kirschners finally moved to nearby Newton with the government's help. This photograph marked the first time the family revisited their former home or its surroundings. “I just couldn't bring myself to go back,” says Mrs. Kirschner. “It was very melancholy, just windowless houses looking at you — a place pervaded with the memories of people no longer there.”





# VALLEY

Continued from page 62

"Now one of the reasons I think they got rid of [the old law] is because I heard—we'd never done it—that these people lowballed. They thought it was smart to chisel somebody out of some money." I ask him who. He says the Department of Housing and Urban Development boys in the metropolitan areas. "But I know my people and I myself never offered anybody anything that was ridiculously low," he says. "To my knowledge we never underpaid anybody, never abused anybody, or took advantage of anybody."

At only one point in the conversation does Cooke display a bit of the emotion that others have attributed to him. When he does, his words are edged with frustration: "What really upsets me is that people must visualize that at midnight a gong goes off and here comes one of my negotiators just spitting smoke, with horns, and he goes in and kills all the babies and then throws everybody out in the yard. And I just don't think that's right. This is what upsets me."

From a seemingly unlikely source comes something of an echo. "I don't think the Corps of Engineers are the big ogres people make them out to be. I wouldn't doubt there probably were cases where there is cause for contention, and I think there were some negotiators who probably weren't as diplomatic as they should have been." The speaker is Arthur Bevans, who maintains his family had good dealings with the Corps and received a fair price for their 140-acre farm. Family history has it that the land was part of a much larger holding granted to his great-great-grandfather, Evan Bevans, for distinguished service in the Revolutionary War. In fact, until recently a tiny crossroads town in the valley bore the name of Bevans. But by the early 1970s the Park Service had acquired all the homes there and established a residential and workshop community of craftsmen as an attraction for visitors. The Park Service renamed the community Peters Valley (after an earlier name for the settlement); many outraged former residents and others refuse to acknowledge that name, preferring instead "Occupied Bevans."

"I like to think of myself as reasonably broad-minded, but I'm not broad-minded about that place down there," says Joyce Bough, a resident of nearby Layton who had to find a new house for her parents after their retirement home was acquired for the craft village. "I had one of the craftspeople ask me why people don't like them. I said, 'Don't take it personally, it's just the whole deal doesn't sit well.' I deal in antiques. I like crafts. But I wouldn't go across the street to see what they've got," she says. Other valley residents bristle at the mere sight of the credit card stickers in the windows of the craft shop. Says one: "Master

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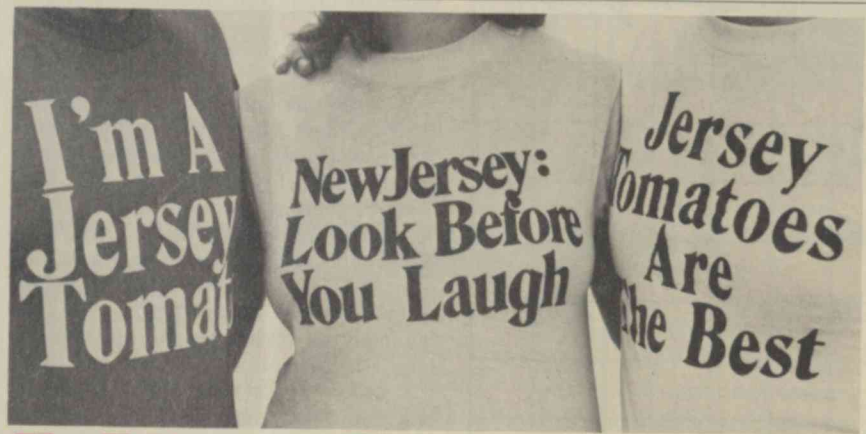
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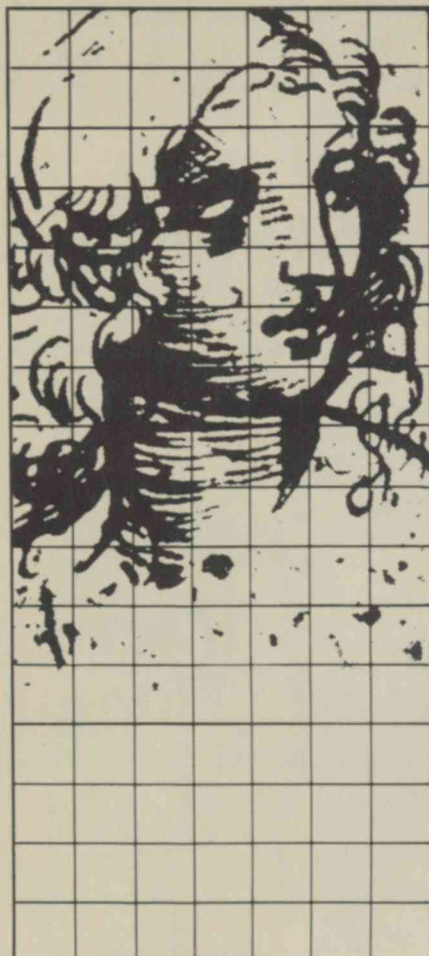
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Charge and Visa are not what this valley is all about."

