

**DELAWARE RIVER BASIN COMMISSION**

**MEETING OF MARCH 14, 2018**

**Minutes**

Commissioners Present: Timothy D. Schaeffer, Pennsylvania, Chair  
Jeffrey L. Hoffman, New Jersey, Vice Chair  
Kenneth Kosinski, New York, Second Vice Chair  
Bryan A. Ashby, Delaware  
Lieutenant Colonel Kristen N. Dahle, United States

DRBC Staff Participants: Steven J. Tambini, Executive Director  
Pamela M. Bush, Commission Secretary & Assistant General Counsel  
Elba L. Deck, Director, Finance and Administration  
Thomas J. Fikslin, Director, Science and Water Quality Management  
David Kovach, Manager, Project Review  
Kenneth F. Najjar, Director, Water Resource Management  
Hernan Quinodoz, Senior Engineer, Water Resource Operations

The Commission met at the Washington Crossing Historic Park Visitor Center in Washington Crossing, Pennsylvania on March 14, 2018. After introductions by Chairman Timothy Schaeffer and his co-commissioners, Mr. Schaeffer asked attendees to make note of the emergency exits and to keep aisles and exits clear throughout the meeting. He thanked the Pennsylvania Department of Conservation and Natural Resources and staff at the Visitor Center for hosting and supporting DRBC's meeting. Mr. Schaeffer led the "Pledge of Allegiance."

Minutes. The Minutes for the Commission's regularly scheduled Business Meeting of December 13, 2017 were unanimously approved.

Announcements. Ms. Bush announced two upcoming advisory committee meetings:

- *DRBC Water Quality Advisory Committee (WQAC).* The WQAC was to meet on Thursday, March 29, 2018 at 9:30 a.m. in the Commission's Goddard Conference Room. John Yagecic is the committee's staff liaison.
- *DRBC Water Management Advisory Committee (WMAC).* The WMAC was to meet on Thursday, June 21, 2018 at 10:00 a.m. in DRBC's Goddard Conference Room. The contact for the WMAC is Chad Pindar.

The Commission's website contains additional information, including contact information for the committee liaisons.

Hydrologic Conditions. Mr. Quinodoz reported on the hydrologic conditions in the Basin as follows:

The average observed precipitation for the portion of the Basin above Montague, New Jersey for the period January 1 through March 12, 2018 was 10.82 inches, or 3.71 inches above normal. The observed precipitation for the Basin above Trenton for the same period was 11.6 inches, or 4.03 inches above normal and for the Basin above Wilmington, Delaware for this period was 11.48 inches or 4.15 inches above normal.

The average observed streamflow of the Delaware River at Montague, New Jersey in February 2018 was 10,569 cubic feet per second (cfs), or 209 percent of the long-term average for the month. The average observed streamflow of the Delaware River at Trenton, New Jersey for the same period was 21,757 cfs, or 185.3 percent of the long-term average for the month.

For March 1 through 12, the average observed streamflow at Montague was 12,224 cfs, or 138.6 percent of the long-term average for the month. The average streamflow at Trenton, New Jersey during the same period was 28,683 cfs, or 157.4 percent of the long-term average for the month.

In the Lower Basin, as of March 13, 2018, Beltzville Reservoir contained 13.51 billion gallons (bg) usable, or 100.2 percent of usable storage; Blue Marsh contained 4.45 bg usable, or 100.2 percent of winter pool usable storage. As of March 12, Merrill Creek contained 13.7 bg usable, or 87.5 percent of usable storage.

In the Upper Basin, as of March 13, Pepacton Reservoir contained 132.6 bg usable or 94.6 percent of usable storage; Cannonsville contained 88.3 bg usable, or 92.3 percent of usable storage. Neversink contained 33.4 bg usable or 95.5 percent of usable storage. The total New York City Delaware Basin reservoir storage was 254.3 bg usable or 93.9 percent of usable storage.

The long-term median storage for the New York City Delaware Basin reservoirs for March 13 was 240.6 bg, or 88.8 percent.

During the month of February, the location of the seven-day average of the 250-parts-per million (ppm) isochlor, also known as the “salt front,” fluctuated between River Mile (RM) 72 at the start of the month to downstream of RM 54 by February 28. The normal location of the salt front during February is RM 71, which is seven miles downstream of the Delaware-Pennsylvania state line.

As of March 12, the salt front was estimated to be at RM 71, which is one mile upstream of the normal location of the salt front during March.

Resolution to Adopt the Fiscal Year 2018-2020 Water Resources Program. Dr. Najjar explained that the WRP is required to be adopted annually under Section 13.2 of the *Delaware River Basin Compact* (“Compact”). It consists of those projects and facilities proposed to be undertaken by the Commission and other authorized government and private entities during such reasonably foreseeable period as the Commission may determine – in this instance, the three years from 2018 through 2020. The WRP aligns with the *Water Resources Plan for the Delaware River Basin* (“Basin Plan”) adopted by the Commission and federal agencies in 2004. The Basin Plan signatories resolved to support the principles, goals and objectives of the Basin Plan, and directed Commission staff to be guided by the Plan. Dr. Najjar noted that the activities, programs, initiatives, projects

and proposals in the WRP guide development of the fiscal year 2019 budget for the Commission as well.

On February 14, 2018 the Commission held a duly noticed public hearing on the proposed WRP for fiscal years 2018-2020, during which two individuals provided oral comment, one of whom also provided written comments. All comments concerned the portion of the WRP addressing hydraulic fracturing in the Basin. Dr. Najjar said the commenters were advised that a separate rulemaking process was underway on the matter of hydraulic fracturing, and that they should avail themselves of the opportunity to comment on that rulemaking. He asked the Commissioners to adopt the WRP for fiscal year 2018-2020, in satisfaction of Section 13.2 of the Compact.

Hearing no comments or questions from the Commissioners, Mr. Schaeffer requested a motion to adopt the resolution as proposed. Mr. Hoffman so moved, Mr. Kosinski seconded, and Resolution No. 2018-1 to adopt the fiscal year 2018-2020 Water Resources Program was approved by unanimous vote.

A Resolution to Clarify and Restate the Commission's Policy for the Replacement of Water Consumptively Used by Electric Generating or Cogenerating Facilities During Critical Hydrologic Conditions. Mr. Tambini announced that the Commission had decided to postpone action on this resolution, pending further review and consideration of comments received on the proposed draft. He said that more information about the proposed resolution would be forthcoming.

