
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE RESOLUTION

No. 513 Session of
1998

INTRODUCED BY RUBLEY, BATTISTO, MUNDY, MASLAND, TIGUE,
C. WILLIAMS, HERSHEY, McILHINNEY, BARD, CORRIGAN,
M. N. WRIGHT, WOJNAROSKI, CLYMER, HALUSKA, SCHRODER, ROSS,
D. W. SNYDER, KENNEY, NAILOR, FICHTER, CORPORA, READSHAW,
HENNESSEY, E. Z. TAYLOR, RAMOS, FAIRCHILD, McNAUGHTON, FEESE,
PESCI, PIPPY, BIRMELIN, ZUG, TANGRETTI, WALKO, McCALL,
BARRAR, MILLER, BOSCOLA, SEYFERT, HARHAI, DRUCE, TRELLO,
McGILL, B. SMITH, L. I. COHEN, LEVDANSKY, CIVERA, ROBERTS,
ADOLPH AND YOUNGBLOOD, SEPTEMBER 29, 1998

REFERRED TO COMMITTEE ON INTERGOVERNMENTAL AFFAIRS,
SEPTEMBER 29, 1998

A RESOLUTION

1 Memorializing the Federal Government to fulfill its financial
2 obligation under the Delaware River Basin Compact.

3 WHEREAS, The Delaware River represents one of Pennsylvania's
4 and one of the nation's most important water resources, serving
5 as a water supply for 17 million persons in the states of New
6 York, Pennsylvania, New Jersey and Delaware; and

7 WHEREAS, The Delaware River is an interstate stream forming
8 the boundary between states for its entire length of 330 miles;
9 and

10 WHEREAS, Two major sections of the Delaware River have been
11 designated under the Wild and Scenic Rivers Act; and

12 WHEREAS, The remaining section of the Delaware River has been
13 studied and is now in the process of being designated under the
14 Wild and Scenic Rivers Act; and

1 WHEREAS, The Delaware River and the Pennsylvania tributaries
2 serve as a major recreational facility for the large population
3 of the New York/Philadelphia Metropolitan Areas; and

4 WHEREAS, The Congress of the United States created the
5 Delaware River Basin Compact (Compact) in recognition of the
6 need to coordinate the efforts of the four states and Federal
7 agencies and to establish a management system to oversee the use
8 of water and related natural resources of the Delaware River
9 Basin; and

10 WHEREAS, The Compact was enacted by the legislatures of New
11 York, Pennsylvania, New Jersey and Delaware and by Congress and
12 was signed into law on September 27, 1961, to provide a
13 mechanism to guide the conservation, development and
14 administration of water resources of the river basin; and

15 WHEREAS, The Compact established the Delaware River Basin
16 Commission (Commission) as the agency to coordinate the water
17 resources efforts of the four states and the Federal Government
18 and provided the Commission with authority for management and
19 protection of flood plains, water supplies, water quality,
20 watersheds, recreation, fish and wildlife and cultural, visual
21 and other amenities; and

22 WHEREAS, The Commission has provided for equitable treatment
23 of all parties without regards to political boundary; and

24 WHEREAS, The Commission includes both the Delaware River and
25 Delaware Bay, which serve the port of Philadelphia, a port that
26 handles the largest volume of petroleum of all United States'
27 ports; and

28 WHEREAS, Sections 3.3 and 3.4 of the Compact specifically
29 provide for the Commission, with the consent of the parties in
30 the matter of state of New Jersey v. state of New York et al.

1 347 U.S. 995 (1954) to apportion the water to and among the
2 states; and

3 WHEREAS, The Commission has successfully negotiated all
4 disputes or conflicts between parties without any appeal to the
5 United States Supreme Court; and

6 WHEREAS, Section 13.3 of the Compact calls for the adoption
7 and apportionment of the Commission's annual expense budget
8 among the signatory parties to the Compact; and

9 WHEREAS, The United States is a duly constituted signatory
10 party to the Compact; and

11 WHEREAS, In fiscal years 1996, 1997 and 1998, the Commission
12 duly submitted its approved budgets to the President's Office of
13 Management and Budget (OMB) and Congress; and

14 WHEREAS, The Federal Government failed to provide full
15 funding in fiscal year 1996 and failed to provide any funding in
16 fiscal years 1997 and 1998 for the Commission's current expense
17 budget and has, therefore, not met the funding requirement of
18 section 13.3 of the Compact; and

19 WHEREAS, The Commission also has adopted and duly submitted
20 to OMB a current expense budget for fiscal year 1999 that
21 includes an apportionment for the Federal Government in the
22 amount of no dollars; and

23 WHEREAS, The fair share apportionment of the Commission's
24 annual expense budget for the Federal Government for fiscal year
25 1999 is \$628,000; and

26 WHEREAS, The cumulative shortfall of Federal funding for the
27 Commission since fiscal year 1996 is \$1.716 million; and

28 WHEREAS, The Commission pays the Federal Government
29 approximately \$1.3 million per year to purchase storage in the
30 Blue Marsh and Beltzville multipurpose reservoirs; and

1 WHEREAS, The Commission is the agent of Congress in the
2 allocation of the waters of the basin among the signatory
3 states; and

4 WHEREAS, The Commission, through its regulations and
5 programs, protects interstate waters and the Delaware Bay and
6 provides a forum for the prevention and settlement of interstate
7 disputes that arise over the use of interstate waters; and

8 WHEREAS, Through these interstate functions and many other
9 programs and activities, such as the coordination of the basin
10 flood and drought forecasting and warning system, the Commission
11 saves the Federal Government time, resources and money, thus
12 advancing the welfare of the nation; therefore be it

13 RESOLVED, That the House of Representatives of Pennsylvania
14 memorialize the President of the United States and Congress to
15 provide the Commission with funding in an amount equal to what
16 is owed for the Federal Government's share of the Commission's
17 operating budgets for fiscal years 1996, 1997, 1998 and 1999;
18 and be it further

19 RESOLVED, That the House of Representatives of Pennsylvania
20 memorialize the President of the United States and Congress to
21 fulfill the Federal Government's obligation under the Delaware
22 River Basin Compact to annually contribute the apportioned share
23 of the Commission's future operating budgets; and be it further

24 RESOLVED, That copies of this resolution be transmitted to
25 the President of the United States, to the presiding officers of
26 each house of Congress and to each member of Congress from
27 Pennsylvania.