

**TESTIMONY OF  
STEVE TAMBINI, EXECUTIVE DIRECTOR, DELAWARE RIVER BASIN COMMISSION,  
BEFORE THE HOUSE STATE GOVERNMENT COMMITTEE OF THE  
PENNSYLVANIA GENERAL ASSEMBLY  
MONDAY, JUNE 11, 2018**

Chairman Metcalfe, Democratic Chair Bradford, State Government Committee Members, and State Representatives:

Thank you for the opportunity to offer testimony today on behalf of the Delaware River Basin Commission. In addition to my remarks, I have provided supporting documents for the members' review as part of your deliberations.

My comments will focus primarily on two areas – providing clean water and ensuring a sustainable supply of water for approximately 15 million people, including approximately 5.5 million Pennsylvanians. Some 43 percent of the population of the Commonwealth lives in the Delaware River Basin.

I suspect that all of us can admit to taking water for granted much of the time. Blessed as we are with abundant rainfall and a temperate climate, we do so with good reason. When we open the tap, clean, potable water reliably issues forth. Our local streams and major rivers like the Delaware seemingly flow uninterrupted, constant features of the landscape. Unfortunately, we seem to need crises to appreciate the value of our water resources and the importance of managing them responsibly. The lead contamination in Flint, Michigan, the Deepwater Horizon oil spill in the Gulf of Mexico, and the severe droughts and subsequent fires in some of America's western states all demonstrate how sensitive and vulnerable our water resources are, and how they can be impacted by both man-made and natural events.

The waters of the Delaware River Basin are not without vulnerabilities. The DRBC was formed after decades of costly litigation among the basin states over water rights, and after pollution in the Delaware River Estuary had rendered reaches of the main stem dead zones, incapable of supporting aquatic life. The Commission was created in response to these persistent water resource crises, to enable the member states and federal government to accomplish together what none could achieve on its own. The terms of the agreement among them took the form of a compact – concurrent legislation enacted by the United States and by each of the four basin states in 1961.

What has the DRBC meant to Pennsylvania? To accompany my testimony, I have provided you with a paper that outlines the valuable benefits that DRBC provides to the Commonwealth. I encourage you to read this more detailed submission, from which I offer the following highlights.

First, I offer examples of DRBC's effective management for clean water:

- Before DRBC was created, reaches of the Delaware River Estuary near Philadelphia were so polluted that they lacked sufficient dissolved oxygen to sustain aquatic life. DRBC provided the scientific foundation and leadership for water quality improvements that have reduced pollution in the Estuary to the point where the river and riverfront communities are thriving environmentally and economically. If your reaction is, "That's old news; today, EPA and DEP have these problems covered," I ask you to look again. DRBC continues to focus the best that we *and EPA and DEP and* the other basin state agencies have to offer to address new and persistent pollution challenges in the Estuary. DRBC provides science, standards and program leadership to ensure that water quality in the Estuary continues to improve.
- At the request of Pennsylvania, Delaware, New Jersey, and the U.S. EPA, DRBC is leading a groundbreaking program to reduce contamination from PCBs (a known human

carcinogen) in the tidal Delaware River and Bay. As a result of this unique initiative, PCB loadings from the top ten dischargers contributing 90 percent of total point source loadings decreased by 76 percent between 2005 and 2016. In 2018, two states relaxed their fish consumption advisories because of improved water quality in the Estuary.

- From the basin's headwaters in New York State downstream to Morrisville, PA and Trenton, NJ, DRBC's Special Protection Waters program has "kept the clean waters clean" in the non-tidal main stem river and portions of its tributaries. These exceptionally clean waters support recreation, healthy ecosystems, a vibrant water-based economy, and water quality improvements downstream.
- DRBC performs a biennial water quality assessment of the interstate Delaware River and Bay, the results of which are provided to Pennsylvania and other basin states to help them meet Clean Water Act requirements. DRBC's interstate water quality monitoring program, which is essential to water resources management in the basin, includes assessments of biological health, traditional pollutants from wastewater discharges and non-point source runoff, and contaminants of emerging concern, such as perfluorinated compounds ("PFCs"), that have been known to impact drinking water supplies.
- Finally, DRBC has a long history of working collaboratively with the PADEP to regulate point source discharges from municipal and industrial wastewater treatment facilities, and to support the goals of the Clean Water Act. The basin states through DRBC set uniform water quality standards for interstate waters. However, the DRBC's project reviews do not duplicate those conducted by Pennsylvania under the Clean Water Act National Pollutant Discharge Elimination System (NPDES) program. PADEP relies upon DRBC's expertise for the complex modeling required to effectively control wastewater discharges to the Delaware Estuary, the only tidally influenced system in Pennsylvania, and to implement the Special Protection Waters program in the non-tidal river.

Clean water is vital. But how do we ensure that there will be *enough* water to sustain our region's growth into the future? If the basin experiences eight years in a row of below normal rainfall, as it did during the drought of record in the 1960's, will we have a sufficient supply of clean water? Can we use our water more efficiently? And how do we manage water that is used consumptively – that is, water withdrawn from but not returned to the basin's surface waters or aquifers after use? Answers to these questions are needed to ensure a sustainable water future for the Delaware Basin. DRBC is managing water withdrawals today and developing management plans for the coming decades in ways that consider these long-term concerns. Among DRBC's programs and policies for ensuring a sustainable water supply are the following:

- The non-tidal main stem Delaware River – some 152 miles long – is free of dams and has been included in the National Wild and Scenic Rivers system. It is no surprise that many assume the river is an entirely natural system. The truth is that the Delaware River's flows are managed through releases from multiple reservoirs located on tributaries. To maintain flows sufficient to meet local and regional water supply needs during periods of low flow and drought, DRBC directs releases from storage in the Beltzville and Blue Marsh reservoirs located on the Lehigh and Schuylkill Rivers, respectively, and operated by the U.S. Army Corps of Engineers. These releases protect the City of Philadelphia's Delaware River water supply intake from the migration of salt water upstream from Delaware Bay; and ensure an uninterrupted supply for domestic, commercial and industrial withdrawers. At the same time, the reservoir releases benefit Pennsylvania water users on the two tributaries on which the dams are located.
- DRBC pays the federal government over \$1.6 million annually to support the operation, maintenance, capital improvements, and debt service on our water supply storage in the Beltzville and Blue Marsh reservoirs, using fees paid by water withdrawers in all four basin states.

- DRBC drought plans include access to additional emergency storage in public and private reservoirs throughout the basin.
- To ensure that power generation and other vital uses in the basin are not interrupted during periods of drought or low flow, DRBC requires power generators to replace the water they consumptively use during dry periods. Many generators satisfy this requirement with storage in the Merrill Creek Reservoir in New Jersey, which was constructed in 1994 in fulfillment of a provision of DRBC's Comprehensive Plan. Replacement water is released during low flow conditions in accordance with DRBC requirements. DRBC's consumptive use replacement policy ensures that large consumptive water users such as the Exelon Limerick Generating Station can continue operating without adversely affecting other users.
- DRBC's leadership has ensured that every public water supply system in all four basin states performs an annual audit of lost water, based upon national standards set by the American Water Works Association. Reducing lost water not only benefits the resource, but it helps to reduce the cost of energy and treatment at drinking water treatment plants.

The water quality and water supply benefits I have described are just a few examples of how DRBC programs support the vital water resource interests of the Commonwealth and the region.

Understandably, those who are regulated by state agencies and the DRBC are at times confused about our unique roles and responsibilities. DRBC regulates only those projects that could have a "substantial effect on the water resources of the basin." These are defined by DRBC regulations and consist, for the most part, of large ongoing water withdrawals and wastewater discharges. Although the DRBC and state programs are not duplicative, and we have good working relationships with the water resource agencies of all four basin states, including the

PADEP, we have certainly heard the “duplication” theme before. For this reason, over the past several years DRBC has worked with our commissioners and state agencies to find ways to improve and streamline the regulatory process. In 2015, we initiated a program called “One Process One Permit,” whereby the DRBC works with each state agency that elects to participate, to ensure that DRBC standards are included in the agency’s permits. Regulated entities apply to just one agency and receive a single approval that contains all state and DRBC requirements. In addition, where this program has been implemented in New Jersey and New York, the applicant pays just one application fee – the state fee. Pennsylvania agencies to date have not availed themselves of the One Process One Permit Program; however, DRBC is more than willing to work with the PADEP to implement this program in Pennsylvania when and if the Department so requests.

Even without One Process One Permit in Pennsylvania, DRBC generally has a good working relationship with our regulated community. We are not perfect. I am sure that someone can find applicants – whether they be water users or wastewater dischargers – who have not been pleased with DRBC’s policies, responses or fees. Based upon the multiple letters (copies attached) advanced to your Committee by DRBC’s regulated community, planning agencies and local legislators in Pennsylvania, those who understand what we do and who work with us on a routine basis to maintain clean and sustainable water supplies recognize the value that DRBC has brought to basin water users. These entities also recognize and value the comprehensive and basin-scale approach to water resources management that DRBC provides.

We strive to be fair, responsive, open, and solution-oriented. We invite the regulated community and other stakeholders to serve on our water resources advisory committees, and we ensure the DRBC commissioners receive the committees’ input, including dissenting views. We understand – as do our commissioners and advisory committee members – that these committees are *not* decision makers. For example, an *ad hoc* advisory committee developed and reported out recommendations in 2014 to restructure and increase the DRBC’s surface

water supply charges. The commissioners heard the recommendations but did not implement them and have no plans to do so.

Not only does DRBC work collaboratively with PADEP, we step up and step in when asked to help. When explosive growth in Southeastern Pennsylvania was resulting in groundwater withdrawals that threatened to exceed the yield of local aquifers, Pennsylvania asked DRBC to use its authority to set up and manage a groundwater protected area covering 127 municipalities in five counties. The result has been continued economic growth in the region, supported by effective planning, regulation and groundwater management.

I recognize that this Committee has also held hearings on the SRBC and that the differences between our agencies can at times be blurry. The two interstate compacts are structurally similar, but there are important differences between them. These differences are rooted in geography. The Delaware River is an interstate boundary for its entire 330-mile length. The Susquehanna River is a state boundary only at the two points at which it flows into Pennsylvania from New York and flows out of the Commonwealth into Maryland. The Delaware River Basin Compact was created in part for the purpose of empowering the states and federal government jointly to address severe water quality problems – both actual and potential – that no one of them could resolve by itself. The Susquehanna River Basin Compact was not. The Delaware River Basin Compact provides that the commissioners of the member states *are* the duly elected governors of each state. Under the SRB Compact, the member state commissioners are individuals *appointed by* the governors.

Accordingly, the governors of the four basin states, including Pennsylvania, decide when DRBC authority should be used to address water resource matters that affect the basin as a whole. DRBC's small and dedicated staff of 39 engineers, planners, scientists and support personnel evaluates proposals and implements the rules, policies, and regulations that the commissioners adopt. All votes of the Commission occur at meetings open to the public.

I recognize that this hearing may be as much about hydraulic fracturing as it is about DRBC's relationships and interactions with those we regulate. Members of the State Government Committee are no doubt familiar with the status of proposed DRBC regulations that, if adopted, would prohibit high volume hydraulic fracturing in the basin. I suspect that your questions and concerns are largely about that issue. Please understand that although I will answer your questions to the best of my ability, I cannot speak on behalf of the governors who initiated the rulemaking, and I may not be able to answer certain questions that relate to ongoing litigation or deliberative processes. As you may be aware, in response to the rule proposal the Commission has received nearly 9,000 submissions of comments, which are under review by the DRBC commissioners and staff. The commissioners will not render a decision until they have considered all of the legal, technical and other issues the commenters raise.

Finally, DRBC values its relationship with all of its state and federal partners. We have worked with Pennsylvania and the other basin states to address interstate water resource problems such as droughts, floods, sustainable water supply, severe pollution in shared waters, the protection of drinking water sources and the protection of water resources of exceptional value. DRBC has produced outstanding results through planning, science, engineering and regulation. DRBC has provided, and continues to provide, invaluable water resource management to the region as a whole, directly benefiting approximately 15 million water users, including 5.5 million Pennsylvanians.