A Resolution Reauthorizing the Regulated Flow Advisory Committee's (RFAC) Subcommittee on Ecological Flows (SEF). Ms. Bush said that the Commission, its Regulated Flow Advisory Committee (RFAC) and stakeholders are all of the view that knowledge about the ecology of the basin has evolved over time and that a process is needed to collect and synthesize the latest technical and scientific research and information on effects of flow management programs on habitat and ecological health to inform the RFAC. The RFAC and the Commission believe that a subcommittee process will provide the most efficient means of synthesizing this information, so that the RFAC can advise the Commission on these matters. The proposed resolution would re-authorize and provide for the composition and term of a Subcommittee on Ecological Flows (SEF) to advise the RFAC, which, notably, is itself a purely advisory body. Since neither the SEF nor the RFAC has more than an advisory role, creation of the SEF will not affect the diversions, releases, rights, conditions or obligations created by the 1954 U.S. Supreme Court Decree. Thus, creation of the SEF does not require the unanimous approval of the Decree Parties pursuant to Section 3.3(a) of the Compact.

Ms. Bush reported that staff was recommending modifications to the draft resolution in response to comments received on the scope and composition of the RFAC. The amended charge to the SEF is to explore the effects of regulated flows on habitat and ecological health in the East Branch, West Branch, main stem Delaware River and Neversink River to inform both the 2017 and future Flexible Flow Management Programs during the term of the SEF's authorization. The amended resolution provides for the appointment of up to six "nonreserved" members with expertise relevant to the subcommittee's charge – two more than originally proposed. It also includes two additional categories – business and industry – from which nonreserved members may be nominated. The other categories are environmental organizations, watershed organizations, fisheries organizations and academia. The revised resolution further provides that the SEF is encouraged to consult with

and seek input from additional technical and topic-specific experts to meet the charge provided by the RFAC on an as-needed basis. The term of the SEF was revised to expire on May 31, 2023 unless the RFAC recommends that the SEF be continued and the Commission authorizes its continuation.

Ms. Bush said that with the described changes and the understanding that all meetings of the SEF will be open to the public to encourage dialogue among technical experts and interested stakeholders, the staff recommended that the Commission approve the resolution.

Hearing no comments or questions from the Commissioners, Mr. Schaeffer requested a motion to approve the proposed resolution. Mr. Kosinski so moved, Mr. Hoffman seconded his motion, and Resolution No. 2018-2 reauthorizing the Regulated Flow Advisory Committee's (RFAC) Subcommittee on Ecological Flows (SEF) was adopted by unanimous vote.

A Resolution for the Minutes Authorizing the Executive Director to Procure Such Services and Facilities as are Required to Conduct the Public Process for the Commission's Draft Rulemaking on Water Management in Connection with Hydraulic Fracturing. Ms. Deck explained that the proposed resolution would authorize the Executive Director to procure such goods and services as are necessary to conduct a notice and comment rulemaking on water management in connection with hydraulic fracturing activities, pursuant to the Commission's Resolution for the Minutes of September 13, 2017. To date, she said, the Executive Director had taken all necessary steps to comply with the directive, entailing expenditures of approximately \$32,000 for the services of a hearing officer, publication of the draft rules in the *Federal Register*, stenographers, security personnel, the purchase of specialized security equipment, rental of appropriate venues, and procurement of other essential items and services. Because the Commission has only one source of supply with respect to publication in the *Federal Register*, because of the specialized or professional nature of the services procured for security and a hearing officer, and/or because of the need for prompt action, the resolution authorizes the Executive Director retroactively and on a going-forward basis to procure such services as are reasonably required to fulfill the Commission's rulemaking directive of September 13, 2017 without the use of competitive bidding procedure.

Hearing the recommendation from staff, Chairman Schaeffer requested a motion to approve the proposed resolution. Mr. Kosinski so moved, LTC Dahle seconded his motion, and the Resolution for the Minutes authorizing the Executive Director to procure such services and facilities as are required to conduct the public process for the Commission's draft rulemaking on water management in connection with hydraulic fracturing was adopted by unanimous vote.

The text of the resolution follows:

A RESOLUTION for the Minutes, authorizing the Executive Director to procure such goods and services as are necessary to conduct a notice and comment rulemaking related to hydraulic fracturing activities, pursuant to the Commission's Resolution for the Minutes of September 13, 2017.

WHEREAS, the Commission by Resolution for the Minutes on September 13, 2017, authorized and directed the Executive Director no later than November 30, 2017 to prepare and publish for public comment a revised set of draft regulations to address hydraulic fracturing and related activities within the Basin; and

WHEREAS, to date the Executive Director has taken all necessary steps to comply with this directive, entailing expenditures of approximately \$32,000 for the services of a hearing officer, stenographers and security personnel; the purchase of specialized security equipment; the rental of appropriate venues; and the procurement of other essential items and services; and

WHEREAS, in accordance with Section 14.9 of the *Delaware River Basin Compact* (Compact), contracts for the purchase of services, supplies, materials or equipment valued in excess of \$2,500 are subject to the requirement that a competitive bidding process must be used unless the Commission waives such requirement for one or more reasons, including among others that the public exigency requires immediate delivery of the articles or performance of the services, that only one source of supply is available, or that the services to be provided are of a specialized or professional nature; and

WHEREAS, expenditures for the publication of draft rules in the *Federal Register*, for the services of a hearing officer, for the rental of appropriate hearing venues, for the provision of security, and for stenographic services required to conduct rulemaking in accordance with the Commissioners' directive of September 13, 2017 all entailed costs in excess of \$2,500 and fell within one or more of the categories for which in accordance with Section 14.9 of the Compact, the competitive bidding provisions of that section may be waived; now therefore,

BE IT RESOLVED by the Delaware River Basin Commission that because only one source of supply exists (e.g., publication in the *Federal Register*), because of the specialized or professional nature of the services procured (security, hearing officer), and/or because of the need for prompt action (venues, stenography), the Executive Director is hereby authorized retroactively and on a going-forward basis to procure such services as are reasonably required to fulfill the Commission's rulemaking directive of September 13, 2017, without the use of a competitive bidding process.