Surprisingly, Arthur Bevans does not really mind that the whim of the federal government has stricken his family name from the map. (A cousin, however, was quite irate and quickly moved all the way to upstate New York.) His only gripe with the whole Tocks Island controversy is that the land his family had farmed steadily for five generations is now reverting to wilderness. Trees as big around as his beefy forearm have sprouted in the pasturelands. Even so, his fatalism keeps him from anger: "All our family realized there was nothing you could do about it. We might as well try and make the best of it."

"Your mother was most upset," his wife calls from the kitchen where she is preparing supper.

"Then again, she was old," Bevans says. "She was 80."

It seems safe to say that the elderly suffered the most. Many had retired to the valley, planning to live out the remainder of their lives. Ethel Angerman and her husband bought a home in Bevans in the early 1960s, winterized it, sanded six coats of paint from the floorboards, and fixed up "a darling place." Their garden out front displayed so many beautifully colored flowers that passing motorists would often stop and take pictures. The Angermans' horror story is simply this: had they lived elsewhere in the recreation area they probably would have been allowed life rights, but because the Park Service wanted the homes in Bevans for the craft village, the Angermans had to move.

Approaching her 60th birthday, Edith Hull had to quarterback the flock of contractors necessary to enable her to move her home outside the recreation area. She concedes she came out financially well—but emotionally drained. "What it cost in nerves and the sight of it . . ." she says. "I just wanted to get it behind me and get on with getting a good night's sleep."

Other elderly people were also affected physically. Frank Dascoll's heart condition was undoubtedly aggravated by all the turmoil, his doctor says. A retired schoolteacher, Dascoll spoke his mind so vehemently at many public hearings that friends worried that his red-faced and breathless speeches would trigger a heart attack. One can only agree from listening to a tape of a brief speech Dascoll made on October 15, 1975:

"This is my last night sleeping in the bed I have slept in for the last twelve years in Walpack Center. The beams come tumbling down. It is horror. I know because I have been hurt physically, emotionally. . . . I know the vile meaning of eminent domain."

**N**ear the tail end of many conversations, even the most bitter residents and former residents mention one final irony. They concede a silver lining to the Tocks Island controversy. "Had there been no Tocks Island Reser-

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voir Project and had there been no Delaware Water Gap National Recreation Area, who knows what this area would have been like," says Barry Allen, the current president of the DVCA. "You take a look at the tax maps, the land along the river is divided into quarter-acre lots. There were developments planned all over the place.

"But if this valley is going to be preserved," Allen says, "it won't be because of the Park Service, but because of average citizens getting together and saying 'You can't destroy this valley.'" Examining the present record of the Park Service, one is inclined to agree. The recreation area that Stanton says has "the greatest potential of any park in the East" is understaffed, underfunded, bedeviled by arson and vandalism, lacking a management plan, and on the threshold of instituting a new tenant policy that will unquestionably rekindle smoldering hostilities.