Thank you again for the opportunity to submit this testimony.



**Delaware River Basin Commission**

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UNITED STATES OF AMERICA

**ADDENDUM TO**  
**LETTERS OF SUPPORT FOR**  
**THE PENNSYLVANIA HOUSE OF REPRESENTATIVES**  
**STATE GOVERNMENT COMMITTEE HEARING**  
**MONDAY, JUNE 11, 2018**

1. The Honorable Madeleine Dean, PA House of Representatives
2. Philadelphia Water Department
3. Chester County Water Resources Authority
4. Delaware Valley Regional Planning Commission
5. Anthony J. Bonasera, East Latitude, LLC

**Madeleine Dean, Member**

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**House of Representatives**  
COMMONWEALTH OF PENNSYLVANIA  
HARRISBURG

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Pennsylvania Commission

for Women

June 8, 2018

The Honorable Daryl D. Metcalfe  
Chairman-State Government Committee  
Pennsylvania House of Representatives  
144 Main Capitol Building  
PO Box 202012  
Harrisburg, PA 17120

RE: State Government Committee Public Hearing  
Delaware River Basin Commission

Dear Chairman Metcalfe:

I have been closely monitoring reports pertaining to perfluorinated compounds (e.g. PFOA and PFOS) identified in drinking water wells near military bases in the Philadelphia suburbs, and the issue's potential impact on the nearly 70,000 residents of Bucks and Montgomery Counties.

In recent years, many of my colleagues in our region and their constituents have encountered widespread ground water contamination due to perfluorinated compounds in their districts. Production well use had to be reduced or, in some cases, eliminated. Many homeowners with private wells were provided with filtration systems or connected to public water.

Options for alternative sources for clean, safe drinking water were reviewed and both Warminster Municipal Authority and Warrington Township decided to purchase water from North Wales Water Authority (NWWA). Over 95% of NWWA water is sourced directly from the Delaware River. We are extremely fortunate that this resource is available to meet constituents demand for clean safe drinking water.

I bring this to your attention in light of the House State Government Committee hearing scheduled for June 11, 2018. The Delaware River Basin Commission (DRBC) is a federal-interstate compact agency created in 1961 when President Kennedy, Governor Lawrence of Pennsylvania along with the governors of Delaware, New Jersey, and New York, signed concurrent compact legislation into law creating a regional body with the force of law to oversee a unified approach to managing a river system. Currently

more than 15 million people, including about 43 percent of the Commonwealth's population, 5.5 million people, rely on the waters of the Delaware River Basin.

The availability of clean safe drinking water is of paramount importance— so much so, Article 1, Section 27 of the Pennsylvania Constitution declares, *"The people have a right to clean air, pure water, and to the preservation of the natural, scenic, historic, and esthetic values of the environment."*

My colleagues in the region with districts impacted with ground water contamination, have sponsored several bills addressing the issue. I am a co-sponsor of Rep. Murt's House Bill 705 to lower the acceptable amount of PFCs in our drinking water to 5 ppt.

The Delaware River is an important resource for recreation, tourism, industry and water supply and for more than 50 years, the Delaware River Basin Commission has effectively managed these resources. They remain poised to continue to provide access to clean, safe, drinking water— and 5.5 million Pennsylvanian's are counting on it.

As members of the General Assembly, we have a constitutional responsibility to ensure clean water for our Commonwealth. Therefore, I support the DRBC's efforts to help maintain this responsibility and look forward continuing this beneficial relationship to the benefit of this Commonwealth and its residents.

Thank you for your consideration.

Best regards,

A handwritten signature in black ink that reads "Madeleine Dean". The signature is written in a cursive, flowing style.

Rep. Madeleine Dean

cc: Rep. Matt Bradford, Democratic Chair of the State Government Committee  
Steve Tambini, Executive Director of the Delaware River Basin Commission



Debra A. McCarty, Water Commissioner

June 4, 2018

Hon. Matthew D. Bradford  
Chair, State Government Committee  
325 Main Capitol Building  
PO Box 202070  
Harrisburg, PA 17120-2012

To Representative Bradford,

The Philadelphia Water Department has long enjoyed a close working relationship with the Delaware River Basin Commission (DRBC), an agency that works to maintain the integrity of water resources vital to the health of Southeastern Pennsylvania communities and industries.

The Commonwealth and the City of Philadelphia both played important roles in the creation of the DRBC in 1961. The DRBC remains an effective government model defined by interstate-federal cooperation rather than expensive conflict as witnessed in other interstate waters. The economy and environment of the City and Commonwealth have benefitted from the work of the DRBC over the past 56 years.

The Philadelphia Water Department greatly values DRBC's ongoing efforts to protect a water resource that provides not only high quality drinking water to Philadelphia, but high quality processing water for the expansive food and beverage, energy generation, petroleum refining, pharmaceutical, and chemical processing industries that drive and power the economy in Southeastern Pennsylvania.

More than eight million people live in the Delaware River Basin, and 5.5 million of them are Pennsylvanians. A 2011 report described the basin as an "economic engine" that contributes \$22 billion in annual economic activity and is responsible for 600,000 jobs with \$10 billion in annual wages.

The DRBC provides numerous benefits to Pennsylvania's environment and economy. The Philadelphia Water Department urges you to support DRBC and the value that they bring to the Commonwealth.

Sincerely,

A handwritten signature in black ink, appearing to read "Marc Cammarata", with a long, sweeping horizontal line extending to the right above the signature.

Marc Cammarata, Deputy Water Commissioner  
Philadelphia Water Department

# THE COUNTY OF CHESTER

CHESTER COUNTY  
WATER RESOURCES AUTHORITY  
Government Services Center  
601 Westtown Road, Suite 260  
P.O. Box 2747  
West Chester, PA 19380-0990



CHESTER COUNTY BOARD  
OF COMMISSIONERS  
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*Janet L. Bowers, P.G., Executive Director*

*Telephone: (610) 344-5400*  
*Fax: (610) 344-5401*

June 8, 2018

Representative Daryl D. Metcalfe  
Chair, State Government Committee  
144 Main Capitol  
PO Box 202012  
Harrisburg, PA 17120-2012

Dear Representative Metcalfe,

Chester County Water Resources Authority (CCWRA) would like to express its strong support for the Delaware River Basin Commission (DRBC) and the essential roles DRBC plays in ensuring water availability for all water users here in Chester County, and throughout the Delaware Basin.

CCWRA is a county-wide municipal authority established by the Chester County Board of Commissioners in 1961 to provide science-based, county-wide water resources management, investigations, and monitoring and to work with water-use industries and commercial entities, water supply utilities, other government agencies, municipalities, and stakeholders to balance the use of the waters of Chester County to support economic growth while protecting and enhancing the quality, quantity and ecology of Chester County's water resources. As owner/operator of a regional water supply reservoir and 4 regional flood control facilities, CCWRA is also regulated by DRBC. For many reasons and on numerous occasions, the Delaware River Basin Commission has provided essential, balanced, science-based oversight of water use decisions supporting the economic development and environmental sustainability of Chester County, PA.

All watersheds of Chester County originate within the County and then drain downstream to 6 adjacent counties, in 3 adjacent states – PA, DE and MD. In total, 80% of Chester County's 2,400 miles of streams are source waters for public water supplies in PA, DE and MD. Alone, the Brandywine Christina Basin comprises over 55% of Chester County and drains to New Castle County DE supporting 9 surface water intakes for public water supplies for over 250,000 residents and numerous major industrial water users in PA and DE. Hence, inter-state oversight by DRBC of these inter-state water resources and their use and management is crucial to the balanced use - and to the sustainability of those economic uses - of the groundwater and surface waters of Chester County to ensure sufficient supplies to sustain current uses and allow for additional future uses.

In addition to the surface water withdrawals, there are multiple groundwater withdrawals within Chester County supporting public, industrial and commercial water supplies, at least 1 that involves potential inter-state transfer of water out of Chester County to Delaware. DRBC provided balanced, science based oversight to resolve a highly controversial proposal for use of this groundwater source.

Also, the DRBC Groundwater Protection Area includes a portion of Chester County that previously was in danger of over-withdrawal of groundwater. The DRBC oversight and groundwater management framework they apply for that GWPA has shown significant benefit in minimizing additional stress on the aquifers and allowing sufficient groundwater resources to remain in the system to support current uses and planned growth in that area.

Because PADEP has no authority to regulate groundwater withdrawals under most circumstances, the absence of DRBC oversight of groundwater use could lead to poorly planned and unsustainable withdrawals by water users. This could then lead to over-withdrawal of the County's aquifers that could result in dewatered streams, insufficient stream flows to assimilate treated wastewater discharges, and could prohibit future growth that would need to rely on those resources for water supplies. Curtailed roles of, or the absence of, the DRBC could also force water users to "fend for themselves" against opposition to their proposed water use activities.

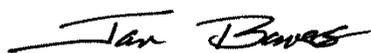
DRBC oversight of groundwater and surface water use has been critical to sustaining the groundwater and stream flows of the watersheds of Chester County. The science-based technical expertise and regulatory balance employed by DRBC to oversee and regulate the use of groundwater and streams in the Delaware Basin has facilitated beneficial and efficient water use by industries. Their regulatory and science-based approaches have allowed industries and commercial water users to obtain fair and adequate rights to water resources for current and future uses to support economic development.

In summary, as a County comprised of – and reliant upon – multiple inter-state and inter-jurisdictional watersheds, the scientific and regulatory oversight provided by DRBC has proven effective and essential in supporting current water users, providing available water resources to support planned growth in the County, and for sustaining those water resources to continue to support economic growth and the ecological resources within the watersheds of Chester County.

As a DRBC regulated entity and a count-wide water resources management agency, CCWRA respectfully requests your support for the continued role of DRBC as essential to the viability of water resources in Chester County and throughout the PA portion of the Delaware Basin. In addition, CCWRA encourages the Commonwealth to work towards restoring funding to the full "fair share" level of \$893,000 as soon as possible. Given the services and benefits provided by DRBC, this relatively small annual contribution by Pennsylvania as a signatory member of DRBC is an important public policy investment.

CCWRA thanks you for your consideration of these comments.

Sincerely,



Janet L. Bowers, P.G.  
Executive Director

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June 8, 2018

Hon. Daryl D. Metcalfe, Chair  
State Government Committee  
144 Main Capitol Building  
PO Box 202012  
Harrisburg, PA 17120-2012

Hon. Matthew D. Bradford, Democratic Chair  
State Government Committee  
325 Main Capitol Building  
PO Box 202070  
Harrisburg, PA 17120-2070

RE: DCED-GTRP Grant Application for Fort Washington Cross County Trail & Road  
Diet – Mid Section

Dear Chairman Metcalfe, Democratic Chair Bradford and Committee Members,

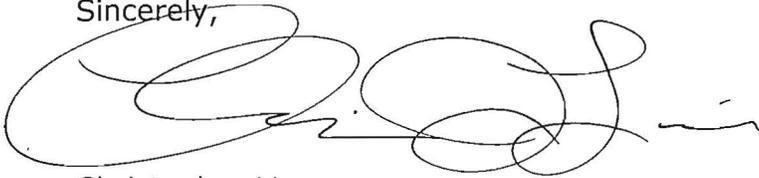
I am writing as the Manager of the Office of Environmental Planning at the Delaware Valley Regional Planning Commission (DVRPC). DVRPC is the Metropolitan Planning Organization for the Greater Philadelphia Region which includes Bucks, Montgomery, Chester, Delaware, and Philadelphia counties in southeastern Pennsylvania.

One of the over-arching goals of our long-range plan, Connections 2045, is to insure clean surface waters to provide healthy, reliable and affordable drinking water supplies, maintain the region's ecological health, and support robust economic activity. The Delaware River Basin Commission (DRBC) leads the way in achieving these objectives by establishing a unified vision for the comprehensive management of water resources across the entire Delaware River Basin.