A Resolution for the Minutes Authorizing the Commission to Procure Janitorial Services Based on a Competitive Bidding Process. Ms. Deck reported that a request for proposals (RFP) for janitorial services for the West Trenton headquarters building had been published in newspapers, and the Commission had received ten bids for a contract for the period from April 1, 2018 through March 31, 2021 with the option of a 12-month extension. The resolution would authorize the Executive Director to enter into a three-year contract with the lowest qualified bidder, Interstate Building Maintenance Corporation of Horsham, Pennsylvania, for a period of three years ending March 31, 2021 with the option of a 12-month extension.

Mr. Schaeffer requested a motion to approve the resolution as proposed. Mr. Ashby so moved, LTC Dahle seconded his motion, and the Resolution for the Minutes authorizing the Commission to procure janitorial services based on a competitive bidding process was adopted by unanimous vote.

The text of the resolution follows:

A RESOLUTION authorizing the Executive Director to enter into a contract for janitorial services for the Commission's office facilities.

WHEREAS, in accordance with the procedure set forth in section 14.9 of the *Delaware River Basin Compact*, the Commission on December 6, 2017 issued a Request for Proposal (RFP) for Janitorial Services for its West Trenton headquarters building for the period April 1, 2018 to March 31, 2021, with two optional 12-month extensions; and

WHEREAS, prospective vendors were required to submit their proposals on or before 4:00 p.m., Friday, January 19, 2018; and

WHEREAS, the Commission received by the deadline and has evaluated ten (10) proposals, and has found Interstate Building Maintenance Corporation, based in Horsham, Pennsylvania, to be the lowest responsible bidder; now therefore,

BE IT RESOLVED by the Delaware River Basin Commission that the Executive Director is authorized to enter into a three-year contract with Interstate Building Maintenance Corporation of Horsham, Pennsylvania for a period of three years, ending March 31, 2021, with two optional 12-month extensions, to provide janitorial services for the Commission's headquarters building in West Trenton, New Jersey.

This Resolution shall take effect immediately.

Executive Director's Report. Mr. Tambini's remarks are summarized below:

- *Proposed Amendments to the Administrative Manual and Special Regulations Regarding Hydraulic Fracturing Activities.* Written public comments will be accepted online through 5:00 p.m. on March 30, 2018.
- *Professional Engineering Services.* DRBC is seeking professional engineering services for evaluation and cost estimation of nutrient treatment practices and technologies. The goal of this contract is to develop information on the relationship between various target levels of wastewater effluent ammonia and total nitrogen concentrations and the estimated expenditures necessary to achieve those levels. This information will be considered by decisionmakers in assessing the effluent load reductions required to support potential dissolved oxygen criteria in the Delaware Estuary. Proposals must be received by March 30 at 4:00 p.m.
- *DRBC Seasonal Photo Contest.* On behalf of the Commission Mr. Tambini thanked and congratulated Martha Tully, whose beautiful submission entitled "Winter on the Stone Arch Bridge" was chosen as the winner of the Commission's Winter 2018 Photo Contest. The photo was projected on a screen for the benefit of meeting attendees and was also posted on the DRBC website.
- *Dr. Namsoo Suk.* Dr. Namsoo Suk has been named DRBC's new Director of Science and Water Quality Management, succeeding Dr. Thomas Fikslin. Dr. Suk has been with the Commission since 1998. Mr. Tambini said he was looking forward to continuing to work with Dr. Suk and the rest of the Commission's exceptional science team on achieving management goals for the Delaware River Basin.
- *2018 Delaware River Sojourn.* The 2018 Sojourn will run from June 15 through June 23, and will celebrate the 50-year anniversary of the National Wild and Scenic Rivers Act. For

more information about this great opportunity to experience the Delaware River, visit [DelawareRiverSojourn.org](http://DelawareRiverSojourn.org).

- *Pennsylvania Performance Audit of DRBC.* The Commonwealth of Pennsylvania adopted legislation requiring performance audits of the DRBC and SRBC, respectively. A representative of the Pennsylvania Auditor General's Office began the audit on February 14, 2018 and the audit results are expected later this year. Mr. Tambini said the results will certainly be shared once they are available.
- *May-June Public Hearing and Business Meeting.* The Commission's next quarterly public hearing will take place on May 16, followed by the next business meeting on June 13. Both will be held at the West Trenton Volunteer Fire Company hall in West Trenton, New Jersey.
- *Retirement of Clarke D. Rupert, Communications Manager.* Mr. Tambini announced the retirement of Communications Manager Clark Rupert from the Commission, effective April 1, 2018. He read aloud a signed resolution honoring Mr. Rupert's service and presented him with a gift.

The text of the resolution reads as follows:

A RESOLUTION honoring Clarke D. Rupert for his noteworthy career in public service and two decades of distinguished service to the Delaware River Basin Commission.

WHEREAS, Clarke's nearly 40-year career has been marked by his dedication to public and government service at the national, regional, state and local levels, his personal integrity, love of history, and skill at his craft; and

WHEREAS, during the early 1980s and again in the 1990s Clarke served as a key aide to U.S. Representative Peter Kostmayer of Bucks County, Pennsylvania, handling constituent matters, special projects and external and staff communications for the Congressman; and

WHEREAS, Clarke served the Allentown City Council as a legislative analyst in the late 1980s and handled community and media relations for the southeast regional office of the Pennsylvania Department of Environmental Protection from 1994 to 1999; and

WHEREAS, Clarke joined the Delaware River Basin Commission as Assistant Public Information Officer in 1999 and held positions of leadership in Communications at the DRBC since 2005; and

WHEREAS, as the Commission's primary spokesperson under two executive directors, Clarke performed the difficult task of translating complex science, policy and fiscal information for diverse audiences, including the media, concerned stakeholders, elected officials and the general public; and

WHEREAS, Clarke also kept DRBC staff and Commissioners informed of important federal and state legislative processes, faithfully chronicled the Commission's actions through DRBC's annual reports, and oversaw the development and maintenance of a DRBC website packed with valuable data and information; and

WHEREAS, Clarke was extraordinarily careful and accurate in his work and was a valued writer and editor of DRBC communications of all kinds; and

WHEREAS, Clarke became the in-house expert on DRBC history, and if the answer to a question was not at his fingertips, in most instances he tracked it down quickly in his well-organized files; and

WHEREAS, Clarke performed valuable research on state and federal legislative actions and was the go-to staffer for latest developments of significance to the DRBC in state houses and Congress; and

WHEREAS, Clarke created and maintained on the DRBC website a trove of information on the Commission and the basin's water resources for diverse audiences, including materials specially developed for teachers and students; and

WHEREAS, Clarke enjoyed telling the DRBC story to colleagues, Commissioners, reporters, elected officials, stakeholders and audiences of all ages, and particularly enjoyed audiences of school children, representing the next generation of water resource managers and stewards; and

WHEREAS, Clarke D. Rupert will officially retire from DRBC on April 1, 2018 after nineteen years of faithful and valued service; now, therefore

BE IT RESOLVED that the Commissioners and staff extend their deepest appreciation to Clarke D. Rupert for his professionalism, integrity, commitment, friendship, steadiness and outstanding service to the DRBC and the Delaware River Basin. We wish Clarke and his wife Alisa excellent health and much happiness as they embark on a well-deserved retirement. Keep on rooting for those Phillies and keep telling the story!

