

DELAWARE RIVER BASIN COMMISSION

MEETING OF SEPTEMBER 5, 2024

Minutes

Commissioners	Kenneth Kosinski, New York, Chair
Present:	Steven Smailer, Delaware, Vice Chair
	Megan Jadrosich, USACE, Second Vice Chair
	Susan Weaver, Pennsylvania
	Steven Domber, New Jersey
DRBC Staff	Steven J. Tambini, Executive Director
Participants:	Kenneth J. Warren, DRBC General Counsel
	Pamela Bush, Commission Secretary and Assistant General Counsel
	David Kovach, Manager, Project Review
	Sara Sayed, Water Resource Scientist, Water Resource Operations
	Kristen Bowman Kavanagh, Deputy Executive Director
	Namsoo Suk, Director, Science Water Quality Management

The business meeting of September 5, 2024 was held virtually.

Ken Kosinski opened the meeting, introducing himself as Bureau Director, Bureau of Flood Protection and Dam Safety, New York State Department of Environmental Conservation (NYSDEC), and DRBC alternate commissioner for the State of New York, serving on behalf of Governor Kathy Hochul, the Commission's Fiscal Year 2024-25 chair.

Mr. Kosinski announced that the business meeting was open to the public and could be accessed via Zoom webinar, phone, and the DRBC YouTube channel. Details, including a meeting agenda, were available on the DRBC website.

Ms. Bush called the roll, inviting each of the four other DRBC Commissioners to introduce themselves. They did so, as follows:

Steven Smailer, Director, Division of Water, Delaware Department of Natural Resources and Environmental Control (DNREC), serving as DRBC alternate Commissioner for Governor John Carney.

Steven Domber, State Geologist and Assistant Director, Division of Water Supply and Geoscience, New Jersey Department of Environmental Protection, serving as alternate Commissioner for Governor Phil Murphy.

Susan Weaver, Program Manager, Office of Compacts and Commissions, Office of Water Programs, Pennsylvania Department of Environmental Protection, serving as alternate Commissioner for Governor Josh Shapiro.

Megan Jadrosich, Environmental Team Lead, North Atlantic Division, U.S. Army Corps of Engineers, serving as alternate Commissioner for Brigadier General John Lloyd.

DRBC's Executive Director Steve Tambini and General Counsel Ken Warren also introduced themselves.

Minutes. Ms. Bush had previously circulated draft Minutes of the Commission's June 5, 2024 business meeting to the Commissioners and had received no comments, corrections, or proposed changes. She recommended that the Minutes be approved as presented. Mr. Domber so moved, Ms. Jadrosich offered a second, and without further discussion, the Minutes of the June 5, 2024 business meeting were approved by unanimous vote.

Announcements. Ms. Bush listed the following upcoming meetings of DRBC advisory committees, noting that all DRBC advisory committee meetings are open to the public and that details, including how to attend these meetings virtually, could be found on the Commission's website.

- Advisory Committee on Climate Change, Wednesday, September 11, 2024, at 1:00 p.m.
- Water Management Advisory Committee, Wednesday, October 16, 2024, at 10:00 a.m.
- Monitoring Advisory and Coordination Committee, Thursday, December 19, 2024, at 10:00 a.m.

Hydrologic Conditions. Sara Sayed, Water Resource Scientist, DRBC Water Resource Operations, presented the hydrologic conditions report. Ms. Sayed's presentation can be accessed at: [HydrologicConditions_sayed_090524.pdf \(nj.gov\)](#)

Hydrologic Cycle. Displaying a graphic illustration of the hydrologic cycle, Ms. Sayed explained that water moves through Earth's air and soil and over its land through multiple processes. Her presentation would focus on four of these: precipitation, surface water, streamflow, and groundwater.

Precipitation. On average, the basin receives between 42 and 49 inches of rainfall annually. Ms. Sayed reported that year-to-date, the upper basin had received more than the normal amount—between 40 and 45 inches in many areas and between 35 and 40 in the remaining areas. The lower basin had received normal to above normal amounts—approximately 30 inches in some areas, 35 to 40 in others, and above 40 inches in a few areas. Over the previous 90 days, the upper basin had received approximately 14 inches of rain, or 3 inches more than normal for this period, while the lower basin received approximately 10 inches, or about 4 inches less than normal for the period. Over the previous 30 days, the upper basin had received about 3 inches more than normal, while

the lower basin received about 3 inches less than normal. Thus, the recent rainfall was not evenly distributed. Portions of southeastern Pennsylvania, Delaware and southern New Jersey received slightly below normal amounts.

Streamflow. Streamflow is measured by stream gauges placed throughout the basin. As of the meeting date, most gauges, including in southern New Jersey and Delaware, were reflecting normal streamflow due to recent rainfall. Smaller tributaries can take longer to recover after a dry spell. Accordingly, gauges on some small streams were indicating slightly below or much below normal flows.

DRBC monitors the mainstem using gauges at Montague and Trenton. Displaying hydrographs of flow at the two locations during the previous 12 months, Ms. Sayed noted that both showed a decline below normal flow during the summer months due to lack of rainfall. With substantial rainfall events in August, streamflow returned to above normal conditions at both locations, remaining high over the few weeks preceding the day's meeting. As of September 4, 2024, streamflows were within the normal range at both locations and were expected to remain so unless more substantial rain or a dry period occurred.

Groundwater. At the time of the Commission's June business meeting, although many of the basin's monitoring wells had been at normal levels, several in the upper basin and across the highlands region had shown levels below normal. As of September 4, however, all but one of the basin's monitoring wells were at normal levels. The sole exception was in Mercer County, New Jersey, where the groundwater monitoring well showed a slightly below normal level. Ms. Sayed displayed a bar chart comparing normal and actual monthly precipitation. She noted that during May, June and July, precipitation in the lower basin had been below normal, causing groundwater in some locations to fall below normal as well. She noted that groundwater levels recover when precipitation levels increase.

NYC Reservoir Storage; Federal Reservoir Storage. A graph showing combined storage in New York City's (the City's) Delaware River Basin reservoirs (DRB reservoirs) over the previous twelve months showed maximum combined storage on May 1, followed by a decline below the long-term median until early-to-mid-August, when storage rose quickly to above the median and remained there through the meeting date. As of September 5, the City's DRB reservoirs held 12 billion gallons of stored water above the long-term median, or about 80 percent of usable capacity. Displaying a bar chart to illustrate storage in the federal reservoirs, Ms. Sayed noted that the three lower basin reservoirs owned and operated by the U.S. Army Corps of Engineers were full or nearly full. Releases from these reservoirs serve to augment flows to meet a flow target at Trenton.