DRBC balances multiple interests to manage the quantity and quality of the basin's waters for sustainable use; reduce flood losses; improve recreational activities; and protect, conserve and restore aquatic ecosystems. They lead these efforts by successfully strengthening and maintaining partnerships among all levels of government, the private sector, and individuals. Their leadership, coordination and technical capacity have been indispensable in managing water resources to maximize the health and economic vitality of the Greater Philadelphia Region.

For these reasons, I would like to lend my voice in support of the Delaware River Basin Commission, and urge the State Government Committee, and all of our Pennsylvania Legislators, to continue your full financial and legislative support for this essential and important agency.

Sincerely,

A handwritten signature in black ink, appearing to read "Chris Linn", written in a cursive style with several loops and a long horizontal stroke.

Christopher Linn  
Manager, Office of Environmental Planning

cc: Steve Tambini, DRBC  
Barry Seymour, DVRPC  
Patty Elkis, DVRPC



June 11, 2018

**VIA EMAIL**

Hon. Daryl D. Metcalfe, Chair  
State Government Committee  
144 Main Capitol Building  
PO Box 202012  
Harrisburg, PA 17120-2012

Hon. Matthew D. Bradford, Democratic Chair State Government Committee  
325 Main Capitol Building  
PO Box 202070  
Harrisburg, PA 17120-2070

Dear Chairman Metcalfe and Democratic Chair Bradford,

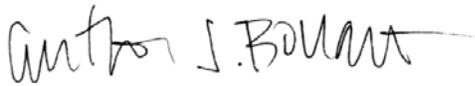
I am writing as Principal of East Latitude, LLC, a hydrogeologic and water resource consulting firm representing water utilities, electric generation utilities, and commercial and industrial water users in the Delaware River Basin. This correspondence is intended to provide you with testimony with respect to today's planned hearing on those entities regulated by the Delaware River Basin Commission (DRBC) regarding your effort to investigate concerns of the impact of DRBC policies and actions on business growth and economic vitality in the basin and the rights of property owners within the basin.

Based upon my extensive experience dealing directly with the DRBC for almost 20 years, I find that the agency is both fair and responsive, and while the Compact gives DRBC broad regulating powers, I note that DRBC typically applies a very practical and efficient discretion of those powers in the regulation of specific projects and dockets for water withdrawals and discharges. I note also that certain specific functions of DRBC, which are critical to protection and management of the River and the surrounding water resources are unique to the Commission. An example is the position DRBC occupies in the overall flow management of the basin – by working as the central body to direct releases from Reservoirs, coordinate with the basin States and regulated water users in the basin – addressing the essential conservation of regional reservoir storage for purposes of water supply and flow augmentation for the Delaware River as well as releasing water to repel the salt front in the Delaware Estuary.

Recently, in an effort to better organize and coordinate water storage for consumptive offset, the DRBC proposed a Resolution which intended to clarify the actual rules under drought conditions and was an effort to organize and specifically call out storage requirements and responsibilities for the power generation industry. While new or more rigorous regulation is generally not well received by industry, DRBC approached this effort in a transparent and practical way. DRBC was receptive throughout the formation of this Resolution, listened closely to industry comments and adjusted language, definitions and obligations in a way that still suited the intent and provided for the protection of the basin, while also accommodating industries concerns. The final result is a more streamlined plan for releases and obligations of industry in the next drought; this is a sensible and commendable effort since DRBC will be better prepared with an actual inventory of water storage to plan releases, and industry will have a clearer understanding of what their obligations are for their planning and compliance purposes.

This is just one example of an action taken by an agency that firmly holds their mission of protection of the basin, while being responsive to industry. I have directly experienced numerous other examples with respect to public water utilities, golf course owners, and other commercial entities. I sincerely believe that the overall impact of DRBC does not serve to adversely impact business growth or economic vitality, and that conversely the economic gains from the protection of the River and surrounding water resources, and the wise management, planning and programs afforded by the agency in fact result in a significant positive impact to the economic vitality of the region.

Very truly yours,  
East Latitude, LLC

A handwritten signature in black ink that reads "Anthony J. Bonasera". The signature is written in a cursive style with a long horizontal flourish extending to the right.

Anthony J. Bonasera, P.G., P.HG.

cc. Pennsylvania State House Committee



**LETTERS OF SUPPORT FOR**  
**THE PENNSYLVANIA HOUSE OF REPRESENTATIVES**  
**STATE GOVERNMENT COMMITTEE HEARING**  
**MONDAY, JUNE 11, 2018**

1. The Honorable Michael Fitzpatrick, Retired U.S. House of Representatives
2. The Honorable Tina Davis, PA House of Representatives
3. The Honorable Gene DiGirolamo, PA House of Representatives
4. The Honorable Katharine Watson, PA House of Representatives
5. The Honorable Bernie O'Neill, PA House of Representatives
6. The Honorable Marguerite Quinn, PA House of Representatives
7. Bristol Borough
8. The Honorable Mayor Joseph DiGirolamo, Bensalem Township
9. Warrington Township
10. The Bucks County Water and Sewer Authority (BCWSA)
11. Delaware County Regional Water Quality Control Authority (DELCORA)
12. Warminster Municipal Authority (WMA)
13. Lehigh County Authority (LCA)
14. North Wales Water Authority (NWWA)
15. Western Berks Water Authority (WBWA)
16. North Penn Water Authority (NPWA)
17. Bucks County Planning Commission (BCPC)
18. Montgomery County Planning Commission (MCPC)
19. Water Resource Association of the Delaware River Basin (WRADRB)
20. Aurel M. Arndt (AWWA and retired CEO, LCA)
21. Mr. Kurt Schroeder, The Kirk Farm
22. Howard J. Woods, Jr. and Associates, L.L.C.
23. Camden County Municipal Utilities Authority (CCMUA)



HOUSE OF REPRESENTATIVES  
WASHINGTON, D. C. 20515

June 5, 2018

The Honorable Daryl D. Metcalfe  
Chairman-State Government Committee  
Pennsylvania House of Representatives  
144 Main Capitol Building  
PO Box 202012  
Harrisburg, PA 17120

Dear Chairman Metcalfe and Committee Members:

Having served as Bucks County Commissioner for nearly 10 years and four-terms in the U.S. Congress representing Pennsylvania's 8<sup>th</sup> District, I can unequivocally state, during my two decades of public service, in one form or another, concerns around 'water,' took center stage. Whether it was flooding associated with major storm events of the mid 1990's, early 2000's and more recently hurricanes Irene, Lee and Superstorm Sandy, periods of drought, or contaminated ground water originating from the Naval Air Station Joint Reserve Base and Air National Guard (ANG) in Willow Grove, PA; water was always a dominate issue.

The Delaware River runs along the eastern border of Pennsylvania including all of Bucks County. The river stretches 330 miles from its headwaters in upstate New York- providing a natural border as it runs along New York, New Jersey, Pennsylvania, Delaware and out to the Atlantic Ocean.

The Delaware River is truly an interstate river and needs to be managed as such which is why in 1961 President Kennedy and the governors from New York, New Jersey, Pennsylvania and Delaware signed concurrent compact legislation into law creating the Delaware River Basin Commission (DRBC), a regional body with the force of law, to oversee a unified approach in managing a river system without regard to political boundaries.

DRBC is charged with numerous responsibilities not the least of which is managing the water supply for the more than 15 million people (approximately five percent of the nation's population) who rely on the waters of the Delaware River Basin for drinking, agricultural, and industrial use. Of the 15 million people relying on the Delaware River Basin for drinking, 5.5 million are Pennsylvanians- 43% of the Commonwealth's population.

In 2014 ground water contamination was discovered originating from the Naval Air Station Joint Reserve Base and Air National Guard (ANG) in Willow Grove, PA. As municipal water providers navigated the crisis -installing costly filtration systems, connecting individual homeowners on private wells to public water, ultimately the long-term solution was to transition to surface water in order to meet demand for clean, safe water.

The Honorable Daryl D. Metcalfe  
Page 2  
June 5, 2018

I personally met with Mr. Steve Tambini, Executive Director for DRBC on this issue. I had reached out to DRBC to ensure regional water suppliers need for water could be met and there was a process in place should the request become urgent. Mr. Tambini assured me of both. Today, water is being sourced from the Delaware River as a substitute for contaminated ground water impacting nearly 70,000 individuals in Bucks and Montgomery counties.

DRBC served as a valuable resource for my staff. Inquiries on behalf of individual constituents or local governments were addressed in a timely, professional manner. In one case, a Bucks County municipality faced flooding issues along the tidal portion of the Delaware River. Without hesitation DRBC staff organized a presentation for the government officials.

The Delaware River is an important resource, for recreation, tourism, industry, and ecology. While at times, some may perceive these interests conflict, there are many examples in Bucks County where they coexist. Bensalem, Bucks County is home to the Neshaminy State Park Tidal Marsh. Industry and manufacturing lie in close proximity as does a new development consisting of 600 townhouses and condominiums, stores, offices, and a marina. If DRBC's policies and actions and were at all prohibitive, we would not see the level of planning and development we are now experiencing within the Delaware Valley.

In its 50-plus years, the DRBC has proven its ability to manage the water resources of the basin on behalf of the 15 million people relying on it. As President Kennedy stated, "The task set for the Commission will not be easy to achieve, be we are confident that the cooperation that has brought forth this Compact will endure, and that that working together real progress can be made for the people of the Basin." The Delaware River Basin Commission stands out as a model of cooperative government and has lived up to President Kennedy's aspirations.

Your thoughtful consideration is appreciated.

Thank you.



Michael G. Fitzpatrick  
Member of Congress, Retired  
Pa-8

TINA DAVIS, MEMBER  
G-14 IRVIS OFFICE BUILDING  
P.O. BOX 202141  
HARRISBURG, PENNSYLVANIA 17120-2141  
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314 W. LINCOLN HIGHWAY, SUITE #3  
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House of Representatives  
COMMONWEALTH OF PENNSYLVANIA  
HARRISBURG

COMMITTEES

CONSUMER AFFAIRS  
GAMING OVERSIGHT  
INSURANCE  
LIQUOR CONTROL, SECRETARY  
SOUTHEAST DELEGATION

June 2, 2018

The Honorable Daryl D. Metcalfe  
Chairman-State Government Committee  
Pennsylvania House of Representatives  
144 Main Capitol Building  
PO Box 202012  
Harrisburg, PA 17120

Dear Chairman Metcalfe and Committee Members,

It is with great honor I represent the constituents of the 141<sup>st</sup> Legislative District located in Bucks County, consisting of parts of Bristol and Middletown Townships, as well as the boroughs of Hulmeville and Penndel.

As I understand, the House State Government Committee will hold a hearing on June 11, 2018, to receive testimony from individuals and entities that are regulated by the Delaware River Basin Commission (DRBC). The purpose of the hearing is to investigate concerns regarding the impact of DRBC policies and actions on business growth and economic vitality in the basin and the rights of individual property owners within the basin.

The municipalities and constituents within my district clearly support the growth of business and industry and value the environment.

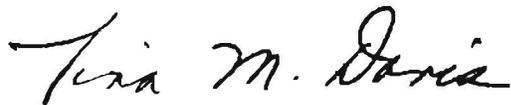
Currently the region is anticipating the completion of the \$1.1 billion infrastructure project that realigns the Pennsylvania Turnpike and I-95 interstate, which runs through a portion of my district. Local officials have been fielding proposals for development nearby including 794 acres of riverfront property.

The Delaware River, its extensive network of tributaries and ample supply of ground water, have been a valuable asset to my district dating back centuries. Fresh springs at Bath made Bristol Township a destination for the wealthy from Philadelphia to its water and resort in the 1700's. The site of the once famous spa is now home to Lower Bucks County Hospital. In 1831 that Delaware Canal was built through Bristol Township. The canal carried coal, steel, goods, and people from Bristol to Easton, some 60 miles away. Today, the canal is a National Heritage Corridor and a National Historic Landmark.