Mr. Schaeffer requested a motion to adopt the resolution, Mr. Kosinski so moved, LTC Dahle seconded his motion, and the Resolution for the Minutes Honoring the Career and Service of Clarke D. Rupert was approved by unanimous vote.

Clarke thanked the Commissioners for the resolution. Noting that the last 19 years had passed quickly, he said it had been a pleasure to work side-by-side with his many past and present colleagues to perform the important work of the Commission with integrity and professionalism. He thanked the staff, Commissioners and other colleagues, said it had been a fun ride and urged them to keep up the good work.

- *Retirement of Dr. Thomas J. Fikslin, Director of Science and Water Quality Management.* Mr. Tambini noted that Dr. Fikslin had had a few starts and stops in fixing his retirement date, but the day was finally coming. He read aloud and presented Dr. Fikslin with the resolution set forth below:

A RESOLUTION honoring Thomas J. Fikslin, Ph.D. for his distinguished career in the application of science to improve water quality and water management in the Delaware River Basin and beyond.



WHEREAS, Dr. Fikslin's career has spanned nearly fifty years and has been marked by his high professional standards, determination, persistence, good nature, and unfaltering enthusiasm for solving complex problems; and

WHEREAS, for nineteen years before joining the Commission, Tom worked for Region 2 of the United States Environmental Protection Agency (EPA), where his early work focused on the impacts of power plant discharges on aquatic life (1974-79) and where he later directed the toxicity testing and microbiology section of Region 2's laboratory in Edison, New Jersey (1979-86), eventually serving as the lab's Assistant Director (1986-89) and its Acting Director; and

WHEREAS, Tom came to DRBC in 1989 on a temporary assignment under the Intergovernmental Personnel Act (IPA) to direct the development and implementation of an Estuary Toxics Management Strategy; and

WHEREAS, when Tom's initial IPA term expired, then-Executive Director Gerald Hansler secured its extension by two years, whereupon Tom joined the Commission as its Water Resources Manager to guide the development and adoption of water quality standards and implementing regulations for toxics in the Delaware River Estuary; and

WHEREAS, Tom earned his Ph.D. in ecology from Rutgers University in 1994, after earning his M.S. in biological sciences from the University of Delaware and his B.S. from Upsala College; and

WHEREAS, throughout his career Tom has been an educator, initially as a middle school science teacher; as an adjunct professor at Ocean County College since 1993; and over the past three decades, through sharing his scientific knowledge and experience with colleagues in and outside the Commission, as well as with interested stakeholders; and

WHEREAS, under a reorganization of the Commission's technical branches in 1998, Tom became chief of the Modeling and Monitoring Branch (later re-named Modeling, Monitoring and Assessment), and in 2016 was named the Commission's director of Science and Water Quality Management; and

WHEREAS, on the Commission's behalf, Tom assembled and led an exceptional team of scientists and engineers in the development of a complex model of the sources and fate of polychlorinated biphenyls (PCBs) in the Delaware River Estuary and Bay, which was used to develop total maximum daily loads (TMDLs) and to allocate those loads to multiple sources; and

WHEREAS, the work performed by Tom and his staff on PCBs has led to significant reductions in PCB discharges from point and nonpoint sources and to the easing of fish consumption advisories for fish caught in the Delaware River Estuary and Bay; and

WHEREAS, as the data continue to show substantial reductions in PCB loadings and improvements in the ambient Estuary water and fish tissue concentrations for PCBs, experts from diverse fields have recognized the DRBC's work on PCBs as groundbreaking; and

WHEREAS, other notable accomplishments of the Commission's Science and Water Quality Management Branch under Tom's leadership have included (but are by no means limited to):

- Expansion of the Commission's monitoring capabilities, with the addition of a sampling boat, new laboratory facilities and laboratory certifications;
- Addition of effects-based monitoring to the Commission's water quality management tools, including ambient chronic toxicity testing in the Estuary and its tributaries;
- Collection of data on contaminants of emerging concern, including ambient screening surveys and collection of fish tissue data;
- Development and application of sub-basin models to implement DRBC's Special Protection Waters program in the non-tidal river; and
- Collection of baseline data prior to the potential development of natural gas in the Upper Basin; and

WHEREAS, most recently, Tom has set his team on course to develop an Estuary eutrophication model that will help define new water quality goals for the Delaware Estuary and Bay and the next generation of water quality improvements to these important shared waters; and

WHEREAS, Tom has served as a respected advisor to numerous DRBC Commissioners and three Executive Directors; and

WHEREAS, Tom has always approached his DRBC responsibilities with enthusiasm and equanimity and has never forgotten to laugh, have fun and go sailing; and

WHEREAS, over the course of Tom's 29-year tenure with the DRBC, his staff became a cohesive team whose skill, mutual respect, and shared commitment ensure that the Commission's leadership in applying science to management of the Basin's shared water resources will continue; and

WHEREAS, Tom will officially retire from the DRBC on April 1, 2018 after 25 years (or 29, depending on how you count!); now, therefore:

BE IT RESOLVED that the Commissioners and staff extend their deepest appreciation to Dr. Thomas J. Fikslin for his outstanding service to the DRBC and the Basin, his skill, commitment, good humor, and friendship. We wish Tom and his wife Carol good health and much happiness as they embark on a well-earned retirement.

Mr. Schaeffer requested a motion to adopt the resolution. Mr. Kosinski so moved, Mr. Hoffman seconded his motion, and the Resolution for the Minutes Honoring the Career of Dr. Thomas J. Fikslin was approved by unanimous vote.