NYC Delaware Aqueduct Repair Project. Storage in the City's DRB reservoirs as of the September meeting was as expected, not only because precipitation was low during June and July, but because the City was preparing at the time to shut down the Delaware River Aqueduct (the Aqueduct), the conveyance by which the City diverts water from its DRB reservoirs to a mixing reservoir outside the basin, to repair a massive leak. In anticipation of the shutdown, which was expected to occur from October 2024 through May 2025, the City was making larger diversions, thereby lowering storage in its Delaware system. During the shutdown, water would leave the reservoirs only via

spills or releases. During the shutdown, releases would be made in accordance with the Flexible Flow Management Program (FFMP), a reservoir operating plan put into effect by the parties to the 1954 Supreme Court Decree in *New Jersey v. New York*, 347 U.S. 995. Storage in the reservoirs was expected to decrease by about 30 percent during the shutdown period, while continued releases were expected to provide anglers and paddlers with a great fishing and recreation season. The risk of minor flooding was expected to increase only slightly during the shutdown, during the predicted hurricane season. Drought conditions appeared unlikely, Ms. Sayed reported.

Outlook. As of the meeting date, NOAA’s seasonal outlook predicted above-normal temperatures and above-average precipitation through October. Between 20 and 25 named storms were expected; however, just five had already occurred, with the halfway point in the hurricane season coming up during the week following the September meeting.

With respect to named storms, Ms. Sayed cautioned that the basin has experienced severe flooding during multiple tropical storms with names beginning with the letter “I.” These have included Isaias (August 3-4, 2020), Ida (August 31-September 5, 2021) and Ian (September 28, 2022). In 2024, the “I” storm, if any, would be Isaac.

Executive Director’s Report. Mr. Tambini’s report is summarized as follows:

- *DRBC 2023 Annual Report.* The DRBC’s [2023 Annual Report](#) was now available. Mr. Tambini said the report once again highlighted the DRBC’s mission and the results it attained in managing, protecting, and improving the water resources of the Delaware River basin for the benefit of over 14 million people in four states. He encouraged all to download a copy from the DRBC website, noting that it would take readers on a journey from the headwaters to the ocean, highlighting the ecological diversity of the mainstem corridor, the critical work being performed throughout the basin, and some of the basin’s continuing water resource management challenges.
- *Climate Change.* Mr. Tambini offered the following updates related to climate change:
 - The Rutgers University Office of the State Climatologist reported that June 2024 was the second warmest June on record in New Jersey. July 2024 saw continued high temperatures, with 22 days reaching 90 degrees or higher, and about one third of the days reaching over 95 degrees. Using these New Jersey temperature data as an indicator, Mr. Tambini said, climate and weather extremes will continue to impact the water resources of the basin.
 - At the Commission’s June 5, 2024 business meeting in Narrowsburg, New York, the Commissioners approved Resolution No. 2024-04, directing staff to develop a Climate Resilience Plan for the basin, to include activities and actions within the authority, jurisdiction and expertise of the Commission for improving the basin’s resilience to water-related impacts associated with climate change.
 - The DRBC's Advisory Committee on Climate Change (ACCC) was scheduled to meet remotely on September 11, 2024. The meeting would be open to the public,

and one of the items on the agenda would be a presentation and discussion of a draft framework for developing the Climate Resilience Plan.

- DRBC and EPA Region 3 were to host a Climate Practitioners Workshop on Monday, October 28, 2024. Participation in the full-day event, to take place at the Discovery Center in Philadelphia, would be free of charge, but registration was required. For details, Mr. Tambini directed attendees to the DRBC website.
- *Monitoring Activity.* Mr. Tambini said that in spite of extreme heat and stormy weather conditions, the DRBC staff had performed extensive water sampling throughout the basin during the summer. He recognized and thanked staff members Elaine Panuccio, John Yagecic, Jake Bransky and Jeremy Conkle for organizing and executing this impressive effort. With support from several DRBC staff and interns, he said, they safely delivered valuable monitoring results to support studies and potential policies related to: emerging contaminants, habitat assessment, the impact of thermal plumes, PFAS, chlorides, harmful algal blooms, bacteria, and nutrients, to name a few. For more information about water quality monitoring and assessment and this year's efforts, Mr. Tambini directed individuals to the DRBC website.
- Mr. Tambini listed multiple activities and meetings in which the DRBC staff would participate during the fall, noting that staff were proud to be engaged with an active basin community in these events:
 - Water Resources Association of the Delaware River Basin's Annual Awards Dinner on Thursday, September 12
 - Trenton River Days on Saturday, September 21
 - Upper Delaware Council's River Valley Awards on Sunday, September 22
 - Coalition for the Delaware River Watershed's Annual Forum on Thursday and Friday, September 26-27
 - Delaware River Festival on Saturday, September 28
 - Partnership for the Delaware Estuary's Experience the Estuary Celebration on Wednesday, October 9
 - Friends of the Upper Delaware River's River Rendezvous on Wednesday and Thursday, October 16-17
 - New Jersey Association of Flood Plain Managers Annual Conference on Wednesday, October 23
- *New Staff Member.* Mr. Tambini said he was pleased to welcome Matt Amato, who joined the DRBC as a Water Resource Scientist. Dr. Amato earned his Ph.D. in Environmental Science from Rutgers University's School of Environmental and Biological Sciences and recently worked at the University of California on machine learning models to predict subsurface flow properties with remote sensing.

- *Personal Remarks by Mr. Tambini.* This was Mr. Tambini's last business meeting as Executive Director of the DRBC. Although he would remain on the job for a few more months, he wished to publicly express his "deep appreciation for the rare and extremely rewarding opportunity he had had to lead this unique and special federal interstate agency." Mr. Tambini's remarks are reprinted below:

First, to the DRBC Commissioners, as my successor will quickly learn, it's not always easy having five bosses. However, with the knowledge and expertise you and your agency colleagues have graciously provided, I am proud that our teams worked together to advance water management and policy for the basin. Thank you for your continued trust and support.

I don't know of any other state or federal or interstate agency that provides so much opportunity for public input and public access to decision makers as does DRBC. Based upon the passion, dedication and commitment of the diverse stakeholders throughout the basin, the demand for wider and deeper interactions with our publics keeps growing. We have done more and more to reach new and underserved communities and to hear from more diverse voices. I can also assure our stakeholder that we do listen. We might not always agree, but we listen. I want to thank all our stakeholders and partners for your work with DRBC and independent of DRBC to support the water resources of the Basin.

When I came to DRBC in 2014, besides being a bit lost in the complexities of this agency and this Basin, what I remember vividly is the challenge of just keeping up with the brilliant staff at DRBC. I still learn from our staff every day. It is a blessing. I just want to acknowledge for the Minutes that the DRBC staff is an exceptional group of water professionals who wake up every day to support the mission to manage, protect, and improve the Basin's water resources. The Basin community is very lucky to have a Commission and such talented staff to support its charge.

To the DRBC staff, I will miss your passion, your knowledge and our culture of caring for the Basin and for each other. I am very confident that, under new leadership starting in December, the long legacy of success will continue.

Commissioners, again, I thank you for the opportunity and privilege of serving as Executive Director of DRBC.