The economic outlook in my district is positive. Several entities within my district have dockets with DRBC and have not brought forth any concerns. There are no indications that policies of DRBC have negatively impacted the growth of business and industry in the 141<sup>st</sup> Legislative District. In fact, my experience has been to the contrary. The programs of DRBC have helped sustain the Delaware River, a valuable regional asset, while managing the basin and our water resources in a manner which compliments business, industry, and critical infrastructure.

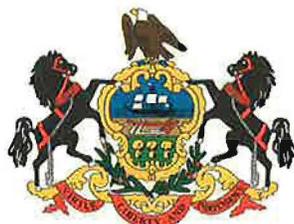
Should you have any additional questions or concerns, please do not hesitate to contact me. Thank you for your time and attention to this important issue.

Sincerely,

A handwritten signature in black ink that reads "Tina M. Davis". The signature is written in a cursive, flowing style.

Tina M Davis, State Representative

141<sup>st</sup> District



**GENE DIGIROLAMO, MEMBER**

49 EAST WING  
PO BOX 202018  
HARRISBURG, PA 17120-2018  
PHONE: (717) 783-7319  
FAX: (717) 772-2414

DISTRICT OFFICE:  
2424 BRISTOL ROAD  
NESHAMINY VALLEY COMMONS  
BENSALEM, PA 19020  
PHONE: (215) 750-1017  
FAX: (215) 750-1295

**House of Representatives**  
Commonwealth of Pennsylvania  
Harrisburg

**COMMITTEES**

HUMAN SERVICES,  
MAJORITY CHAIRMAN

CONSUMER AFFAIRS

PA ATHLETIC OVERSIGHT COMMITTEE,  
CHAIRMAN

June 6, 2018

The Honorable Daryl D. Metcalfe  
Chairman-State Government Committee  
Pennsylvania House of Representatives  
144 Main Capitol Building  
PO Box 202012  
Harrisburg, PA 17120

RE: State Government Committee Public Hearing  
Delaware River Basin Commission

Dear Chairman Metcalfe and Committee Members:

I have had the honor of representing the people of PA Legislative District 18 for 23 years. The district I serve is diverse geographically in that it borders Philadelphia, is a hub for industry and business, and is also home to several parks including the environmental sensitive Neshaminy State Park Tidal Marsh and Natural Area.

The Bucks County Commissioners put forth a vision for transforming Bucks County's waterfront, including Bensalem Township, in 2005. In 2012, the Delaware Valley Regional Planning Commission followed up with a similar plan, "Accessing the Tidal Delaware."

In recent years, we have witnessed these planning documents come to life. The Waterside development has created a new community on the Delaware River waterfront. When completed, it will include 600 homes, retail establishments, office space, and a marina.

Currently, there is a lot of enthusiasm for development along the Delaware River however, there was a time not all that long ago, when that was not so because the river was very polluted. By the late 1960's, there was a growing public awareness and concern for controlling pollution, which led the Delaware River Basin Commission (DRBC), a federal interstate agency created in 1961, to adopt water quality standards. Federal law, known as Clean Water Act, followed in 1972. Together with additional state led initiatives, these policies vastly improved the conditions and water quality of the Delaware River. Although an on-going initiative, the clean-up of the Delaware River is hailed as one of the world's top water quality success stories.

The policies of DRBC have helped to foster a desirable environment for living, recreating, and business growth. I am aware of several entities within my district that hold dockets with DRBC. PARX Racing is just one example of a thriving commercial enterprise in the 18<sup>th</sup> Legislative District. PARX has been a tremendous job creator and revenue generator for the region.

Bensalem Township is home to a vast number of businesses, manufacturers, residential development, parkland and open spaces. The Delaware River Basin Commission has carried out its mission and responsibilities in a manner which has protected our resources without hindering economic development. The 18<sup>th</sup> Legislative district with its many plans and projects underway, clearly serves an example.

Thank you in advance for the opportunity to comment on the upcoming hearing.

Sincerely,

A handwritten signature in black ink, appearing to read "Gene DiGirolamo". The signature is fluid and cursive, with a large, sweeping flourish at the end.

Gene DiGirolamo  
State Representative  
18<sup>th</sup> Legislative District

KATHARINE M. WATSON, MEMBER  
144th LEGISLATIVE DISTRICT

ROOM 41 EAST WING  
PO BOX 202144  
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DISTRICT OFFICES:  
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WARRINGTON, PA 18976  
PHONE: (215) 343-8090

13 WEST CREAMERY ROAD  
P.O. BOX 166  
HILLTOWN, PA 18927  
PHONE: (215) 453-7888



House of Representatives  
Commonwealth of Pennsylvania  
Harrisburg

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RULES  
TRANSPORTATION

CAUCUSES

ALZHEIMER'S  
DIABETES  
FIREFIGHTERS & EMERGENCY SERVICES

June 4, 2018

The Honorable Daryl D. Metcalfe  
Chairman-State Government Committee  
Pennsylvania House of Representatives  
144 Main Capitol Building  
PO Box 202012  
Harrisburg, PA 17120

A handwritten signature in cursive script that reads 'Daryl'.

Dear Chairman Metcalfe and Committee Members:

For nearly 17 years I have represented constituents of the 144<sup>th</sup> legislative district. For the past four years, a portion of my district has been impacted by ground water contamination originating from the Naval Air Station Joint Reserve Base and Air National Guard (ANG) in Willow Grove, PA. Just like many of my constituents, my family and I have bathed in, cooked with, and ingested this water for almost four decades.

The ground water contamination is extensive. In 2015, the Air National Guard (ANG) completed a ground water assessment identifying potential perfluorinated compounds (PFOS/PFOA) release sites that had contaminated public wells in the area including Warrington Township. The report also divulged more information regarding a pocket of contaminated water referred to as a "plume." This plume contained PFAS contamination at high levels, 50 to 200 feet below the ground surface. Since the initial report, levels of PFAS up to nearly 300,000 parts per trillion (ppt) have been found in groundwater, well above EPA's safe level of 70 ppt.

Warrington Township's public water tests are now close to zero detection because of the filters and additional water being purchased from the North Wales Water Authority (NWWA). North Wales Water Authority obtains over 95% of its water directly from the Delaware River. We are extremely fortunate that this resource is available to meet constituents demand for clean safe drinking water.

North Wales Water Authority serves more than 25,000 customers and processes up to 40 million gallons of water through their plant each day. Due to this high volume, NWWA routinely interacts with the Delaware River Basin Commission (DRBC). If not for the positive interaction and relationship with DRBC, NWWA may not have been able to accommodate the additional demand for clean safe drinking water in such a timely manner.

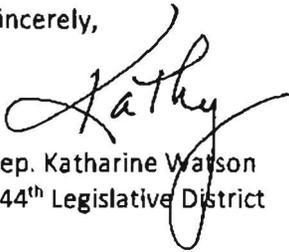
I have been advised the House State Government Committee has scheduled a hearing on June 11, 2018 to investigate concerns regarding the impact of DRBC's policies and actions on business growth and economic vitality in the basin and on the rights of property owners within the basin. Frankly, it is because of the policies of DRBC that my constituents have an alternate source for water and as property owners, Article 1, Section 27 of the Pennsylvania Constitution provides they have the right to ground water, free from contamination.

*"The people have a right to clean air, **pure water**, and to the preservation of the natural, scenic, historic, and esthetic values of the environment. Pennsylvania's public natural resources are the common property of all of the people, including generations yet to come. As trustee of these resources, the Commonwealth shall conserve and maintain them for the benefit of all the people."* (Emphasis added)

As a legislator, I find myself in the fortunate position of being able to put forth solutions to aid communities and populations impacted by contaminated ground water. However, I do find it rather unfortunate that as we are all more aware of water contamination issues, whether due to horror stories miles away like Flint, Michigan or locally here in Bucks and Montgomery counties, that you would choose to hold a hearing to "investigate" DRBC, the very government agency that is integral part in providing relief to the tens of thousands affected by contaminated water.

For your convenience I have enclosed legislation introduced because of the PFOA/PFOS issue impacting my district. Should you have any additional questions, I can be reached at 717-787-5452.

Sincerely,



Rep. Katharine Watson  
144<sup>th</sup> Legislative District

**House Resolution 682**

Adopted, April 9, 2018 - A resolution urging the United States Secretary of Health and Human Services to select the former Naval Air Station Joint Reserve Base in Willow Grove, PA and the former Naval Air Warfare Center in Warminster, PA for an exposure assessment and study on human health implications of perfluoroalkyl and polyfluoroalkyl substances ("PFASs") contamination.

**House Bill 1398** – Introduced by Rep. Katharine Watson- to amend the act of October 18, 1988 (P.L.756, No.108), known as the Hazardous Sites Cleanup Act. PFOS and PFOA are not currently listed as hazardous substances under Pennsylvania's Hazardous Sites Cleanup Act (HSCA)

**House Bill 1640** was introduced by Reps. Bernie O'Neill (R-Warminster) and Katharine Watson to help expedite state and federal assistance to municipalities with contaminated drinking water supplies. This would allow a Pennsylvania governor to make a declaration of disaster emergency, naming any community as a "special drinking water resource-impacted community" when analyses indicate the presence of perfluorooctanoic acid (PFOA) and perfluorooctane sulfonate (PFOS) in ground water or surface water measured at or exceeding 15 parts per trillion.

**BERNARD T. O'NEILL, MEMBER**  
29<sup>TH</sup> LEGISLATIVE DISTRICT  
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HARRISBURG, PA 17120-2029  
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755 YORK ROAD  
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**House of Representatives**  
Commonwealth of Pennsylvania  
Harrisburg

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**FINANCE**  
**MAJORITY CHAIRMAN**  
**EDUCATION**

E-mail: [boneill@pahousegop.com](mailto:boneill@pahousegop.com)  
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June 6, 2018

The Honorable Daryl D. Metcalfe  
Chairman-State Government Committee  
Pennsylvania House of Representatives  
144 Main Capitol Building  
PO Box 202012  
Harrisburg, PA 17120

Dear Chairman Metcalfe and Committee Members:

As I understand, the House State Government Committee will hold a hearing on June 11, 2016, to receive testimony from individuals and entities that are regulated by the Delaware River Basin Commission (DRBC). The Committee is investigating concerns regarding the impact of DRBC policies and actions on business growth and economic vitality in the basin and the rights of individual property owners within the basin.

Over the past several years, public and private drinking water wells in Bucks and Montgomery counties have been shut down due to contamination from PFASs due to the release by the military in the form of firefighting foam. As a result, the Warminster Municipal Authority, located in the district I serve, has reduced their well water production. To meet customer demand, greater quantities of water are now being purchased from North Wales Water Authority (NWWA). The percentage of water purchased has risen significantly from 150,000 gallons per day to 1,200,000 gallons per day. Over 95% of NWWA water is sourced directly from the Delaware River.

The NWWA is regulated by the DRBC and as such has not been encumbered by any policies or actions of the Commission- even with the sudden sharp increase in demand for clean, safe water, for the affected communities. The programs executed by DRBC have helped protect our regional water supply. Over 15 million people (approximately five percent of the nation's population) rely on the waters of the Delaware River Basin for drinking, agricultural, and industrial use. Forty-three percent (43%) of all Pennsylvanian's, nearly 5.5 million people, are within the Delaware River Basin.

The 29<sup>th</sup> Legislative District is home to farms, preserved lands, and more than 900 commercial businesses. The implications from the contaminated ground water are very serious for the region. We are fortunate the programs of DRBC have helped manage the basin, our water resources, and the Delaware River- proving to be a very valuable regional asset.

Thank you in advance for your consideration.