Dr. Fikslin said he was thankful for the opportunity to serve the Commission over the years. He acknowledged that he had come to the Commission initially on "loan" from the EPA, under a program that was referred to at the time as "rent-a-fed." He saw working with the Commission as an opportunity to look at the watershed as a whole and to focus on specific

problems, evaluate them scientifically, develop management principles and regulations, and then follow through with the implementation of those regulations. He said his work would not have been possible without a terrific and talented team who performed much of the detailed monitoring, mathematical modeling and analysis required. They too deserved credit, he said, for the accomplishments Steve recited, some of which had indeed been groundbreaking across the country.

General Counsel Report. In Mr. Warren's absence, Ms. Bush reported on three items, as follows:

Water Audit. Ms. Bush said by way of background that an estimated 150 million gallons of water is withdrawn from surface or groundwater resources in the basin each day that either never reaches the customer because of infrastructure failures, or is apparently lost because of inaccurate meter readings and erroneous billing practices. As demand for water increases in the basin, she said, it becomes more and more vital to ensure that the infrastructure delivering the water is efficient in moving it from the source to the customer. For this reason, in 2009 the Commission appended its Comprehensive Plan and Water Code to require water purveyors to perform and submit annually to the DRBC a water audit using the methodology developed by the International Water Association and American Water Works Association that is considered best management practice in water loss control and results in a clear understanding of the causes of water loss. Performing the audit allows system operators, utility managers and regulators to target their water supply efficiency initiatives. DRBC is one of just a handful of regulatory agencies in the country that has adopted regulations to implement the improved approach to water loss accounting made possible by the IWA/AWWA method.

The first water audits conducted under the DRBC's 2009 rule amendments were due by March 31, 2013 for calendar year 2012. Ms. Bush reported that generally, the rule has had excellent compliance. As of August 2017, of approximately 300 public water suppliers in the basin, 23 had failed to submit their 2016 water audits. More than half of these filed their audits in response to a reminder letter. In February, the staff issued notices of violation (NOV) to the nine holdouts, and ordered them to appear today to show cause why they should not be assessed a penalty for violating the Commission's regulations by failing to submit the audit. In response, all but one of the nine promised to submit the audit within a week, and the other is looking into the matter. Staff asked each if they intended to appear today, and all declined. Ms. Bush said she wanted to ensure the record showed that all did have the opportunity to appear.

Settlement. The Compact authorizes the Commission to seek penalties for violations of its rules, regulations or orders, and DRBC's regulations provide that a possible violator can request settlement of a penalty proceeding by an agreement. If the Executive Director determines the settlement by agreement in lieu of a penalty is in the best interest of the Commission, then he can submit to the Commission the proposed agreement in lieu of a penalty. By Resolution No. 2015-3, the Commissioners delegated to the Executive Director the authority to approve settlement agreements of up to \$10,000. Occasionally, as today, we have a settlement amount that exceeds \$10,000. This instance concerns violations of Docket D-2014-022-1 issued to the Transcontinental ("Transco") Pipeline Company for its Leidy Southeast Expansion project. Transco came forward to the DRBC to acknowledge and advise us that an internal audit indicated it had failed to submit certain plans and notifications required by the docket. In the view of the Executive Director the violations caused no adverse impact to water quality, and Transco has cooperated in good faith with

the Commission. The company has acknowledged its obligation to comply with the conditions in the docket; it has submitted the missing documents in forms satisfactory to the Commission; it has agreed to pay the settlement sum, and in fact, advanced that payment on March 9, 2018. Ms. Bush asked the Commissioners to authorize the Executive Director to enter into the draft settlement agreement with Transco, copies which had been furnished to them previously.

Chairman Schaeffer requested a motion authorizing the Executive Director to enter into the settlement agreement as recommended by Ms. Bush. Mr. Hoffman so moved, LTC Dahle seconded his motion, and the Executive Director by unanimous vote was so authorized.

Matter in Litigation. Ms. Bush noted that the case of the Wayne Land and Mineral Group (WLMG) against the DRBC had been pending for some time. The case involves a landowner that wishes to perform exploration and production of natural gas on a property in Wayne County within the basin. If allowed to proceed, WLMG's activities would entail the use of hydraulic fracturing. As DRBC's General Counsel, Ken Warren explained at the Commission's December 2017 business meeting, a federal district court ruled that the Commission has the authority to review WLMG's proposed activity under Section 3.8 of the Compact, which gives the Commission the authority to review projects having a substantial effect on the water resources of the basin. The landowner appealed the district court's decision to the Court of Appeals for the Third Circuit. Briefing in that case was completed over the summer and early fall, and oral argument was held in November. In addition to argument by attorneys for WLMG and by Mr. Warren on behalf of the Commission, the oral argument included participation by Pennsylvania state legislators as *amici* on behalf of WLMG, and by the Delaware Riverkeeper Network as an intervenor opposing WLMG's proposed activities. The court asked many questions and took the matter under advisement. The parties are awaiting the Third Circuit's decision about DRBC's ability to review hydraulic fracturing activities and related facilities within the basin under Section 3.8 of the Compact. The case does not directly involve the DRBC's ability to regulate the activity under Article 5 of the Compact, by means of a rulemaking such as the one that is currently open for public comment.

Project Review Applications. Mr. Kovach reported that 24 draft dockets had been the subjects of possible comment at the February 14, 2018 public hearing. Staff received no comments on any of the draft dockets and proposed no substantive changes to the drafts. Mr. Kovach thus recommended that the Commissioners approve all of the dockets denoted as hearing items 1 through 24 on the presentation slide and in the public hearing notice.

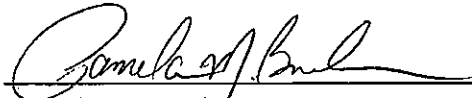
Hearing no questions from the other Commissioners, Mr. Schaeffer thanked Mr. Kovach and requested a motion to approve the 24 dockets that had been subjects of the public hearing on February 14. Mr. Ashby so moved, and Mr. Kosinski seconded his motion. Without further comment, the 24 draft dockets were approved by unanimous vote.

Adjournment. Mr. Schaeffer asked the Commissioners and staff whether any other matters required consideration that day. Hearing none, he requested a motion to close the business meeting. Mr. Hoffman so moved, Mr. Ashby seconded his motion, and the business meeting was adjourned by unanimous vote at 11:20 a.m.

Audio Recording. Audio recordings of the public hearing of February 14, 2018 and the business meeting of March 14 are on file with the Commission Secretary. A description of each of the

applications for the dockets approved during the Business Meeting of March 14, 2018 is provided as an attachment to these Minutes.