General Counsel's Report. The Commission's General Counsel Ken Warren reported on the single pending case involving the Commission, *Wayne Land and Mineral Group (WLMG) v. DRBC*. WLMG commenced its action against DRBC in the United States District Court for the Middle District of Pennsylvania in May 2016. A landowner planning to undertake a high-volume hydraulic fracturing (HVHF) project in the Basin, WLMG challenged DRBC's authority to review its project. In February 2021, DRBC adopted a regulation prohibiting HVHF in hydrocarbon-bearing rock formations within the basin. WLMG's HVHF project thus became prohibited. As a result,

DRBC filed a motion to dismiss as moot WLMG's case challenging DRBC's authority to review its project. The Commission's motion remains pending before the District Court.

Resolution for the Minutes honoring Ken Kosinski, P.E., upon his retirement from a distinguished career in state and interstate water resource management. Mr. Tambini requested and was granted the floor to present an off-agenda item. He asked the Commissioners to consider the following, which he read into the record:

RESOLUTION FOR THE MINUTES

A RESOLUTION for the Minutes honoring Ken Kosinski, P.E., upon his retirement from a distinguished career in state and interstate water resources management.

WHEREAS, Ken Kosinski joined the New York State Department of Environmental Conservation (DEC) thirty-five years ago and has devoted his entire professional career to the sound management of water resources; and

WHEREAS, at DEC, Ken helped to build and implement innovative programs and management approaches in such areas as high volume hydraulic fracturing, municipal separate storm sewer system (MS4) permitting, and DEC's water quality improvement grants program; and

WHEREAS, Ken also made important contributions to programs for protecting or improving New York City's reservoir watersheds, the Chesapeake Bay, and Lake Champlain; in controlling nonpoint source pollution; in developing and implementing total maximum daily loads (TMDLs) under the Clean Water Act and New York State law; in measuring phosphorus loads in state watersheds; in managing DEC's stormwater general permit programs; and in implementing U.S. Army Corps of Engineers and DEC flood protection projects in New York, among others; and

WHEREAS, Ken is extraordinarily versatile, insightful, and adept at problem solving, possesses a virtually photographic memory, and is a fabled mathematics whiz; and

WHEREAS, Ken is passionate about protecting the environment for future generations, and he is equally passionate about the agency he has served, and about supporting the professional development of his colleagues, both young and seasoned; and

WHEREAS, in the role of alternate Commissioner of the Delaware River Basin Commission on behalf of Governors Andrew Cuomo and Kathy Hochul of New York State since 2016, Ken has generously contributed his valuable time, attention and expertise to advance cooperative interstate and federal management of the Delaware River Basin; and

WHEREAS, the DRBC staff and Commissioners have appreciated Ken's technical contributions and keen engineering skills along with his collegiality, humor, and generosity, and will miss him; now therefore,

BE IT RESOLVED that the Commissioners and staff of the Delaware River Basin Commission hereby recognize and thank Ken Kosinski for his outstanding contributions to water resource management in the State of New York and in the greater Delaware River Basin; and wish him a long, healthy, and thoroughly enjoyable retirement that includes plenty of basketball, time with his large family and many friends, and relaxation at the home and gardens he constructed himself in upstate New York.

Mr. Tambini offered his personal thanks and congratulations to Mr. Kosinski, noting that Mr. Kosinski was the longest serving of the DRBC's current alternate commissioners, having served in the role without interruption since his appointment by Governor Cuomo in 2016. Everyone wished Ken the best in his retirement.

Mr. Domber moved for adoption of the resolution as presented, Ms. Jadrosich offered a second, and without further discussion, the Resolution for the Minutes honoring Ken Kosinski, P.E. upon his retirement from a distinguished career in state and interstate water resource management was approved by unanimous vote.

A RESOLUTION for the Minutes honoring Steven J. Tambini, P.E., for his dedication to sound water resource management and his immense contributions to sustainably managing the water resources of the Delaware River Basin. Before introducing the planned agenda item, Ms. Bowman Kavanagh informed the Chair that she wished to present for the Commissioners' consideration another item not included on the agenda—a resolution recognizing and honoring Steve Tambini for his service as DRBC's Executive Director. Ms. Bowman Kavanagh read the following in its entirety into the record:

RESOLUTION FOR THE MINUTES

A RESOLUTION for the Minutes honoring Steven J. Tambini, P.E., for his dedication to sound water resource management and his immense contributions to sustainably managing the water resources of the Delaware River Basin.

WHEREAS, Steve Tambini's water resources career spans more than 40 years, during which Steve has led, influenced, and produced exceptional water resource science, planning, and policy; and

WHEREAS, as Executive Director of the Delaware River Basin Commission since August 2014, and in his previous role at the New Jersey American Water Company, Steve's contributions have increased water security by improving water supply, water quality, resilience, and equity for millions of water users in the Delaware River Basin; and

WHEREAS, throughout his career, Steve has modeled personal integrity and exceptional skills in management, strategic planning, communication, and diplomacy; and

WHEREAS, Steve will be remembered for his quick grasp of complex technical and policy issues, his ability to spot which issues matter most, and for his fresh ideas, persistent focused attention, fearlessness, and readiness to read and listen; and

WHEREAS, Steve has consistently led by example, never failing to roll up his sleeves, or to follow his dictum, “plan the work, work the plan”; and

WHEREAS, Steve has created a culture of fairness, professionalism, inclusion, amiability, and excellence among DRBC staff; and

WHEREAS, Steve’s dedication to water resources and his extraordinary work ethic are rounded out by a penchant for crazy socks and an unflagging love and support of the Mets, his dogs, and above all, his family; and

WHEREAS, in March 2024, Steve announced his retirement from DRBC, effective December 1, 2024; now therefore,

BE IT RESOLVED that the Commissioners and staff of the DRBC hereby recognize Steve Tambini for his outstanding contributions to water resources management in the Delaware River Basin and to the Commission as an institution. We wish him a long, healthy, and thoroughly enjoyable retirement.

Ms. Bowman Kavanagh said she was honored and pleased to offer and request the Commissioners’ consideration and adoption of the resolution as presented. Mr. Domber so moved, Mr. Smailer offered a second, and without further discussion, the Resolution for the Minutes honoring Steven J. Tambini, P.E., for his dedication to sound water resource management and his immense contributions to sustainably managing the water resources of the Delaware River Basin was approved by unanimous vote.

A Resolution for the Minutes authorizing the Executive Director to enter into a contract for engineering services to evaluate additional selected storage options that could support future water supply, flow management, and other water needs and uses in the Delaware River Basin. Ms. Bowman Kavanagh explained that in the Commission’s 2019 State of the Basin Report and in sections of the 2019 Partnership for the Delaware Estuary’s Comprehensive Conservation and Management Plan authored by DRBC staff, the DRBC recognized potentially significant challenges to management of the basin’s water resources posed by climate change. She said ongoing work by DRBC’s modelers, monitors and planners continued to show the potential for sea level rise to impact the location of the salt front and the availability of storage to manage salinity in the Delaware River Estuary.