Sincerely,



Bernard T. O'Neill  
PA House of Representatives  
29th Legislative District  
Bucks County

MARGUERITE C. QUINN, MEMBER  
143RD LEGISLATIVE DISTRICT

HARRISBURG

PO BOX 202143  
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HOUSE OF REPRESENTATIVES  
COMMONWEALTH OF PENNSYLVANIA  
HARRISBURG

DISTRICT OFFICE

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DOYLESTOWN PA 18902-1055  
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June 6, 2018

The Honorable Daryl D. Metcalfe  
Chairman-State Government Committee  
Pennsylvania House of Representatives  
144 Main Capitol Building, PO Box 202012  
Harrisburg, PA 17120

RE: State Government Committee Public Hearing  
Delaware River Basin Commission

Dear Chairman Metcalfe and Committee Members:

In May 2016, the Doylestown Township Municipal Authority (DTMA) had to close a public well after sampling revealed the unregulated contaminants perfluorooctanoic acid (PFOA) and perfluoro-octanesulfonate (PFOS) were above the EPA's health advisory level. As you can imagine, lack of confidence in their drinking water, concerned many of my constituents. DTMA could find an alternative source to meet consumer demands by interconnecting with their North Water System.

As recently as June 5, 2018, the issue of contaminated water coming from Naval Air Station Joint Reserve Base and Air National Guard (ANG) in Willow Grove, PA made front page news in our local papers. Firefighting foams containing perfluorinated compounds, or PFAS, were used previously on the base, and the unregulated chemicals have been found in groundwater there and in drinking water in nearby communities including Warminster, Horsham and Warrington.

The situation was a bit more complicated for my neighbors. Municipalities in Bucks County legislative districts, represented by my colleagues the Hon. Bernie O'Neil (PA-29) and the Hon. Kathy Watson (PA-144), have each had to seek alternative sources for safe, clean water for their residents. Production well use was reduced or in some cases eliminated. Many homeowners with private wells were provided with filtration systems or connected to public water.

Both Warminster Municipal Authority and Warrington Township are purchasing water from North Wales Water Authority (NWWA). Over 95% of NWWA water is sourced directly from the Delaware River. We are extremely fortunate that this resource is available to meet constituents demand for clean safe drinking water.

I have been advised the House State Government Committee will hold a hearing on June 11, 2018, to receive testimony from individuals and entities that are regulated by the Delaware River Basin Commission (DRBC). The Committee is investigating concerns regarding the impact of DRBC policies and actions on business growth and economic vitality in the basin and the rights of individual property owners within the basin.

Working cooperatively with DRBC, the NWWA is able to provide clean, safe drinking water to the thousands of constituents impacted in Bucks County by ground water contamination. The programs implemented by DRBC have served to protect the water resources of the Basin and Delaware River so they can serve as a resource during this critical time.

Thank you for your consideration of this matter.

Sincerely,

A handwritten signature in black ink that reads "Marguerite C. Quinn".

Representative Marguerite C. Quinn  
State Representative  
143<sup>rd</sup> Legislative District

# HISTORIC BRISTOL BOROUGH

---

250 Pond Street, Bristol, PA 19007  
Tel: 215-788-3828 • Fax: 215-788-5366  
Website: [www.bristolborough.com](http://www.bristolborough.com)



June 5, 2018

The Honorable Daryl D. Metcalfe  
Chairman-State Government Committee  
Pennsylvania House of Representatives  
144 Main Capitol Building  
PO Box 202012  
Harrisburg, PA 17120

Dear Chairman Metcalfe and Committee Members:

Settled in 1681, Bristol Borough is the third oldest town in Pennsylvania. Its prime location enabled the Borough to flourish as a busy port and industrial town in the 1800s. Later, shipyards boomed and during World War II, the shipyards were converted to manufacturing of aircraft. The neighborhoods of elegant Victorian homes stand as reminder of Bristol Borough's robust industrial past.

It has been said that Bristol Borough is "defined by historic periods of boom, bust, and rebirth," much of which can be attributed to its fortunate geographic location along the Delaware River. Today, Bristol Borough finds itself in a period of rebirth, however, that has not always been the case. During the 19<sup>th</sup> and 20<sup>th</sup> century pollution in portions of the tidal Delaware had reached a critical state. The river was being used as an open sewer. The foul river's foul odor would overwhelm and sicken people nearby. Waterborne illnesses were on the increase while migratory fish populations were on the decline.

A turning point for the Delaware River and consequently, Bristol Borough, occurred in 1961 when President Kennedy and the governors of Delaware, New Jersey, Pennsylvania, and New York signed the compact legislation into law creating the Delaware River Basin Commission - a regional body with the force of law to oversee a unified approach to managing a river system without regard to political boundaries.

Over the course of many years, it is evident, the successful water resources management programs adopted and implemented by the Delaware River Basin Commission have been critical in reducing pollution levels in the river which have led to a resurgence of economic vitality along the waterfront in riverfront communities like Bristol Borough.

In April of 2012, the Delaware Valley Regional Planning Commission released its regional study of the tidal portion of Pennsylvania's Delaware River waterfront, 'Accessing the Tidal Delaware: Pennsylvania'. The study identified 17 priority areas of opportunity that have been gaps along the river where access to the waterfront had not been addressed, including Bristol Borough. The

study highlighted Bristol Borough as a boating destination. Bristol Riverfront Park and the Delaware Canal State Park are considered tourism, recreation and/or historic points of interest, with their adjacent features, the Bristol Marsh Nature Preserve and the Bristol Lagoon, as environmental points of interest.

Last year Bristol Borough cut the ribbon for newly built transient day-docks on the Bristol Riverfront. The project was supported by federal, state and local government entities. It is anticipated the docks will generate about \$780,000 in annual economic impact. The positive effects have been nearly immediate. Last year Bristol Borough earned the distinction as the “Small Business Revolution’s Small Town, 2017.” This year the Bristol Business Association has launched First Fridays on the Delaware.

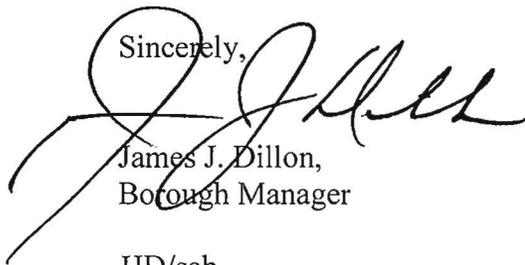
Bristol Borough’s recent success story would not be possible without the Delaware River Basin Commission’s efforts to clean up the polluted waters of this nationally significant and locally regarded treasure, the Delaware River.

These improvements, as well as other DRBC accomplishments, over the past fifty years are rooted in the Delaware River Basin Compact: ***that the waters and related resources of the basin are regional assets vested with local, state, and national interests that all share joint responsibility to maintain and protect.***

It is the intention of Bristol Borough, by submitting this letter, to impress upon the State Government Committee of the Pennsylvania House of Representatives, that the programs of the Delaware River Basin Commission have been beneficial to our community.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "J. Dillon", written over the typed name and title.

James J. Dillon,  
Borough Manager

JJD/sab

cc: File Copy

# Township of Bensalem

**Joseph DiGirolamo**  
Mayor



June 6, 2018

The Honorable Daryl D. Metcalfe  
Chairman-State Government Committee  
Pennsylvania House of Representatives  
144 Main Capitol Building  
PO Box 202012  
Harrisburg, PA 17120

RE: State Government Committee Public Hearing  
Delaware River Basin Commission

Dear Chairman Metcalfe and Committee Members:

I was born and raised in Bensalem Township and have served as its Mayor for the past 24 years. I recall a time when it was mostly farmland. I've witnessed Bensalem grow from a small town of less than 5,000 residents to its current population of over 60,000.

Bensalem is the gateway from Philadelphia to Bucks County's countryside and its many attractions. Situated at the crossroads of major highways that includes Interstate 95, the Pennsylvania Turnpike, and U.S Route 1, Bensalem Township is a very desirable location for business and industry. One of the largest employers in the township is PARX Racing. This facility opened in November 1974 as Keystone Racetrack. Over the years, it has expanded to include gaming and grown into a 250,000-square foot operation. As its physical footprint expanded, so has its need for infrastructure improvements. PARX Racing is currently approved by the Delaware River Basin Commission (DRBC) for water withdrawals of more than 10million gallons per month. PARX is just one of several entities in Bensalem Township that hold dockets with DRBC.

Development of the waterfront continues to be a major initiative. It is the area where I was raised, and have been ambitiously working on plans for some time. While there is only a finite amount of waterfront, there are a variety of uses competing for waterfront access, including residential, commercial, recreational, and industrial uses.

In 2012, the Delaware Valley Regional Planning Commission in its study: Accessing the Tidal Delaware, identified Bensalem as one of the 17 priority opportunities in the region. A few years ago, we laid out what some called a "bold and ambitious" long-range development plan for 675 acres along Bensalem's Delaware River waterfront. The project would include several kinds of residences, stores, restaurants, office buildings, a marina, a technology center and many other features. All would be connected with walking paths and bicycle trails, and the vision also includes plenty of space for public access to the river.

An initiative of this magnitude is going to take cooperation from local, state, federal government and their respective agencies. As you are aware, the Delaware River Basin Commission was created in 1961, when concurrent compact legislation ratified by Delaware, New Jersey, New York, Pennsylvania, and the U.S. Congress became law. The Delaware River Basin Compact describes the powers and duties of the commission, and over the past half a century the DRBC has put into place various programs to carry out its responsibilities, which relate to water supply, pollution control, flood protection, watershed management recreation, regulation of withdrawals.

Bensalem Township has benefitted from DRBC's oversight as it has allowed industry to coexist with protected open spaces and a clean river making our waterfront desirable and ripe with opportunity to revitalize and rejuvenate an area of our township.

Thank you for your consideration of these comments as they relate to your upcoming hearing.

Sincerely,



Joseph DiGirolamo, Mayor

# Warrington



# Township

852 EASTON ROAD, WARRINGTON, PA 18976  
215-343-9350 ■ FAX 215-343-5944  
[www.warringtontownship.org](http://www.warringtontownship.org)

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BARRY P. LUBER



The Honorable Daryl D. Metcalfe  
Chairman – State Government Committee  
Pennsylvania House of Representatives  
144 Main Capitol Building  
PO Box 202012  
Harrisburg, PA 17120

May 31, 2018

Dear Chairman Metcalfe and Committee Members,

I am writing as the Manager of Warrington Township, which provides public water and sewer approximately 8,000 customer accounts in Warrington Township, Bucks County, Pennsylvania.

Our interest in writing at this time is related to what we understand to be ongoing discussions and public hearings concerning the topic of “**State Government Regulations, Burdens, Abuses, and Legislative Oversight**”.

We understand that there are hearings now scheduled to consider this topic on June 11, 2018 and we request that this correspondence be made part of the official record of testimony concerning this matter.

Our understanding is that although the topic of interest is broad in scope, a significant portion of the testimony and discussion to date has been focused upon the Susquehanna River Basin Commission (SRBC), and to a lesser extent, the **Delaware River Basin Commission (DRBC)**.

As our water customers’ interests are located within the jurisdictional area of the **DRBC**, our comments will be limited to our knowledge and interface with that particular entity.

Warrington Township public water customers currently receive 100% of their water from North Wales Water Authority (NWWA) due to the PFAS contamination of our ground water wells by the Horsham Air Guard Station. NWWA regularly obtains 95% of its water supply directly from the Delaware River. This water is pumped and transferred to NWWA’s Forest Park Water Treatment Plant (FPWTP) for processing prior to distribution to both their supply system, as well as through their transmission lines to our distribution system for our public water customers.

NWWA's operations require that they interface with the DRBC and their staff on a regular basis, *as they have now done for over 20 years.*

Based upon NWWA's actual and lengthy experience, it is both our position and testimony, that the DRBC is not only essential to NWWA and Warrington Township's continued operations, but also a critical element in both NWWA's and Warrington Township's continued success in satisfying the water needs of our public water customers.

The DRBC oversight of our regional water supply provides not only a high level of protection to the regional aquifers, but also provides the public and our public water suppliers with a dependable and consistent process for our planning, managing, and obtaining required approvals and permits to both preserve and utilize this vital resource.

The DRBC has proven over many years to be an efficiently and fairly operated organization, and to always remain transparent in all of their policy and decision making processes.