Open Public Comment. After the business meeting adjourned, Mr. Tambini conducted an Open Public Comment session for off-the-record comment by stakeholders on water resource issues affecting the basin.



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Pamela M. Bush/J.D., M.R.P.  
Commission Secretary and Assistant General Counsel

## ATTACHMENT

### DESCRIPTIONS OF PROJECTS APPROVED BY THE COMMISSION DURING THE BUSINESS MEETING OF MARCH 14, 2018

*Background.* Projects subject to Commission review in accordance with the *Delaware River Basin Compact* and Commission regulations must have the Commission's approval in the form of a docket, permit or resolution (collectively, "docket"). The Commission's project review process takes six to nine months to complete, and the public is informed of the status of project applications by a variety of means during that period. Each project for which an application is received is added to the "Project Review Status Report" maintained on the DRBC website. This report includes the applicant's name and project location, a description of the proposed project, the docket number assigned to the project, and the name of the staff member reviewing the project. A list of applications received also is compiled approximately five times a year and posted on the Commission's website as a "Notice of Applications Received" (NAR). An "Interested Parties List" (IPL) is created for each project under review. Anyone can have his or her name added to the IPL for a given project. All those listed on the IPL receive email notification of public notices for the project as they are posted on the Commission's website, including the notice advertising the public hearing. Members of the public seeking additional information about a project may contact the staff member reviewing the project or arrange by appointment to review the relevant Project Review file at any time that is mutually convenient for the staff and the party.

Approximately six weeks before the Commission's scheduled public hearing date, draft dockets are circulated to the Commission's members for review and comment by the appropriate state and federal agencies. Shortly thereafter, a public notice, including descriptions of the draft dockets, is filed with state and federal bulletins or registers. Ten or more business days prior to the hearing date, the hearing notice, along with draft dockets, is posted on the Commission's website. Written comment on hearing items is accepted through the close of the public hearing. At the Commissioners' regularly scheduled public meetings, the Commissioners may approve, disapprove or postpone consideration of any docket for which a hearing has been completed. Approved dockets are posted on the Commission's website as quickly as possible following the date on which the Commission acted. Delay of a few days may occur to complete clerical work, particularly in instances in which the Commissioners approve a docket with modifications.

The projects are customarily considered in three categories – *Category A* – project renewals with no substantive changes; *Category B* – project renewals with substantive changes; and *Category C* – projects not previously reviewed by the Commission. All the projects approved by the Commission on March 14, 2018 were subjects of a duly noticed public hearing on February 14, 2018. Descriptions of the projects (based on the applications received, which may vary from final projects) for which the Commission issued approvals on March 14 are listed below, in the order in which the dockets were presented at the February 14 public hearing.

#### A. *Renewals with No Substantive Changes (hearing items 1 through 15).*

1. Coaldale-Lansford-Summit Hill Sewer Authority, D-1964-027 CP-3. An application to renew the approval of the existing 1.65 million gallons per day (mgd) Coaldale-Lansford-Summit Hill Wastewater Treatment Plant (WWTP) and its discharge. No modifications to

the existing WWTP are proposed. The WWTP will continue to discharge treated effluent to Panther Creek at River Mile 92.4 - 102.1 - 22.5 - 2.4 (Delaware River - Schuylkill River - Little Schuylkill River - Panther Creek), via Outfall No. 001, located in Coaldale Borough, Schuylkill County, Pennsylvania.

2. Lafarge North America, D-1975-115-3. An application to renew the approval of an existing 1.644 mgd non-contact cooling water (NCCW) discharge from the applicant's cement manufacturing facility. NCCW will continue to be discharged to the Lehigh River at River Mile 183.66 - 23.7 (Delaware River - Lehigh River) via Outfalls Nos. 001 and 002, within the drainage area of the section of the main stem Delaware River known as the Lower Delaware, which the Commission has classified as Special Protection Waters, in Whitehall Township, Lehigh County, Pennsylvania.
3. Robesonia - Wernersville Municipal Authority, D-1988-023 CP-3. An application to renew approval of the docket holder's existing 1.4 mgd WWTP and its discharge. The WWTP will continue to discharge treated effluent to Spring Creek, which is a tributary of Tulpehocken Creek, which is a tributary of the Schuylkill River, at River Mile 92.47 - 76.8 - 10.4 - 5.4 (Delaware River - Schuylkill River - Tulpehocken Creek - Spring Creek), in Heidelberg Township, Berks County, Pennsylvania.
4. Schuylkill County Municipal Authority, D-1991-016 CP-3. An application to renew the approval of the existing Broad Mountain Water Filtration Plant (WFP). The WFP will continue to treat up to 4.42 mgd for public water supply and discharge up to 0.162 mgd of treated filter backwash. No modifications to the WFP are proposed. The treated filter backwash will continue to discharge to Wolf Creek at River Mile 92.47 - 125.15 - 4.0 - 0.5 (Delaware River - Schuylkill River - Mill Creek - Wolf Creek), via Outfall No. 001, located in Blythe Township, Schuylkill County, Pennsylvania.
5. Aqua New Jersey, Inc., D-1993-013 CP-4. An application to renew the approval of an existing import project of up to 95.0 million gallons per month (mgm) from the Atlantic Basin from Wells Nos. 9A, 10, 12, 14, 16 and 18 to supply water to the applicant's public water supply distribution system. The application also requested to approve the withdrawal of up to 195.5 mgm of groundwater from Wells Nos. 3, 6, 7, 13, 15, 17 and 20 which are located within the Delaware River Basin. The project's existing groundwater withdrawals are approved by the New Jersey Department of Environmental Protection (NJDEP) and will continue to be regulated by NJDEP in accordance with the Administrative Agreement (AA) between the Commission and the State of New Jersey. The water supply system and wells are located in Gloucester Township, Camden County, New Jersey.
6. East Vincent Township, D-1993-032 CP-4. An application to renew the approval of the existing 0.325 mgd Veterans Center WWTP and its discharge. No modifications to the WWTP are proposed. The WWTP will continue to discharge treated effluent to the Schuylkill River at River Mile 92.47 - 43.5 (Delaware River - Schuylkill River), via Outfall No. 001, in East Vincent Township, Chester County, Pennsylvania.
7. Lyons Borough Municipal Authority, D-1994-080 CP-4. An application to renew the approval of an existing 0.375 mgd WWTP and its discharge. The WWTP has an average

daily flow of 0.3 mgd. The WWTP will continue to discharge treated effluent to Sacony Creek, which is a tributary of Maiden Creek, itself a tributary of the Schuylkill River at River Mile 92.47 - 86.7 - 11.3 - 12.2 (Delaware River - Schuylkill River - Maiden Creek - Sacony Creek) via Outfall No. 001 in the Borough of Lyons, Berks County, Pennsylvania.