The Commission in 2021 engaged Mott MacDonald (Mott) to evaluate additional storage options in the basin, a process that involved screening over 2,500 potential options, including new and

existing reservoirs, quarries and abandoned mines. The results are set forth in the 2023 technical report, “Evaluation of Additional Storage in the Delaware River Basin.” Ms. Bowman Kavanagh said that a more in-depth evaluation of the most promising storage options, building upon the engineering work completed by Mott in 2023, and funded with monies from DRBC’s water supply storage facilities fund, would be prudent. She added that the New York City Department of Environmental Protection had informally pledged its cooperation and funds to further evaluate one of the options identified in the April 2023 report—expansion of the Cannonsville Reservoir, which the City owns and operates. She explained that the recommended study would help further inform the Commission regarding the feasibility of several storage options that in the future might be necessary for meeting multiple water resource management objectives within the basin, including but not limited to system resilience, drought management, flow management, salinity control, sea level rise, climate adaptation, water availability, localized flow needs, water quality to support designated uses, spill mitigation, and water emergencies.

Ms. Bowman Kavanagh said the proposed resolution, which the Commissioners had had an opportunity to review in advance of the meeting, would authorize the Executive Director to enter into a contract with Mott MacDonald to perform a feasibility study to include additional engineering, cost, funding, operations and ownership analysis for four potential storage projects identified in the 2023 report, including up to three existing quarries and expansion of the Cannonsville Reservoir. The resolution would further authorize the Executive Director to enter into a contract with New York City for its cooperation and full funding of the component of the study focused on Cannonsville. The costs related to evaluation of the three quarries was not to exceed the sum of \$400,000, to be funded entirely with monies from the Commission’s water supply storage facilities fund. In accordance with paragraph 5 of Section 14.9 of the Compact, the Commission’s competitive bidding requirements would be waived, due to the specialized and professional nature of the services to be provided. The Commissioners would receive quarterly progress reports on the study.

Ms. Bowman Kavanagh respectfully requested the Commissioners’ favorable consideration of the resolution as proposed. Ms. Weaver so moved, Mr. Domber offered a second, and without further discussion, the Resolution for the Minutes authorizing the Executive Director to enter into a contract for engineering services to evaluate additional selected storage options that could support future water supply flow management and other water needs and uses in the Delaware River Basin was approved by unanimous vote. The text of the resolution follows:

RESOLUTION FOR THE MINUTES

A RESOLUTION authorizing the Executive Director to enter into a contract for engineering services to evaluate additional selected storage options that could support future water supply, flow management, and other water needs and uses in the Delaware River Basin.

WHEREAS, Section 3.6 of the Delaware River Basin Compact authorizes the Commission to:

Conduct and sponsor research on water resources, their planning, use, conservation, management, development, control and protection, and the capacity, adaptability and best utility of each facility thereof, and collect, compile, correlate, analyze, report and interpret data on water resources and uses in the basin, including without limitation thereto the relation of water to other resources, industrial water technology, ground water movement, relation between water price and water demand, and general hydrological conditions;

WHEREAS, the Commission's *State of the Basin Report* (2019) and sections of the *Comprehensive Conservation and Management Plan for the Delaware River Estuary* (CCMP) (Partnership for the Delaware Estuary, 2019) authored by the DRBC staff both recognized potentially significant challenges to management of the Basin's water resources posed by climate change; and

WHEREAS, ongoing work by the Commission, including a 2024 draft DRBC Technical Report titled *The Impact of Sea Level Rise on Salinity Intrusion in the Delaware River Estuary* has shown the potential for sea level rise to impact the location of the salt front and the availability of storage to manage salinity in the Delaware River Estuary; and

WHEREAS, Section 2.400 of the *Delaware River Basin Water Code*, captioned "Design Streamflow Criteria," provides in relevant part that "[t]he drought of record, which occurred in the period 1961-1967, shall be the basis for determination and planning of dependable Basin water supply . . . [and] for planning and development of facilities and programs for control of salinity in the Delaware Estuary" (sec. 2.400.1 – 2.400.2); and

WHEREAS, on March 11, 2020, following a competitive bidding process conducted in accordance with Section 14.9 of the Compact, the Commission adopted a Resolution for the Minutes authorizing the Executive Director to enter into a contract with the firm Mott MacDonald for engineering services to inventory and evaluate the feasibility of options for additional storage in the Delaware River Basin; and

WHEREAS, in April 2023, the Commission published a technical report titled *Evaluation of Additional Storage in the Delaware River Basin* (the "April 2023 Report"), prepared by Mott MacDonald, which included a screening of over 2,500 potential storage options in the Basin, including new reservoirs, existing reservoirs, quarries and abandoned mines; and

WHEREAS, fourteen (14) of the projects (12 quarries and 2 existing reservoirs) identified in the April 2023 Report were selected for further consideration based upon the study evaluation criteria; and

WHEREAS, the Commission deems the continued development of potential storage options for meeting water resource objectives within the Basin to

be prudent at this time, building upon the engineering work previously conducted by Mott MacDonald and using Commission Water Supply Storage Facilities Fund monies available for this purpose; and

WHEREAS, the New York City Department of Environmental Protection (NYCDEP) has informally pledged its cooperation and funds to further evaluate one of the options identified in the April 2023 Report that merits further investigation, expansion of the Cannonsville Reservoir, which is owned and operated by NYCDEP; and

WHEREAS, the contemplated study will *not* include recommendations regarding or otherwise affect an ongoing re-evaluation study for the Francis E. Walter Dam or studies related to use of the Excess Release Quantity as defined by the Supreme Court Decree of 1954 in the matter of *New Jersey v. New York*, 347 U.S. 995; and

WHEREAS, the contemplated study will be used to help further inform the Commission regarding the feasibility of several storage options which may be determined in the future to be necessary for meeting multiple water resource management objectives within the Basin, including but not limited to: system resilience; drought management; flow management; salinity control; sea level rise and climate adaptation; water availability; localized flow needs; water quality to support designated uses; spill mitigation; and water emergencies;

WHEREAS, in accordance with Section 13.1 of the Compact, before any potential storage project is recommended and then proposed to be added to the Comprehensive Plan, “the [C]ommission shall consult with water users and interested public bodies and public utilities and shall consider and give due regard to the findings and recommendations of the various agencies of the signatory parties and their political subdivisions.” Pursuant to the same section, the Commission “shall conduct public hearings . . . prior to the adoption of the [Comprehensive Plan] or any part of the revision thereof”; now therefore,

BE IT RESOLVED by the Delaware River Basin Commission:

1. The Executive Director is hereby authorized to enter into a contract with Mott MacDonald to provide a feasibility study that includes additional engineering, cost, funding, operations and ownership analysis for four potential storage projects identified in the April 2023 Report, including up to three existing quarries as selected by Commission staff in consultation with the Commissioners, and expansion of the Cannonsville Reservoir (the “Study”).