We recognize that organizations such as ours rarely embrace legislative oversight; however, we readily admit that we have never found this agency to be heavy handed, uncooperative, or unresponsive to the needs of our organization, or more importantly, to the best interests of our public water customers.

For all of the reasons stated above, and more, we would like to lend our voices in support of the DRBC, and urge the State Government Committee, and all of our Pennsylvania Legislators, to continue your full financial and legislative support for this essential and important agency, both in word, and in deed.

Respectfully,  
Warrington Township

  
\_\_\_\_\_  
Barry P. Lubber  
Township Manager

CC: Warrington Township Board of Supervisors  
State Representative Kathy Watson  
North Wales Water Authority



June 4, 2018

The Honorable Daryl D. Metcalfe  
Chairman-State Government Committee  
Pennsylvania House of Representatives  
144 Main Capitol Building  
PO Box 202012  
Harrisburg, PA 17120

Dear Chairman Metcalfe and Committee Members,

BCWSA is an independent, non-profit agency formed in 1962 under the Pennsylvania Municipal Authorities Act. We're one of the largest non-profit water and sewer authorities in the Commonwealth of Pennsylvania and provide water and sewer services to more than 92,000 household and business accounts and some 500,000 people in the southeastern Pennsylvania. Our service footprint includes more than a dozen municipalities, across three counties, four wholesale water providers, and eight wholesale sewer service providers. BCWSA manages and maintains over 125 pumping stations, 1200 miles of water and sanitary piping, and nine treatment plants.

BCWSA service area falls within the Delaware River Basin (DRBC) and as such requires regular interaction with the Commission. BCWSA holds several dockets with the Delaware River Basin Commission. BCWSA applications are routinely submitted to DRBC for review and presented for approval at the regularly scheduled public hearings. This is standard practice for our staff and professional consultants.

BCWSA has a long history with DRBC. Over the years, Interaction has been reasonable and professional. BCWSA's growing base of business partners trust BCWSA for its technical, regulatory and operations expertise. Working within the parameters established by DRBC, BCWSA has continued to grow and meet its commitment to existing and expanding customer base.

Thank you in advance for your consideration of these comments.

Sincerely,



Benjamin W. Jones, CEO

BCWSA  
1275 Almshouse Rd. Warrington, PA 18976  
Phone: 215.343.2538  
Fax: 267.200.0324

[www.bcwsa.net](http://www.bcwsa.net)





DELAWARE COUNTY REGIONAL WATER QUALITY CONTROL AUTHORITY

P.O. Box 999 • Chester, PA 19016-0999

2018 JUN -4 A 11: 28

192201

May 31, 2018

FEDERAL EXPRESS

Steven J. Tambini, P.E.  
Executive Director  
Delaware River Basin Commission  
PO Box 7360  
25 Cosey Road  
West Trenton, NJ 08628-0360

Dear Mr. Tambini:

The Delaware County Regional Water Quality Control Authority "DEL CORA" has always had a very open and professional relationship with DRBC for many years.

DEL CORA finds DRBC to be very easy to correspond with and although we don't always get the answer we had hoped for, it's delivered in a professional manner through open discussion.

DEL CORA has always maintained a good working relationship with all of our regulators, DEP, EPA as well as the DRBC.

We appreciate our relationship with DRBC and DEL CORA has always strived to work with DRBC to keep the Delaware River Clean and viable for future generations.

Very truly yours,

Christopher L. Lenton  
Chief Operating Officer

CLL:smf

ADMINISTRATION

610-876-5523

FAX: 610-876-2728

CUSTOMER SERVICE/BILLING

610-876-5526

FAX: 610-876-1460

PURCHASING & STORES

610-876-5523

FAX: 610-497-7959

PLANT & MAINTENANCE

610-876-5523

FAX: 610-497-7950



June 4, 2018

The Honorable Daryl D. Metcalf  
Chairman – State Government Committee  
Pennsylvania House of Representatives  
144 Main Capitol Building  
PO Box 202012  
Harrisburg, PA 17120

Dear Chairman and Committee Members:

Managing a clean water supply for our 10,800 customers and approximately 40,000 individuals is more challenging every day. Our entire well water supply has been affected by perfluorinated chemical compounds (PFAS). Without the clean water supply provided by the Delaware River, through the Forest Park Treatment Facility, our businesses and residents may still be affected by PFAS chemicals.

The Delaware River Basin Commission (DRBC) has overseen and protected the water supply on a regional basis and has been a model for basin oversight. We would be thrilled to have this protection without charge but understand the need for funding to operate. Without the unified approach to the Delaware's resources, when we needed an entire new water supply, our customers might have been figuratively up the creek without a paddle.

I will borrow language from North Wales Water Authority since they said it so clearly, "the DRBC is not only essential to our continued operations, but also a critical element in our continued success in satisfying the water needs of our service area."

We fully support the mission and the operations of the DRBC.

I would be happy to answer any questions or discuss our position on this issue.

Sincerely,

A handwritten signature in blue ink that reads 'Timothy D. Hagey'.

Timothy D. Hagey  
General Manager

TDH/bz



1053 SPRUCE ROAD \* P.O. BOX 3348 \* ALLENTOWN, PA 18106-0348  
610-398-2503 \* FAX 610-398-8413 \* [www.lehighcountyauthority.org](http://www.lehighcountyauthority.org)  
email: [service@lehighcountyauthority.org](mailto:service@lehighcountyauthority.org)

June 6, 2018

Hon. Daryl D. Metcalfe, Chair  
State Government Committee  
Harrisburg, PA 17120-2012

*Sent via email to [dmetcalf@pahousegop.com](mailto:dmetcalf@pahousegop.com)*

Hon. Matthew D. Bradford, Democratic Chair  
State Government Committee  
Harrisburg, PA 17120-2070

*Sent via email to [RepBradford@pahouse.net](mailto:RepBradford@pahouse.net)*

Re: Pennsylvania House State Government Committee Hearing on June 11, 2018

Dear Chairman Metcalfe and Representative Bradford,

I am writing in response to the upcoming hearing on the Delaware River Basin Commission (DRBC) on June 11, 2018, for which you have suggested input from water users in the basin would be helpful. Lehigh County Authority (LCA) is the largest water utility in the Lehigh Valley region supporting a vibrant and diverse economy in the City of Allentown and surrounding areas. LCA provides water and wastewater services to more than 200,000 residents in our region, and our services support numerous large commercial and industrial customers who rely on our ability to provide safe, reliable and affordable services. LCA produces 25 million gallons of drinking water, and treats 31 million gallons of wastewater, every day – all within the Delaware River Basin.

Over the 20 years I have been involved with LCA's operation, the DRBC has played an integral role in ensuring our activities support the broader needs of this large, multi-state watershed, and doing so in a collaborative and helpful manner. Some example include:

- Addressing local concerns about groundwater extraction impacts on sub-basins within the watershed and working with our utility on a groundwater monitoring program to illustrate these impacts.
- Working directly with LCA engineers to understand what wastewater treatment standards would need to be met as we explore options to expand capacity in our growing region, saving us tens of thousands of dollars in additional engineering expenses by providing early, accurate feedback.

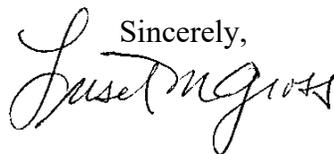
*Every drop matters. Every customer counts.*

- Collaborating locally on the review of new well permits to support a watershed approach to addressing water resource management.
- Providing drought monitoring information for our watershed, which may at times be impacted differently than other parts of the Commonwealth of Pennsylvania.
- DRBC staff participation in local outreach events that support improved public education on watershed protection and conservation efforts.
- Direct communication from DRBC staff about fees, changes in fees, and ways to provide input on fee structures prior to the Commission’s adoption and implementation of changes.

These are just a few examples of LCA’s direct experience working with this dedicated and responsive organization. As a member of the regulated community, we could always say that fewer fees and less oversight would be preferred. However, LCA’s experience with DRBC has been notable in its efficiency and in the value they bring back to our organization, as illustrated in the examples provided above.

As a life-long resident of the Delaware River Basin, I personally have also enjoyed and valued DRBC’s efforts to manage water resources for the benefit of the entire community. Their services in managing flows in the Lehigh and Delaware Rivers from the Beltzville Reservoir and other upstream reservoirs are crucial to maintaining balance within the watershed for all users. This is a silent service that most residents in our region know very little about, but it is clear to me that DRBC’s responsible management of flows supports proper drought management, preservation of sensitive ecosystems, support for our neighbors’ water uses downstream, and management of saltwater intrusion into the Delaware River. An added bonus is that their flow management strategies also support many recreational uses throughout the basin. These are all elements of preserving and enhancing the quality of life, along with ensuring the economic benefits of having sound water resource management, in our region.

I urge the Pennsylvania State House Committee and the Pennsylvania General Assembly to continue to support DRBC’s important work to protect and manage the water resources of the Delaware River Basin.

Sincerely,  


Liesel M. Gross  
Chief Executive officer

cc: Local PA Legislators



NORTH WALES WATER AUTHORITY  
200 WEST WALNUT STREET, P.O. BOX 1339  
NORTH WALES, PA 19454-0339 • 215-699-4836 • fax 215-699-8037  
WWW.NWWATER.COM

*Pure water, quality service...naturally*

May 31, 2018

The Honorable Daryl D. Metcalfe  
Chairman - State Government Committee  
Pennsylvania House of Representatives  
144 Main Capitol Building  
PO Box 202012  
Harrisburg, PA 17120-

Dear Chairman Metcalfe and Committee Members,

I am writing as Executive Director of the North Wales Water Authority, which provides public water service directly to nearly 30,000 homes and businesses in Bucks and Montgomery Counties, as well as providing an essential bulk water supply to several other neighboring municipalities and Authorities, resulting in a service area including nearly 100,000 homes and businesses.

Our interest in writing at this time is related to what we understand to be ongoing discussions and public hearings on the topic of ***"State Government Regulations, Burdens, Abuses, and Legislative Oversight"***.

We understand that there are hearings now scheduled to consider this topic on June 11, 2018 and we respectfully request an opportunity to address the Committee at that hearing. If that is not practical, in lieu thereof, we request that this correspondence be made a part of the official record of testimony on this matter.

Our understanding is that although the topic of interest is board in scope, a significant portion of the testimony and discussion to date has been focused upon the Susquehanna River Basin Commission (SRBC), and to a lesser extent, the Delaware River Basin Commission (DRBC).

As our business interests are located within the jurisdictional area of the DRBC, our comments will be limited to our knowledge and interface with that particular entity.

The North Wales Water Authority regularly obtains over 95% of its water supply directly from the Delaware River. This water is pumped and transferred to our treatment plant for processing prior to distribution to both our own supply system, as well through transmission lines to our municipal customers. Our total production at the plant is up to 40 million gallons per day.



A STRATEGIC PARTNERSHIP



FOREST PARK WATER  
CLEARLY THE FINEST

Our operations require that we interface with the Delaware River Basin Commission and their staff on a regular basis, *as we have now done for over 20 years.*

Based upon our actual and lengthy experience, it is both our position and testimony, that the Delaware River Basin Commission is not only essential to our continued operations, but also a critical element in our continued success in satisfying the water needs of our service area.

The Delaware River Basin Commission oversight of our regional water supply provides not only a high level of protection to the regional aquifers, but also provides the public and our public water suppliers with a dependable and consistent process for our planning, managing, and obtaining required approvals and permits to both preserve and utilize this vital resource.

The Delaware River Basin Commission has proven over many years to be an efficiently and fairly operated organization, and to always remain transparent in all of their policy and decision making processes.

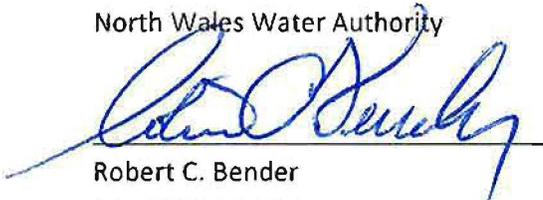
We recognize that subservient agencies such as ours rarely applaud legislative oversight; however, we readily admit that we have never found this agency to be heavy handed, uncooperative, or unresponsive to the needs of our organization, or more importantly, to the best interests of the public we serve.