8. Aqua Pennsylvania, Inc., D-1997-003 CP-3. An application to renew the approval of an existing groundwater withdrawal of up to 43.4 mgm from existing Wells Bubbling Springs Nos. 1 and 2 to supply the applicant's public water supply distribution system. The Bubbling Springs system is part of Aqua Pennsylvania's Main Division System. The requested allocation is not an increase from the previous allocation. The project wells are completed in the Conestoga Formation and Precambrian Gneiss. The project is located in the Commission's designated Southeastern Pennsylvania Ground Water Protected Area (GWPA) in the Schuylkill River Watershed in Whitemarsh Township, Montgomery County, Pennsylvania.
9. Jackson Township Authority, D-2007-004 CP-3. An application to renew the approval of the applicant's existing 0.5 mgd WWTP and its discharge. The WWTP will continue to discharge treated effluent to an unnamed tributary (UNT) of Tulpehocken Creek, upstream of Blue Marsh Reservoir at River Mile 92.5 - 76.8 - 6.5 - 6.5 - 14.4 - 3.3 - 0.1 (Delaware River - Schuylkill River - Tulpehocken Creek - Blue Marsh Reservoir - Tulpehocken Creek - Owl Creek - UNT of Tulpehocken Creek) via Outfall No. 1, in Jackson Township, Lebanon County, Pennsylvania.
10. Schuylkill County Municipal Authority, D-2010-019 CP-3. An application to renew the approval of the existing 1.0 mgd Deer Lake WWTP. No modifications to the WWTP are proposed. The WWTP will continue to discharge treated effluent to Pine Creek at River Mile 92.47 - 106.76 - 2.3 (Delaware River - Schuylkill River - Pine Creek), via Outfall No. 002, located in West Brunswick Township, Schuylkill County, Pennsylvania.
11. Schuylkill Valley Sewer Authority, D-2012-029 CP-2. An application to renew the approval of the existing 0.55 mgd Schuylkill Valley Sewer Authority WWTP and its discharge. No modifications are proposed. The WWTP will continue to discharge treated effluent to the Schuylkill River at River Mile 92.47 - 121.0 (Delaware River - Schuylkill River), via Outfall No. 001, located in Blythe Township, Schuylkill County, Pennsylvania.
12. Lehigh Valley Zoo, D-2013-006 CP-2. An application to renew the approval of the existing 0.021 mgd Lehigh Valley Zoo WWTP and its discharge. No modifications to the existing WWTP are proposed. The WWTP will continue to discharge treated effluent to Jordan Creek at River Mile 183.7 - 16.3 - 18.0 (Delaware River - Lehigh River - Jordan Creek), via Outfall No. 001, within the drainage area of the section of the non-tidal Delaware River known as the Lower Delaware, which the Commission has classified as Special Protection Waters. The project is located in North Whitehall Township, Lehigh County, Pennsylvania.
13. Schuylkill County Municipal Authority – Indian Run, D-2013-012 CP-2. An application to renew the approval of the applicant's existing Indian Run WFP and its discharge of 0.187 mgd of filtration system backwash. Backwash will continue to be discharged to the West



Branch Schuylkill River at River Mile 92.47 - 117.75 - 4.67 (Delaware River - Schuylkill River - West Branch Schuylkill River) via Outfall No. 001, in Branch Township, Schuylkill County, Pennsylvania.

14. Schuylkill County Municipal Authority – Mount Laurel, D-2013-013 CP-2. An application to renew the approval of the existing Mount Laurel WFP and its discharge. The WFP will continue to treat up to 1.6 mgd for public water supply and discharge up to 0.072 mgd of treated filter backwash. No modifications to the WFP are proposed. The WFP will continue to discharge to Mud Run at River Mile 92.47 - 125.2 - 4.0 - 1.4 - 0.57 (Delaware River - Schuylkill River - Mill Creek - Stony Creek - Mud Run), via Outfall No. 001, in New Castle Township, Schuylkill County, Pennsylvania.
15. Pennsylvania Department of Environmental Protection (PADEP), D-2015-021 CP-2. An application to renew the approval of a groundwater and surface water withdrawal project to supply up to 46.5 mgm of groundwater from the proposed Quakake Mine Pool Well and surface water from the Hazleton City Authority Water Department's (HCAWD) Raw Water Mixing Reservoir to be used to supply the applicant's firefighting efforts at the Jeanesville coal seam mine fire. The requested allocation is not an increase from the prior approval. The approval also will continue the temporary increase in HCAWD's allowable withdrawal from the Lehigh River from 2.5 mgd to 3.5 mgd for mine firefighting purposes only. The project is located in the Beaver Creek Watershed in Banks Township, Carbon County and Hazle Township, Luzerne County, Pennsylvania within the drainage area of the section of the mainstem Delaware River known as the Lower Delaware, which the Commission has classified as Special Protection Waters.

*B. Renewals with Substantive Changes (hearing items 16 through 20).*

16. Aqua Pennsylvania Wastewater, Inc., D-1986-042 CP-2. An application to upgrade the docket holder's existing 1.8 mgd Media WWTP. The upgrades consist of replacing the existing biofilter/activated sludge treatment system with a Modified Ludzak Ettinger (MLE) treatment system, along with headworks improvements and replacing the existing chlorine gas disinfection system with ultraviolet (UV) disinfection. The WWTP's average annual design flow will remain at 1.8 mgd; however, the maximum monthly flow will be increased from 1.8 mgd to 2.2 mgd after the upgrades are complete. The WWTP will continue to discharge treated effluent to Ridley Creek at River Mile 84.1 - 7.5 (Delaware River - Ridley Creek) in Upper Providence Township, Delaware County, Pennsylvania.
17. Upper Gwynedd Township, D-1991-088 CP-9. An application to renew the approval of an expansion to the existing Upper Gwynedd Township WWTP and its discharge. The proposed expansion consists of: (a) improvements to flow metering, pumping, and UV disinfection; (b) the construction of a third clarifier; (c) an increase in the annual average flow from 5.7 mgd to 6.4 mgd; and (d) an increase in the hydraulic design capacity from 6.5 mgd to 7.5 mgd. The WWTP will continue to discharge to Wissahickon Creek, which is a tributary of the Schuylkill River, at River Mile 92.5 - 12.8 - 12.7 (Delaware River - Schuylkill River - Wissahickon Creek) in Upper Gwynedd Township, Montgomery County, Pennsylvania. The application also requests a service area expansion to include

areas in Upper Gwynedd Township that currently convey wastewater to the Towamencin Municipal Authority WWTP.