2. The Executive Director is hereby further authorized to enter into a contract with the NYCDEP for its cooperation in and full funding of the component of the Study focused on Cannonsville Reservoir.

3. Study contract components related to the evaluation of the quarries shall be funded entirely with monies from the Commission’s Water Supply Storage Facilities Fund and shall not exceed the sum of \$400,000.

4. In accordance with paragraph 5 of Section 14.9 of the Compact, the competitive bidding requirements of that section are hereby waived as to the contract authorized by paragraph 1 above, because the services to be provided are of a specialized and professional nature.

5. The DRBC Executive Director shall provide the DRBC Commissioners with quarterly progress reports on the Study, outlining pertinent findings regarding the storage options being considered.

6. As noted above, in accordance with Section 13.1 of the Compact, before any recommendations are made for additional storage in the Basin as a possible result of this study, DRBC staff shall consult with and seek input from: all relevant DRBC advisory committees and subcommittees (including the Subcommittee on Ecological Flows) and all relevant host state agencies responsible for environmental protection, water supply, fisheries and aquatic life, and public recreation.

7. This Resolution shall take effect immediately.

A Resolution for the Minutes authorizing the Executive Director to enter into one or more contracts with the lowest responsible bidder(s) qualified to perform laboratory analytical services relating to toxic substances in the Delaware River and Bay. Under Article 5 of the Compact, the Commission has adopted and periodically updates water quality regulations that among other things control the discharge of certain toxic pollutants into the waters of the basin. The workplan for DRBC's annual Clean Water Act Section 106 grant from the U.S. Environmental Protection Agency (EPA) periodically includes monitoring for toxic substances in ambient water, sediment, and fish tissue; and when the Commission by Resolution No. 2023-04 reauthorized DRBC's Toxics Advisory Committee, it noted that ambient surveys were necessary to assess and control toxic substances in the Delaware River. The Commission requires the services of a third-party laboratory to perform certain analytical services that neither the Commission nor its member states' laboratories can perform.

Dr. Namsoo Suk explained that in accordance with Section 14.9 of the Compact, the Commission on June 20, 2024 had issued a request for proposal for the needed services, to which four bidders responded. Staff's evaluation of the proposals was underway. The resolution, which had been circulated to the Commissioners in advance of the day's meeting, would authorize the Executive Director to enter into a new contract with the most responsible bidder or bidders for the required services upon expiration of the Commission's then-current contract at the end of December. It would further provide that the total cost of the contract must not exceed the Clean Water Act Section 106 grant amount allocated for this purpose or such additional amounts as might be awarded to or allocated by the Commission for this purpose and included by the Commission in its approved annual expense budget. Dr. Suk asked the Commissioners for their favorable consideration of the resolution as proposed.

Mr. Smailer so moved, Ms. Weaver offered a second, and without further discussion, the Resolution for the Minutes authorizing the Executive Director to enter into one or more contracts

with the lowest responsible bidders qualified to perform laboratory analytical services relating to toxic substances in the Delaware River and Bay was approved by unanimous vote.

The text of the resolution follows:

RESOLUTION FOR THE MINUTES

A Resolution for the Minutes authorizing the Executive Director to enter into one or more contracts with the lowest responsible bidder(s) qualified to perform laboratory analytical services relating to toxic substances in the Delaware River and Bay.

WHEREAS, pursuant to Article 5 of the Delaware River Basin Compact (the “Compact”), the Commission has adopted and periodically updates Water Quality Regulations that, among other things, restrict and control the discharge of certain toxic pollutants into the waters of the Basin;

WHEREAS, pursuant to Compact sections 3.9 “Coordination and Cooperation,” and 5.1, “Pollution Control—General Powers,” the Commission also works with the signatory parties, their agencies, and dischargers, both to control the discharge of pollutants, including toxic chemicals, to the shared waters of the Estuary and Bay, and to monitor ambient water, sediment and fish tissue in these waters for pollutants, including toxic substances;

WHEREAS, Resolution No. 2023-04 reauthorizing the Toxics Advisory Committee identified ambient screening surveys, the review and development of fish tissue data, and chronic toxicity testing in ambient waters, among other initiatives, to assess and control toxic substances in the Delaware River;

WHEREAS, periodic monitoring of polychlorinated biphenyls (“PCBs”), in particular, is necessary to measure progress achieved through the implementation of the TMDLs developed by DRBC and established by the U.S. Environmental Protection Agency (“EPA”) for PCBs in DRBC Water Quality Zones 2 through 6;

WHEREAS, monitoring for toxic substances in ambient water, sediment and fish tissue is periodically included in DRBC’s work plan under its Clean Water Act Section 106 grant administered by EPA Region III;

WHEREAS, the Commission requires the services of a third-party laboratory to perform certain analytical services that neither the Commission nor its member state laboratories can perform; and

WHEREAS, the Commission’s current contract for analytical services for toxic substances and emerging contaminants will expire on December 31, 2024; and

WHEREAS, in response to a Request for Proposals (the “RFP”) for analytical services – water, sediment, and fish tissue, issued by the Commission on

June 20, 2024, relating to the control of toxic substances, the Commission received four proposals, which the staff is currently reviewing; now therefore,

BE IT RESOLVED by the Delaware River Basin Commission:

1. The Executive Director is hereby authorized to select and enter into one or more contracts with the most qualified vendor(s) that has or have submitted a conforming proposal and acceptable cost estimates for the analyses of water, sediment, and fish tissue, utilizing methods and detection limits as specified by the Commission within the RFP.
2. The initial term of such contract(s) shall be three (3) years, with an option for two additional years.
3. The total cost of the contract or contracts executed under this authorization shall not exceed the Clean Water Act Section 106 grant amount allocated for this purpose or such additional amount, if any, as may be awarded to or allocated by the Commission for this purpose and included by the Commission in its approved annual expense budget.
4. This Resolution for the Minutes shall take effect immediately.

A Resolution for the Minutes to appoint a New Executive Director to the Delaware River Basin Commission. Ms. Bush read aloud the following resolution and recommended its adoption.

RESOLUTION FOR THE MINUTES

A RESOLUTION for the Minutes to appoint a new Executive Director.

WHEREAS, at the Commission's business meeting of March 6, 2024, Executive Director Steve Tambini announced that he would retire effective December 1, 2024;

WHEREAS, alternate Commissioners representing each of the Commission's signatory members participated in a nationwide search for candidates to serve as the next Executive Director; and

WHEREAS, after reviewing more than one hundred applications and interviewing several qualified candidates, the Commissioners are prepared to appoint a new Executive Director, who in accordance with Section 14.5(a) of the Delaware River Basin Compact, will serve at the pleasure of the Commissioners; now therefore,

BE IT RESOLVED by the Delaware River Basin Commission:

1. Kristen Bowman Kavanagh is hereby designated and appointed Executive Director of the Commission, beginning December 1, 2024.
2. Compensation for Ms. Bowman Kavanagh has been set in accordance with the Commission's General Salary Schedule for the "Executive-1" Grade.