For all of the reasons stated above, and more, we would like to lend our voices in support of the Delaware River Basin Commission, and urge the State Government Committee, and all of our Pennsylvania Legislators, to continue your full financial and legislative support for this essential and important agency, both in word, and in deed.

We would be pleased to attend any future hearings or meeting to discuss our position in detail, or to answer any questions you may have.

Respectfully

North Wales Water Authority

A handwritten signature in blue ink, appearing to read "Robert C. Bender", is written over a horizontal line.

Robert C. Bender  
Executive Director

C: NWWA Board of Directors

State Representative Kate M. Harper  
State Representative Bernie O'Neill  
State Representative Thomas P. Murt  
State Representative Todd Stephens  
Horsham Township WSA  
Warminster Township  
Warrington Township

June 5, 2018

Hon. Daryl D. Metcalfe, Chair  
State Government Committee  
144 Main Capitol Building  
PO Box 202012  
Harrisburg, PA 17120-2012

Hon. Matthew D. Bradford, Democratic Chair  
State Government Committee  
325 Main Capitol Building  
PO Box 202070  
Harrisburg, PA 17120-2070

Dear PA State Government Committee Chair:

I have been asked to share our experience and relationship with the Delaware River Basin Commission. Western Berks Water Authority (WBWA) is a Pennsylvania Municipal Authority that serves 25,000 customers in Western Berks County. Our water supply comes from a US Army Corps of Engineers reservoir in Berks County (Blue Marsh Lake). Our approach is to build strong relationships with our customers, vendors, and regulatory agencies.

The DRBC is one of those agencies that we have successfully built a strong beneficial relationship with. Dealing with the federal government and the Army Corps of Engineers has proven to be difficult at times. The staff at the DRBC have been very helpful to our authority in communicating our priorities to the US Army Corps. We have always been treated very fairly and with respect as we stress our concerns regarding our raw water supply. Our situation is very complex, with the need to coordinate permitting, water allocation and projects with the PA-DEP, DRBC and USACE.

We are in the middle of a \$5.5 million project to provide a new raw water line to our plant. The new line will connect to the US Army Corps of Engineers Blue Marsh dam. The DRBC and PA DEP have worked together to help us achieve our mission, which is to provide award-winning water at an affordable price to our customers. We appreciate and understand the budgetary pressures that face all regulatory agencies and water authorities.



We understand that funding is necessary for regulatory agencies and are willing to bear a reasonable cost of funding the important operations of the DRBC and PA DEP. Increased fees are coming at us from multiple directions, as long as the fees are representative of the service provided to water providers from the agencies, we have no problem bearing the cost. The current fees from the DRBC are reasonable, and the proposed new fees coming from PA DEP to fill the 7.5 million dollar funding gap is also reasonable.

It is not unusual to hear complaints from water suppliers about the regulatory agencies. However, our approach of building relationships has proven to serve us well. This approach will only work if all parties involved work towards that same goal. I am proud to say that that the DRBC's approach, as it relates to assisting WBWA, has been understanding and rock-solid as it relates to supporting our operation.

If I can provide any other details regarding our relationship with the DRBC, please feel free to contact me.

Very truly yours,

A handwritten signature in black ink that reads "Chip Bilger". The signature is written in a cursive, flowing style.

L. E. Chip Bilger II  
Executive Director  
Western Berks Water Authority

CC: PA State Government Committee Members (emails)



# ***NORTH PENN WATER AUTHORITY***

300 FORTY FOOT ROAD  
LANSDALE, PA 19446

TEL: 215-855-3617  
FAX: 215-855-2756  
www.northpennwater.org



June 6, 2018

Hon. Daryl D. Metcalfe, Chair  
State Government Committee  
144 Main Capitol Building  
PO Box 202012  
Harrisburg, PA 17120-2012

Hon. Matthew D. Bradford, Democratic Chair  
State Government Committee  
325 Main Capitol Building  
PO Box 202070  
Harrisburg, PA 17120-2070

**SUBJECT: DELAWARE RIVER BASIN COMMISSION (DRBC)**

Dear Sirs:

I am writing this letter in support of the Delaware River Basin Commission (DRBC). I am the Executive Director of the North Penn Water Authority in Lansdale, PA. Having served in this same position for the past 20 years, I can state definitively and with confidence that our organization has had very good dealings with the DRBC over the years, and that their regulatory oversight has not been overly burdensome to our operations. In fact, quite the opposite is the case. It has been the DRBC's diligent stewardship of the Delaware River's water quality and quantity that has ensured our public water supply remains protected and reliably available. The same can be said about the Commission's stewardship of groundwater resources that we also rely on.

Our Authority serves 34,000 customers in a large region of Montgomery and Bucks Counties with an average of 10 million gallons of water per day from a combination of surface water and groundwater supplies. Along with our partners at the North Wales Water Authority, we at the North Penn Water Authority jointly own and operate the Forest Park Water Treatment Plant in Chalfont with a capacity of 40 million gallons per day, along with the Point Pleasant Pumping Station on the banks of the Delaware River in Point Pleasant, PA. This station pumps water into Lake Galena, which we utilize as our raw water reservoir, and also into the Bradshaw Reservoir, which is utilized by PECO as cooling water for its Limerick nuclear power plant. These facilities are vital parts of our infrastructure, as they provide a large geographic region with critical drinking water supplies and electric power generating capability for a very sizable population of homes and businesses in the area. There is a direct connection between the availability of sufficient water and dependable energy supplies and the strong economic vitality of our region. DRBC is at the forefront of making that happen successfully.

Our relations with DRBC in their regulation of the above noted operations have always been cooperative, cordial, and reasonable. Their regulatory oversight has ensured the necessary environmental protections that we all need, without being overly burdensome, and without creating any obstacles to economic growth and development of our region. The DRBC's oversight has helped to ensure that the North Penn Water Authority can continue to maintain a reliable, sustainable water supply that has been instrumental for the safety and security of our region.

In particular, Mr. Steven Tambini, as the Executive Director of the DRBC, has proven himself to be a very capable and competent leader of the Commission, as he brings to his job a wealth of knowledge and experience about the relevant issues that the DRBC deals with. He has been responsive to our needs and concerns, and just a pleasure to deal with in a collaborative partnership.

The DRBC is in the unique position of effectively balancing the needs of various different stakeholders of a multi-state basin in which there are often competing interests. They are charged with ensuring adequate surface water and groundwater supplies up and down the length of a very long river for water utilities, energy providers, recreationalists, community planners, land developers, and business interests, all within the variabilities of changing climate, droughts, and floods. It is a balancing act that is not easy, but that the Commission handles quite successfully. Ultimately, they should be applauded, not criticized, for the effectiveness of their efforts.

Thank you for the opportunity to provide comment on this matter. Feel free to contact me if you wish to discuss anything further on this matter.

Sincerely,



Anthony J. Bellitto, Jr., P.E.  
Executive Director  
North Penn Water Authority



# BCPC

## Bucks County Planning Commission

The Almshouse Neshaminy Manor Center 1260 Almshouse Road  
Doylestown, Pennsylvania 18901 215.345.3400 FAX 215 345 3886  
E-mail: [bcpc@buckscounty.org](mailto:bcpc@buckscounty.org)

PLANNING COMMISSION:  
Edward Kasselback, Jr., *Chairman*  
Robert M. Pellegrino, *Vice Chairman*  
R. Tyler Tomlinson, Esq., *Secretary*

Craig E. Bryson  
Joan M. Cullen  
James J. Dowling  
David R. Nyman  
Carol A. Pierce  
Walter S. Wydro

Evan J. Stone  
*Executive Director*

June 6, 2018

The Honorable Daryl D. Metcalfe  
Chairman - State Government Committee  
Pennsylvania House of Representatives  
144 Main Capitol Building  
PO Box 202012  
Harrisburg, PA 17120

Dear Chairman Metcalfe and Committee Members,

I am writing as Executive Director of the Bucks County Planning Commission and with the support of the Bucks County Commissioners as the agency responsible for providing guidance and advising our County Commissioners on matters of planning and land use throughout the County's 54 constituent municipalities.

We understand that there are hearings now scheduled on June 11, 2018, to review and discuss the role of the Delaware River Basin Commission (DRBC) and the potential effects of their policy and oversight on land owners within the Delaware River Basin.

All 54 of Bucks County's municipalities lie with the Delaware River Basin and its watersheds. Nearly one third of our municipalities lie directly adjacent to the Delaware River itself. As a result, our land planning, land preservation, natural areas policy, and planning activities are located entirely within the basin; our environmental planning services routinely has our staff conducting research on various topics including flooding, natural resources, stormwater management, wastewater facilities, water resources and well head protection within the basin. In accordance with the County's Comprehensive Plan, we encourage cooperation between municipal, county, and state entities as we are governed by similar rules and regulations related to sound environmental stewardship and land use policy.

We believe the DRBC's oversight of the Delaware River Basin serves an important role in the protection of the regional aquifers, and their associated watersheds and natural areas. We encourage the State Government Committee to look favorably upon the DRBC and their role in the protection and oversight of the Delaware River Basin. If you have any questions or require further information, do not hesitate to contact me directly.

Respectfully Submitted,  
Bucks County Planning Commission

Evan J. Stone, PLA  
Executive Director

cc: Robert G. Loughery, Chairman, Bucks County Commissioner  
Charles H. Martin, Vice-Chairman, Bucks County Commissioner  
Diane M. Ellis-Marseglia, LCSW, Bucks County Commissioner  
Brian Henthaller, Bucks County Chief Operating Officer  
Bucks County Planning Commission Board

COUNTY COMMISSIONERS:

Robert G. Loughery, *Chairman*, Charles H. Martin, *Vice Chairman*, Diane M. Ellis-Marseglia, *LCSW*



**MONTGOMERY COUNTY  
BOARD OF COMMISSIONERS**

VALERIE A. ARKOOSH, MD, MPH, CHAIR  
KENNETH E. LAWRENCE, JR., VICE CHAIR  
JOSEPH C. GALE, COMMISSIONER



**MONTGOMERY COUNTY  
PLANNING COMMISSION**

MONTGOMERY COUNTY COURTHOUSE • PO Box 311  
NORRISTOWN, PA 19404-0311  
610-278-3722  
FAX: 610-278-3941 • TDD: 610-631-1211  
WWW.MONTCOPA.ORG

JODY L. HOLTON, AICP  
EXECUTIVE DIRECTOR

June 6, 2018

The Honorable Daryl D. Metcalfe  
Chairman – State Government Committee  
Pennsylvania House of Representatives  
144 Main Capitol Building  
P. O. Box 202012  
Harrisburg, PA 17120

Dear Chairman Metcalfe and Committee Members:

I am writing as the Chief of Environmental Planning, Montgomery County Planning Commission on behalf of that agency, which operates under the supervision of the Montgomery County Commissioners, and whose goal is to maintain and improve Montgomery County's quality of life by promoting sound planning, strengthening the transportation network, supporting healthy and prosperous communities, and working to create vibrant places and protect natural and historic resources.

The reason for this letter is the ongoing discussion on the topic of “State Government Regulations, Burdens, Abuses, and Legislative Oversight”. We understand a public hearing on this topic has been scheduled for June 11, 2018, and we request the opportunity to provide testimony at that hearing. Our testimony is provided in this letter, so that it may be made part of the official record of testimony, should we be unable to testify in person.

