

A RESOLUTION amending the *Water Quality Regulations, Water Code* and *Comprehensive Plan* to extend through September 30, 2007 the designation of the Lower Delaware River as Special Protection Waters.

WHEREAS, by Resolution No. 2005-2 on January 19, 2005, the Commission temporarily classified as Significant Resource Waters a reach of the main stem Delaware River known as the “Lower Delaware River” (or “Lower Delaware”); and

WHEREAS, pending a rulemaking procedure to establish numeric values for existing water quality in the Lower Delaware, Resolution No. 2005-2 made this section of the river subject through September 2005 to all applicable provisions of the Commission's Special Protection Waters regulations (Section 3.10.3A.2 of the *Water Quality Regulations* and *Water Code*) except those that depend for implementation upon the use of numeric values for existing water quality; and

WHEREAS, by Resolution No. 2005-15 on September 26, 2005, following a duly noticed public hearing, the Commission extended the temporary classification of the Lower Delaware River as Significant Resource Waters through September 30, 2006; and

WHEREAS, the Commission requires additional time to complete its evaluation of implementation options and to promulgate numeric values for existing water quality before deciding whether to classify certain sections of the Lower Delaware as Outstanding Basin Waters as originally proposed, and whether to make the temporary Significant Resource Waters classification permanent for some or all of the Lower Delaware River; and

WHEREAS, on September 27, 2006, the Commission held a duly noticed public hearing on the matter of extending the temporary Special Protection Waters designation of the Lower Delaware River; now therefore,

BE IT RESOLVED by the Delaware River Basin Commission that:

1. The last paragraph of Section 3.10.3A.2.g.6) of the *Water Quality Regulations* and *Water Code* is amended by replacing the date “September 30, 2006” with the date, “September 30, 2007.”
2. This amendment shall be incorporated in the Commission’s *Comprehensive Plan*.
3. This amendment shall take effect immediately.

/s/ Gwen E. Baker

Lt. Col. Gwen E. Baker, Chair *pro tem*

/s/ Pamela M. Bush

Pamela M. Bush, Esq., Commission Secretary

ADOPTED: September 27, 2006