Ms. Weaver so moved, Mr. Smailer offered a second, and without further discussion, the Resolution for the Minutes to appoint a new Executive Director was approved by unanimous vote.

Project Review Applications. Mr. Kovach reported that at the Commission's duly noticed public hearing of August 7, 2024, he had presented 33 draft dockets, of which 32 were for projects located in Pennsylvania and one for a project located in New York. Twenty-four of the 33 involved wastewater discharges, and nine, water withdrawals. The Commission had received no public comments on any of the draft dockets during the public comment period. Mr. Kovach recommended that docket agenda items numbered 1 through 33 be approved as proposed.

Ms. Weaver so moved, Mr. Domber seconded her motion, and without further discussion, docket agenda items 1 through 33 were approved by unanimous vote.

Closing remarks. Mr. Tambini thanked the Commissioners for their engagement in the process of selecting the new Executive Director, and said he believed they made an excellent choice. He offered his congratulations to Ms. Bowman Kavanagh, stating that he was confident she would lead the Commission more than very effectively and that he had enjoyed working with her.

Adjournment. There being no other business before the Commission, Mr. Domber moved for adjournment. Mr. Smailer seconded his motion, and the Commission's business meeting of September 5, 2024 was adjourned by unanimous vote at approximately 11:30 a.m.

Pamela M. Bush
Commission Secretary and
Assistant General Counsel

ATTACHMENT A

DESCRIPTION OF PROJECTS APPROVED BY THE COMMISSION DURING THE BUSINESS MEETING OF SEPTEMBER 5, 2024

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 at https://www.nj.gov/drbc/programs/project/project-review_status-pg.html. This report, updated approximately once a month, 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 is compiled and posted as a "Notice of Applications Received" (NAR) at <https://www.nj.gov/drbc/programs/project/nar.html>, approximately once per month.
- Anyone interested in receiving notices about projects under review as the notices are posted on the Commission's website may sign up for the Commission's "Most Recent Notice of Applications Received" listserv at <https://www.nj.gov/drbc/contact/interest/index.html>.
- 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.
- Ten days prior to the hearing date, the hearing notice, along with draft dockets, is posted on the Commission's website. A public hearing and meeting notice also appears in the Federal Register and certain state registers in accordance with the respective schedules of these publications. The register notice directs readers to the Commission's website for links to the draft dockets available for comment.

Written comment on hearing items is ordinarily accepted until 5 p.m. on the Monday of the week following the public hearing.

At the Commission's 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. Descriptions of the projects (based on the applications received, which may vary from final projects) for which the Commission issued approvals on September 5, 2024 are presented below.

A. Renewals with No Substantive Changes (Items 1 through 33)

1. South Coatesville Borough, D-1974-039 CP-7. An application to renew the approval of an existing 0.5 mgd WWTP and its discharge. The WWTP will continue to discharge treated effluent to West Branch Brandywine Creek at River Mile 70.7 - 1.5 - 20.0 - 14.3 (Delaware River - Christina River - Brandywine Creek - West Branch Brandywine Creek) via Outfall No. 001 in the Borough of South Coatesville, Chester County, Pennsylvania.

2. Myerstown Borough, D-1974-176 CP-5. An application to renew the approval of the existing 2.0 mgd Myerstown Borough WWTP and its discharge. The WWTP will continue to discharge to Tulpehocken Creek, which is a tributary of the Schuylkill River, at River Mile 92.47 – 76.8 – 34 (Delaware River - Schuylkill River - Tulpehocken Creek), in Jackson Township, Lebanon County, Pennsylvania.

3. Newtown Artesian Water Company, D-1978-029 CP-5. An application to renew the approval of an existing groundwater withdrawal of up to 46.3 mgm to supply the applicant's public water supply distribution system from existing Well Nos. 4R, 5, 6, 14 and 18. The project wells are completed in Stockton Formation. The requested allocation is not an increase from the previous allocation. The project is located in the Commission's designated Southeastern Pennsylvania Ground Water Protected Area (SEPA GWPA) in the Newtown and Neshaminy Creek Watersheds, in Newtown and Middletown Townships and Newtown Borough, Bucks County, Pennsylvania.

4. Central Wayne Regional Authority, D-1986-009 CP-6. An application to renew the approval of the existing 2.2 mgd Honesdale WWTP and its discharge. The WWTP will continue to discharge treated effluent to the Lackawaxen River at River Mile 277.7 - 24.6 (Delaware River - Lackawaxen River) via Outfall No. 001, 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, at the border between Honesdale Borough and Texas Township, Wayne County, Pennsylvania.

5. Dublin Borough, D-1986-070 CP-4. An application to renew approval of a modification to re-rate the monthly average design flow from 0.5 mgd to 0.75 mgd of the applicant's Dublin Borough WWTP and its discharge. Treated effluent will continue to discharge at Deep Run Creek at River Mile 157.0 - 6.2 - 5.4 (Delaware River - Tohickon Creek - Deep Run 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, in Bedminster Township, Bucks County, Pennsylvania.

6. Morrisville Municipal Authority, D-1987-008 CP-5. An application to renew the approval of an existing discharge from the 8.7 mgd Morrisville Borough Municipal Authority WWTP and its discharge. Treated effluent will continue to be discharged directly to Water Quality Zone 2 of the Delaware River at River Mile 133.0 via Outfall No. 001, in Morrisville Borough, Bucks County, Pennsylvania.

7. Fleetwood Borough Authority, D-1987-054 CP-7. An application to renew the approval of the existing 0.882 mgd Fleetwood Borough Authority WWTP and its discharge. The WWTP will continue to

discharge to Willow Creek at River Mile 92.47 - 86.7 - 0.6 - 6.4 (Delaware River - Schuylkill River - Maiden Creek - Willow Creek), via Outfall No. 001, in Richmond Township, Berks County, Pennsylvania.

8. Spring Township, D-1988-077 CP-6. An application to renew the approval of the docket holder's existing 2.0 mgd WWTP and its discharge. The docket holder proposes to replace the WWTP's aging belt filter press with a screw press. In addition, a polymer system will be installed and existing pumps used for chemical addition for coagulation and phosphorus polishing will be moved to another room for better hydraulics. The WWTP will continue to discharge treated effluent to Cacoosing Creek at River Mile 92.47 - 76.8 - 4.0 - 2.0 (Delaware River - Schuylkill River - Tulpehocken Creek - Cacoosing Creek) via Outfall No. 001, in Spring Township, Berks County, Pennsylvania.