18. Eagle Creek Hydro Power, LLC, D-2001-038 CP-3. An application to modify an existing hydroelectric power project to include the construction and operation of a new 1.1 megawatt (MW) hydroelectric turbine (Swinging Bridge Unit No. 3) located at the Swinging Bridge Dam adjacent to the docket holder's existing operable 6.75 MW Swinging Bridge Unit No. 2 powerhouse, and inoperable Unit No. 1 powerhouse. The new turbine will utilize the minimum flow releases from the Swinging Bridge Reservoir bringing the total generating capacity of the Swinging Bridge Hydroelectric Project to 7.85 MW. No modifications to reservoir elevations or flows are proposed as a result of this project. The Swinging Bridge Dam is located at River Mile 261.1 - 11.9 (Delaware River - Mongaup River), in the towns of Lumberland and Forestburgh, Sullivan County, New York. The Swinging Bridge Hydroelectric Project consists of several reservoirs within the drainage area of the section of the non-tidal Delaware River known as the Upper Delaware, which the Commission has classified as Special Protection Waters, in the towns of Bethel, Forestburgh, Highland, Lumberland, and Thompson in Sullivan County, New York.
19. Nazareth Borough Municipal Authority, D-2002-038 CP-3. An application to renew the approval of the existing 1.6 mgd Nazareth Borough Municipal Authority WWTP and its discharge and to modify the effluent limits for the treated wastewater discharge from the WWTP. No modifications to the facility or its treatment processes are proposed. The WWTP will continue to discharge treated effluent to Shoeneck Creek, which is a tributary of Bushkill Creek, at River Mile 184.1 - 5.9 - 3.2 (Delaware River - Bushkill Creek - Shoeneck Creek) via Outfall No. 001, in Lower Nazareth Township, Northampton County, Pennsylvania, within the drainage area of the section of the non-tidal Delaware River known as the Lower Delaware which the Commission has classified as Special Protection Waters.
20. Lehigh County Authority – Wynnewood Terrace, D-2010-001 CP-4. An application to upgrade the existing 0.06 mgd Wynnewood Terrace WWTP and its discharge. The upgrade consists of: (a) replacing the existing WWTP with a new WWTP which will include new headworks; (b) a new sequencing batch reactor (SBR) treatment system to replace the existing extended aeration treatment system; (c) a new UV disinfection system to replace the existing chemical disinfection; (d) new post-equalization and sludge handling; and (e) appurtenant improvements. The WWTP will remain at 0.06 mgd and will continue to discharge treated effluent to the Lehigh River at River Mile 183.7 - 28.1 (Delaware River - Lehigh River) within the drainage area of the section of the non-tidal Delaware River known as the Lower Delaware, which the Commission has classified as Special Protection Waters, in North Whitehall Township, Lehigh County, Pennsylvania.

*C. New Projects (projects not previously reviewed by the Commission) (hearing items 21 – 24).*

21. Tyler Hill Camp, Inc., D-2017-001-1. An application to approve the existing 0.036 mgd Tyler Hill Camp WWTP and its related discharge. No modifications to the WWTP are proposed. The existing WWTP will continue to discharge to Laurel Lake which flows to an UNT to North Branch Calkins Creek at River Mile 295.8 - 0.7 - 4.0 - 1.2 - 0.3 (Delaware

River - Calkins Creek - North Branch Calkins Creek - UNT North Branch Calkins Creek - Laurel Lake), via Outfall No. 001, located within the drainage area of the section of the non-tidal Delaware River known as the Upper Delaware which the Commission has classified as Special Protection Waters, in Damascus Township, Wayne County, Pennsylvania.

22. Silver Run Electric, LLC, D-2017-008-1. An application to approve a new electric substation and transmission line project known as the Silver Run Project (“Project”). Approximately 1.6 miles of the overhead transmission line crosses the Appoquinimink River Natural Area (ARNA) and the Augustine Wildlife Area (AWA) in New Castle County, Delaware, which are designated in the DRBC’s Comprehensive Plan as recreation project areas. The Project is located in the Drawyer Creek–Appoquinimink River Watershed in New Castle County, Delaware and the Mad Horse Creek–Delaware Bay Watershed in Lower Alloways Creek Township, Salem County, New Jersey.
  23. Radisson Valley Forge Hotel, D-2017-010-1. An application to approve a groundwater withdrawal of up to 7.75 mgm from existing Wells Nos. 1 and 2 to supply potable water for the applicant's Valley Forge Casino Resort. The application includes the request to approve a groundwater withdrawal of up to 15.624 mgm from their geothermal Well No. 3 for heating and cooling purposes and the return of this NCCW back to the groundwater. The project wells are completed in the Ledger Formation. The project is located in the Commission's designated Southeastern Pennsylvania GWPA in the Trout Creek Watershed in Upper Merion Township, Montgomery County, Pennsylvania.
  24. Lehigh County Authority – Sand Spring, D-2017-012 CP-1. An application to renew the approval of the existing 0.035 mgd Sand Spring WWTP and its discharge, and to approve a WWTP upgrade project consisting of replacing the existing WWTP with a new WWTP. The project will include: (a) new headworks; (b) a new SBR treatment system to replace the existing extended aeration treatment system; (c) a new UV disinfection system to replace the existing chemical disinfection; (d) new post-equalization and sludge handling; (e) new effluent filtration; (f) a new outfall to replace the existing outfall at an adjacent location; and (g) appurtenant improvements. The WWTP will remain at 0.035 mgd and will continue to discharge treated effluent to an UNT of Coplay Creek, which is a tributary of the Lehigh River at River Mile 183.7 - 20.8 - 9.8 - 0.1 (Delaware River - Lehigh River - Coplay Creek - UNT Coplay Creek) within the drainage area of the section of the main stem Delaware River known as the Lower Delaware, which the Commission has classified as Special Protection Waters, in North Whitehall Township, Lehigh County, Pennsylvania.
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