Last year 1.6 million people visited the eighty square miles for which the Park Service is presently responsible. Supervising these visits and patrolling that territory were thirteen rangers, not all on duty at the same time. Park Superintendent Amos Hawkins doesn't even try to put a rosy veneer on things; he admits straight out that he "doesn't have enough people to do the job." Recently, in a little more than a week, five unoccupied homes burned to the ground. Looting occurs constantly. Cars bearing Pennsylvania, New Jersey, and New York license plates often circle brazenly near a recently vacated home. In at least one instance, thieves shot off a lock to enter a home and strip it of fixtures and woodwork. Rarely is anyone caught. Furthermore, a nagging shortage of funds has slowed "site restoration," the Park Service's ironic euphemism for bulldozing buildings. Consequently, abandoned and partly burned homes dot the roadsides, defacing the recreation area and extending a dangerous invitation to the curious and seekers of old bottles and knick-knacks. Open wells pose additional hazards.

"Not only don't we have enough people to do the job," Hawkins says, "but what is the job? First we've got to have a development plan telling what we are going to make the area into. Right now we're in a holding pattern, without a plan. Without direction. We're in limbo." Hawkins punctuates that last statement by extending his arms, palms up, and casting a wistful glance at the ceiling.

The management plan for the recreation area lies becalmed in the Park Service's regional office in Philadelphia. Meanwhile, arson, vandalism, and natural decay are taking a toll on dozens of buildings either on or eligible for the National Register of Historic Places. And as the buildings fall down, many of the fields and pasturelands in the valley push up weeds and saplings. If some of these fields are not worked soon, it is doubtful they will ever again be plowed or ever again support a herd of dairy cows. The irony seems almost too obvious to mention, but had farmers not been chased out in the first place, the Park Service would not be faced with the

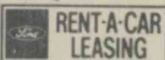


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urgent problem of trying to halt the march of natural succession. Unless the Park Service acts soon and rejuvenates more than a few farms, the character of the valley, the picturesque mix of forest and fields, will be lost for future generations.

"I guess it's just a matter of staffing and priorities," says James Coleman Jr., acting regional director of the Park Service. "Our planners are up to here already. It's just a matter of assigning a priority to it. I think the past regional director felt perhaps the time was not right to get on with the plan because when you do that you're going to stir up more people.

"I think we can get on with the planning effort. We've got some really horrendous problems up there. There are a lot of historical buildings we have to preserve. We don't have the funds for it, and probably never will get the funds for it. I'm going to assign a high priority to it, but I'm only acting regional director."

A bit later Coleman explains the policy the Park Service has drafted for dealing with the people still in the valley. Homeowners who want to sell to the government will be bought out, but barring extraordinary need for a property, those homeowners who want to remain will be allowed to do so. Then Coleman mentions what the Park Service plans for those families still renting their former homes under leaseback arrangements. My stomach tightens on behalf of some 250 families and for what lies ahead. The valley will soon learn that all leases are to be terminated within five years.

This, I know, will poke at old wounds and will come at a time when the politically active in the valley are gearing up for another attempt to get the dam deauthorized. For the first time, a state official—specifically Betty Wilson, deputy state environmental protection commissioner—has said New Jersey will seek congressional deauthorization. For, as Cooke pointed out to the *New York Times*, the Tocks Island Dam is still on the books, despite the fact that it directly contradicts the Delaware's Wild and Scenic River status. In other words, Congress at present is officially supporting two contradictory—in fact, mutually exclusive—policies for the valley. "Deauthorization is very important," says DVCA president Allen, "because it would necessitate an entirely new economic analysis to reactivate the dam, and we don't think it could stand that scrutiny."

I know, too, that many residents of the valley will not react calmly to the proposal to end all leasebacks within five years. Allen has told me, "They are talking at least twenty years before this park is really functioning, so what's the hurry to get people out. I see no benefits to removing people, but I see a lot of costs. Do they want to be in the position of calling in federal marshals to make people leave? We fought sixteen years against the Corps and we're not going to give the valley over to the Park Service and let them ruin it."

You can practically feel the swirling starting anew. ■

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