9. Kutztown Borough, D-1989-039 CP-5. An application to renew the applicant's existing 1.5 mgd WWTP and its discharge. The existing WWTP will continue to discharge treated effluent to Sacony Creek, upstream of Lake Ontelaunee, at River Mile 92.47 - 86.2 - 5.4 - 2.1 - 7.1 (Delaware River - Schuylkill River - Maiden Creek - Lake Ontelaunee - Maiden Creek - Sacony Creek), via Outfall No. 001, at the boundary of Kutztown Borough and Maxatawny Township, in Berks County, Pennsylvania.

10. Knights Bridge Corporation, D-1990-054 -3. An application to approve the existing 0.090 mgd Knight's Bridge WWTP and its related discharge. The WWTP will continue to discharge treated effluent to an unnamed tributary (UNT) of Harvey Run at River Mile 70.7 - 1.5 - 14.7 - 2.0 - 0.9 (Delaware River - Christina River - Brandywine Creek - Harvey Run - UNT Harvey Run), via existing Outfall No. 001, in Chadds Ford Township, Delaware County, Pennsylvania.

11. Aqua Pennsylvania, Inc., D-1991-086 CP-4. An application to renew the approval of an existing groundwater withdrawal of up to 43.264 mgm to supply the applicant's public water supply distribution system from existing Wells Hunt Country 21A, Hunt Country 21B, Hunt Country 21C, Hunt Country 21D, Grand Oak 4, Ponomia Park 7, Highland Glen 9 and Pottstown Pike 16. Wells Hunt Country 21A through D are completed in Baltimore Gneiss; Wells Grand Oak 4 and Ponomia Park 7 are completed in Gneiss; Well Highland Glen 9 is completed in Septentine Schist; and Pottstown Pike 16 is completed in Wissahickon Schist. The requested allocation is not an increase from the previous allocation. The project is located in the Commission's designated Southeastern Pennsylvania Ground Water Protected Area (SEPA GWPA) in the Ridley Creek, Chester Creek, Plum Run and Broad Run Watersheds, in East Goshen, West Goshen and West Whiteland Townships, Chester County, Pennsylvania.

12. Hamburg Municipal Authority, D-1992-073 CP-6. An application to renew the approval of an existing 1.5 mgd WWTP and its discharge. The WWTP will continue to discharge treated effluent to the Schuylkill River, at River Mile 92.47 - 98.7 (Delaware River - Schuylkill River) via Outfall No. 001 in the Borough of Hamburg, Berks County, Pennsylvania.

13. Sinking Spring Borough, D-1994-031 CP-5. An application to renew approval of the existing 1.25 mgd Sinking Spring Borough WWTP and its discharge. The WWTP will continue to discharge treated effluent to Cacoosing Creek at River Mile 92.47 - 76.8 - 4.0 - 3.4 (Delaware River - Schuylkill River - Tulpehocken Creek - Cacoosing Creek), via Outfall No. 001, in Spring Township, Berks County, Pennsylvania.

14. Pennsylvania American Water Company, D-1996-009 CP-3. An application to renew the approval of an existing groundwater withdrawal of up to 24.8 mgm to supply the applicant's public water supply system from existing Well Nos. 3, 6 and 9. Well Nos. 3 and 6 are completed in the Buttermilk Falls/ Esopus Formation. Well No. 9 is completed in Quaternary sands and gravels. The requested allocation is not an

increase from the previous allocation. The project wells are located in the Bushkill Watershed in Middle Smithfield Township, Monroe County, Pennsylvania within the drainage area to section of the main stem Delaware River known as the Middle Delaware, which the Commission has classified as Special Protection Waters.

15. Allied Utility Services, Inc., D-1996-025 CP-4. An application to renew the approval of the applicant's existing 0.075 mgd Schnecksville North WWTP and its discharge. Treated effluent will continue to be discharged to an UNT of Coplay Creek at River Mile 183.66 - 21.05 - 10.6 - 0.7 (Delaware River - Lehigh River - Coplay Creek - UNT) via Outfall No. 001, within the drainage area to the Lower Delaware River, which is classified as Special Protection Waters, in North Whitehall Township, Lehigh County, Pennsylvania.

16. Central Carbon Municipal Authority, D-1999-048 CP-4. An application to renew the approval of the existing 1.6 mgd Central Carbon Municipal Authority WWTP and its related discharge. The existing WWTP will continue to discharge treated effluent to the Lehigh River at River Mile 183.7 - 42.1 (Delaware River - Lehigh River), via Outfall No. 001, within the drainage area of the section of the non-tidal Delaware River known as the Lower Delaware, which is classified as Special Protection Waters, located in Mahoning Township, Carbon County, Pennsylvania.

17. South Coventry Township, D-2000-026 CP-3. An application to renew the approval of an existing groundwater withdrawal of up to 3.82 mgm to supply the applicant's public water supply distribution system from Well Nos. SW-1 and SW-2. The project wells are completed in the Stockton Formation. The requested allocation is not an increase from the previous allocation. The project is located in the Commission's designated Southeastern Pennsylvania Ground Water Protected Area (SEPA GWPA) in the Upper Reach French Creek Watershed, in Telford Borough in South Coventry Township, Chester County, Pennsylvania.

18. Avondale Borough, D-2000-066 CP-4. An application to renew the approval of the existing 0.5 mgd WWTP and its discharge, with a plan to upgrade from chlorine gas to liquid chlorine. The WWTP will continue to discharge treated effluent to an unnamed tributary of East Branch White Clay Creek, at River Mile 70.7 - 10.3 - 15.7 - 7.6 - 0.6 (Delaware River - Christina River - White Clay Creek - East Branch White Clay Creek - UNT East Branch White Clay Creek), via Outfall No. 001, in Avondale Borough, Chester County, Pennsylvania.

19. Wernersville Municipal Authority, D-2001-017 CP-3. An application to renew the approval of an existing groundwater withdrawal project to supply up to 20.30 million gallons per month (mgm) of groundwater to the docket holder's public water system from existing Wells Nos. 3, 4, 5, 6, 7, 8, 12, the Tunnel Well and 11 spring sources. The requested groundwater allocation is a decrease from the allocation of 30.866 mgm contained in its current approval. The applicant's wells are completed in the Hardyston Formation, the Richland Formation and granitic gneiss within the drainage area of Spring Creek in the Tulpehocken Creek Watershed in South Heidelberg Township and Wernersville Borough, Berks County, Pennsylvania.

20. Westfall Township Municipal Authority, D-2002-023 CP-7. An application to renew the approval of the existing 0.374 mgd Westfall Township Municipal Authority WWTP and its discharge. The WWTP will continue to discharge treated effluent to the Middle Delaware River in Water Quality Zone 1C at River Mile 252.5, via outfall No. 001, which is classified as Special Protection Waters (SPW) and Significant Resources Waters (SRW), in Westfall Township, Pike County, Pennsylvania.

21. Greater Pottsville Area Sewer Authority, D-2002-041 CP-4. An application to renew approval of the existing 8.2 mgd WWTP and its discharge. The WWTP will continue to discharge treated effluent to the Schuylkill River at River Mile 92.47 - 122.9 (Delaware River - Schuylkill River), via Outfall No. 001, the WWTP is located across intersection of North Manheim Township, Palo Alto Borough, and the City of Pottsville. Outfall No. 001 is located in the City of Pottsville. All municipalities are located within Schuylkill County, Pennsylvania.

22. Portland Borough, D-2003-009 CP-6. An application to renew the approval of the existing 0.105 mgd Portland Borough WWTP and its discharge. The WWTP will continue to discharge treated effluent to Delaware River Water Quality Zone 1D at River Mile 206.9, in the section of the non-tidal Delaware River known as the Lower Delaware, which the Commission has classified as Special Protection Waters, in the Borough of Portland, Northampton County, Pennsylvania.

23. Ledgerock Golf Club, D-2004-026 -3. An application to renew the approval to continue to withdraw up to 8.525 million gallons per month (mgm) of groundwater from existing Wells IW-1 and IW-2 for golf course irrigation. The project wells are completed in the Hammer Creek Formation in the Angelica Creek-Schuylkill River watershed in Cumru Township, Berks County, Pennsylvania.

24. Bear Creek Management Company, D-2004-035 -3. An application to renew the approval of an existing groundwater and surface water withdrawal of up to 37.82 mgm to supply the applicant's potable water supply system and their snowmaking system from existing Wells Nos. 1, 2, 3, 4, 5, 6 and the Lower Pond. The total groundwater allocation will remain at 11.37 mgm. The project wells are completed in Precambrian Gneiss. The requested allocation is not an increase from the previous allocation. The project is located in the Swabia Creek Watershed in Longswamp Township, Berks County, Pennsylvania within the drainage area to section of the main stem Delaware River known as the Lower Delaware, which the Commission has classified as Special Protection Waters.

25. Bucks County Water and Sewer Authority, D-2004-039 CP-3. An application to renew the approval of an existing groundwater and surface water withdrawal of up to 14.78 mgm to supply the applicant's public water supply distribution system from existing Wells Riverwoods 2C, Riverwoods 3B, Morrissey B, Morrissey C, New Hope Manor C and an intake on the Delaware River. The project wells are completed in Brunswick Formation. The requested allocation is not an increase from the previous allocation. The project is located in the Rabbit Run and Delaware River Watersheds in New Hope Borough, Bucks County, Pennsylvania within the drainage area to section of the main stem Delaware River known as the Lower Delaware, which the Commission has classified as Special Protection Waters.

26. Lower Milford Township, D-2009-010 CP-4. An application to renew the approval of the existing 0.035 mgd Lower Milford WWTP and its discharge. The WWTP will continue to discharge treated effluent to Saucon Creek at River Mile 183.7 - 9.4 - 14.6 (Delaware River - Lehigh River - Saucon Creek) via Outfall No. 001, located 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 Lower Milford Township, Lehigh County, Pennsylvania.

27. Tobyhanna Army Depot, D-2009-041 CP-5. An application to renew the approval of the existing 0.802 mgd Tobyhanna Army WWTP and its discharge. The WWTP will continue to discharge treated effluent into Hummler Run at River Mile 183.7 - 83.5 - 26.4 - 1.8 (Delaware River - Lehigh River - Tobyhanna Creek - Hummler Run), 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 Coolbaugh Township, Monroe County, Pennsylvania.

28. Lehigh County Authority, D-2010-001 CP-5. An application to renew the approval of the applicant's existing 0.06 mgd Wynnwood Terrace WWTP and its discharge. The WWTP will continue to discharge treated effluent to the Lehigh River via Outfall No. 001 at River Mile 18.66-28.14 (Delaware River - Lehigh River), located in within the drainage area to the Lower Delaware Special Protection Waters (SPW), in North Whitehall Township, Lehigh County, Pennsylvania.

29. Aqua Pennsylvania, Inc., D-2014-007 CP-2. An application to renew the approval of an existing groundwater withdrawal of up to 6.0 mgm to supply the applicant's public water supply system from existing Wells Cawley, Fern St. and Red Shale. The project wells are completed in the Catskill Formation. The requested allocation is not an increase from the previous allocation. The project wells are located in the Wallenpaupack Creek Watershed in Hawley Borough, Paupack and Palmyra Townships, Wayne and Pike Counties, Pennsylvania within the drainage area to section of the main stem Delaware River known as the Upper Delaware, which the Commission has classified as Special Protection Waters.

30. Monroe Career & Technical Institute (MCTI), D-2019-002 CP-2. An application to approve the existing 0.015 mgd Monroe Career & Technical Institute (MCTI) WWTP and its discharge. The MCTI WWTP will continue to discharge treated effluent to an unnamed tributary (UNT) of Pocono Creek, at River Mile 213 - 4.0 - 0.82 - 8.1 - 0.5 (Delaware River - Broadhead Creek - McMichael Creek - Pocono Creek - UNT Pocono Creek), via Outfall No. 001, located in the drainage area of the section of the non-tidal Delaware River known as the Middle Delaware, which the Commission has classified as Special Protection Waters.

31. Nestlé Purina Petcare Co., D-1983-018 -3. An application to renew the approval of the applicant's existing IWTP and its discharge of 0.53 mgd of non-contact cooling water and treated process wastewater. The docket holder requests to change the Outfall from an UNT to Jordan Creek directly to Jordan Creek. The IWTP will continue to discharge treated effluent to an unnamed tributary of Jordan Creek at River Mile 183.7 - 16.3 - 0.7 - 11.2 (Delaware River - Lehigh River - Little Lehigh River - Jordan Creek) and is located 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 South Whitehall Township, Lehigh County, Pennsylvania.

32. Quakertown Borough, D-1984-026 CP-3. An application to approve the proposed upgrade to the applicant's existing 4.0 WWTP. The applicant proposes to upgrade the treatment system and increase the annual average flow from 3.1 mgd to 3.84 mgd, and its hydraulic flow from 4.0 mgd to 5.0 mgd. The WWTP will continue to discharge treated effluent to Tohickon Creek at River Mile 157.0 - 23.5 (Delaware River - Tohickon Creek), in Richland Township, Bucks County, Pennsylvania, located within the drainage area to the classified Lower Delaware Special Protection Waters (SPW).

33. Town of Delaware, D-2011-012 CP-2. An application to approve a withdrawal of up to 7.37 million gallons per month of groundwater from two new wells known as Callicoon-1 and Callicoon-2 for use in the docket holder's public water system serving the Hamet of Callicoon Water District. The new wells will replace the previously approved wells and spring sources. The project wells are screened in unconsolidated glaciofluvial sand and gravel deposits in the Callicoon Creek and Delaware River Watersheds in the Town of Delaware, Sullivan County, New York within the drainage area to the section of the non-tidal Delaware River known as the Upper Delaware, which the Commission has designated as Special Protection Waters.