Montgomery County is located within the Delaware River Basin, and within the Groundwater Protection Area (GPA) designated by the Delaware River Basin Commission (DRBC). As you are aware, the DRBC oversees groundwater resources within the basin, and in particular the GPA. Montgomery County residents and businesses rely on over 100 million gallons of water per day, provided by various water purveyors. Based on permits, just under half of this water provided could come from groundwater sources, which underscores the importance of the water resource planning and regulation activities of the DRBC. The DRBC has been effectively working for the protection of the aquifers serving the county for many years, while maintaining a fair and open regulatory process for purveyors to follow. A watershed-based agency with regulatory authority is the most logical and effective scenario for management of water resources in the Delaware River Basin. The DRBC has been such an agency since the early 1960s. We at MCPC have long felt that the DRBC’s approach to water resource regulation is appropriate and effective.

The Montgomery County Planning Commission has worked with the DRBC on large and small projects over the years, most recently a prototype Critical Area Resource Plan/Special Areas Protection Plan (CARP/SAMP) for the Upper Wissahickon Watershed. The CARP/SAMP implements the State Water Resources Plan, and provides an example for municipalities to follow in providing groundwater resource protection.

We have always recognized the DRBC to be fair, conscientious, and consistent in the application of the regulations within its responsibility. Our knowledge of their operations is based on direct interaction with the commission and its staff through monthly meetings and water resource-related projects. We wish to testify that the continued presence and operation of the DRBC is of vital importance to the protection of water resources in Montgomery County. We support the DRBC and urge the State Government Committee and the PA Legislators to continue to provide full support, financial and otherwise, to the DRBC.

We would be happy to discuss this matter with you further, should that be of assistance to you.

Sincerely,

A handwritten signature in black ink that reads "Drew Shaw". The signature is written in a cursive style with a large, stylized "D" and "S".

Drew Shaw, AICP  
Environmental Planning Section Chief  
[dshaw@montcopa.org](mailto:dshaw@montcopa.org)  
(610) 278-3733

*Montgomery County Planning Commission*  
*P. O. Box 311*  
*Norristown, PA 19404-0311*  
[www.planning.montcopa.org](http://www.planning.montcopa.org)



## **WATER RESOURCES ASSOCIATION OF THE DELAWARE RIVER BASIN**

June 5, 2018

The Honorable Matthew D. Bradford  
Democratic Chair  
State Government Committee  
325 Main Capitol Building  
PO Box 202070  
Harrisburg, PA 17120-2070

Dear Representative Bradford,

The Water Resources Association of the Delaware River Basin (WRA), established in 1959, has member representatives from business, industry, public and private utilities, along with other organizations that have wide-ranging interests in the water resources of the Delaware River and its tributaries. WRA was instrumental in the creation of the interstate basin compact and the establishment of the Delaware River Basin Commission (DRBC), and has worked closely with the Commission since its inception.

WRA is aware that the State Government Committee will hold a hearing on June 11<sup>th</sup> to receive testimony from individuals and entities that are regulated by the DRBC. We understand that the purpose of the hearing will be to investigate concerns regarding the impact of the DRBC's policies and actions on business growth and economic vitality in the basin and on the rights of property owners within the basin. We are writing to you in support of the Commission and the critical role it plays across the Delaware River Basin.

As defined in the 1961 law creating the DRBC, it is charged with developing plans, policies, and projects to ensure sustainable and clean waters to support the basin's economic engine, and to protect and enhance its extraordinary water resources. The portion of the Delaware River Basin in Pennsylvania has directly benefited from this important work.

Examples of DRBC's leadership and results include:

- **Economic Growth and Quality of Life** - Many areas that have seen significant economic growth and development in the Commonwealth (including Philadelphia, southeast Pennsylvania, the Lehigh Valley, and the Poconos) are supported by water resources of the Delaware River Basin. Water quality improvements facilitated by DRBC have contributed to improved quality of life with indirect economic benefits from recreational use of the Delaware River and redevelopment of Penn's Landing in Philadelphia. The rebound in aquatic conditions in the Delaware River over the past 50 years has added to the bottom line of the multi-billion-dollar sport fishing industry in Pennsylvania.
- **Water Quality Improvements in the Delaware Estuary** - What was once a "dead river" near Philadelphia has been restored to a healthy and productive resource. The DRBC was a key driver in achieving this improvement and continues to work collaboratively with state and federal agencies on programs to further restore the tidal portion of the Delaware River.

---

1211 Greenway Road • Wilmington, DE 19803  
Tel: 610-850-9106 • Fax: 610-850-9107  
E-mail: [wra@wradrb.org](mailto:wra@wradrb.org) • Website: [www.wradrb.org](http://www.wradrb.org)

- **Salinity Management** – The undammed main stem of the Delaware River serves as a drinking and process water supply, but is also open to the Atlantic Ocean. The only way to keep salt water from the marine waters of the Delaware Estuary from moving upstream is to keep fresh water moving downstream. Having and managing adequate water storage in the Basin is necessary to ensure resources to support economic growth and the regional economy while avoiding adverse impacts on downstream water users, fisheries, and the estuarine environment consistent with the constitutional and legal obligations to protect those resources. The DRBC has been the key agency responsible for providing and managing these water resources, and the only agency charged with monitoring the salt wedge within the river.
- **Drought and Low Flow Management** – The DRBC has basin-wide and lower-basin drought management plans to provide sustainable water supplies during periods of low flow. DRBC programs and water supply charges support the storage of water to be released during low flow periods. Pennsylvania has the added benefit of flow augmentation during low flow periods on the Schuylkill River and Lehigh River from reservoirs located in Pennsylvania.
- **Southeastern Pennsylvania Groundwater Protection Area** – The Commonwealth of Pennsylvania asked the DRBC to manage groundwater supplies in this high growth area beginning in 1980 when too many water users were attempting to obtain water from groundwater sources that could not support the demand. Since DRBC management began, the interference and yield issues have been resolved and the area continues to see significant growth supported by well-managed surface water and groundwater resources.
- **Special Protection Waters Program** – There are statutory obligations under the Clean Water Act for federal and state government to keep clean waters clean and to not allow measurable changes in existing water quality in rivers and streams except towards natural conditions. In the Delaware River Basin, this has been accomplished through the DRBC’s Special Protection Waters Program. The DRBC works with the regulated community on modeling and technical assistance to meet their needs while also meeting the objectives of this program.
- **Clean-up of Legacy Pollutants** – The DRBC has worked extensively and collaboratively with the states and with the regulated community to find real, unique and effective solutions to clean up legacy pollutants in the Delaware Estuary such as PCBs. Clean-up efforts have led to improved fish consumption advisories in the estuary and bay.

Many of our members interact with the DRBC as regulated entities. The Commission is responsive, provides technical assistance and guidance, and is always willing to meet with us to discuss issues. The DRBC has promoted and implemented a streamlined One-Process-One-Permit Program to work “in the background” directly with state agencies and to facilitate the permitting process for regulated entities. The program has been successfully implemented in NJ and NY; however, Pennsylvania has not yet proceeded with this program. We would like to see the Commonwealth and the DRBC implement an efficient and effective One-Process-One-Permit Program as soon as possible.

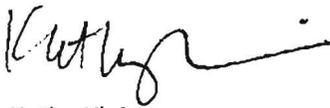
The DRBC periodically revises the fees it charges water users and dischargers. When this occurs, the Commission is transparent and open about the process, provides informational meetings, and accepts public

input. It is also worthwhile pointing out that while regulatory fees have gone up in recent years, Pennsylvania's contribution to the DRBC has significantly gone down.

Pennsylvania Water Rights Laws only have jurisdiction over surface waters and public water systems. Water is used both consumptively and non-consumptively by many water users who use groundwater and by many water users that are not public water systems. Power generation is an example of a large consumptive water user. DRBC's programs and policies ensure, during periods of low flow, power generators provide replacement water for consumptive water use. This integration of water management policies allows large water users to continue to operate during low-flow periods while providing for available water for others.

In summary, the DRBC is an effective government entity that fosters interstate-federal cooperation and collaboration rather than expensive conflict as witnessed in other interstate waters. WRA believes Pennsylvania should support the DRBC and its activities and participate in the collaboration that has enhanced the management, water quality and aesthetics of the Delaware River Basin. We would like to see the Commonwealth work towards restoring funding support to the full "fair share" level of \$893,000 as soon as possible. WRA believes Pennsylvania should view this annual contribution as a signatory member to the DRBC as a sound public policy investment.

Sincerely,



Kathy Klein  
Executive Director



Jane Offringa Rowan, PWS  
President

cc: PA State Government Committee Members  
Steve Tambini, DRBC

Aurel M. Arndt  
298 Conrad Rd.  
Alburtis, PA 18011  
[aurel.arndt@gmail.com](mailto:aurel.arndt@gmail.com)

June 5, 2018  
**Sent via email**

Hon. Daryl D. Metcalfe, Chair  
State Government Committee  
144 Main Capitol Building  
PO Box 202012  
Harrisburg, PA 17120-2012

Hon. Matthew D. Bradford, Democratic Chair  
State Government Committee  
325 Main Capitol Building  
PO Box 202070  
Harrisburg, PA 17120-2070

Re: Pennsylvania House State Government Committee Hearing on June 11, 2018

Dear Chairman Metcalfe and Minority Chair Bradford:

I have lived and worked in the Lehigh Valley all my life. I have watched this area successfully grow and thrive despite major transformations in region's the core economy. As the former Chief Executive Officer and General Manager for the Lehigh County Authority (LCA) for over 30 years, I know that access to clean and sustainable water resources has been critical to the region's economic prosperity. For background, LCA provides drinking water and wastewater treatment and disposal for over 200,000 residents and businesses in the Lehigh Valley region. The Delaware River Basin Commission (DRBC) has always worked with the water community and the regulated community throughout the Lehigh Valley to effectively manage our precious water resources.

Your notice for the upcoming hearing on the DRBC indicates that your Committee wanted to obtain input from entities that are regulated by the DRBC. I have worked with DRBC throughout my entire water career, spanning over 40 years, as part of their regulated community. While there is room for improvement in all government agencies, DRBC has proven to be responsive to their Compact mission. DRBC effectively manages regional and interstate water supplies, river flows and groundwater allocations; and they help to ensure clean waters through their Special Protection Waters program. While their wastewater discharge standards are strict, they help to protect the quality of source water for communities and drinking water utilities that tap the Delaware River and its tributaries for their water supply. Given the growth currently being experienced in the Lehigh Valley, LCA has frequently interacted with DRBC to allow us to meet our area's drinking water and wastewater treatment needs

and we have found them to be solution oriented, responsive, fair and transparent. While no one like to pay fees, DRBC is a small and efficient group that coordinates effectively with other agencies and that helps to keep fees reasonable.

For example, in recent years, LCA has been planning for our area's the future wastewater treatment needs and an important aspect of that work has been the determination of the discharge standards applicable to a new or expanded plant. Our engineers worked closely with DRBC's staff to model the impacts of additional discharges to the Basin waters, involving months of discussions and work with DRBC. We found DRBC's focus on a sound scientific approach to be very helpful in reaching a reasonable outcome.

Pennsylvania benefits in many ways from effective management of the Basin's water resources by DRBC. Funds from all states support water storage at Beltzville Lake on the Lehigh River. DRBC releases water from Beltzville Lake and other reservoirs in Pennsylvania during periods of low flow. Groundwater and surface waters are interconnected and DRBC science-based approach to regulation of both looks at water availability, potential interference issues, water efficiency and planning for drought management across the entire Delaware Basin. In many cases PADEP does not have the authority or capability to address complex regional and interstate water resource management issues and does not have the ability to set common standards for water withdrawals and wastewater discharges across state lines.

I currently serve as an Officer with the American Water Works Association (AWWA). AWWA is an international, nonprofit, scientific and educational society dedicated to providing total water solutions assuring the effective management of water. AWWA unites the diverse water community to advance public health, safety, the economy, and the environment. While our nation's water management seems effortless when things are going well, but when multiple entities are involved, including interstate relationships, matters become complex and often controversial. I believe DRBC has been effectively managing that complexity for over 50 years. The Lehigh Valley has benefitted both economically and environmentally from DRBC's even handed regulatory approach and has seen a return of water-based activities and development. DRBC has played an important role in this success and I urge the Pennsylvania State House Committee and the Pennsylvania General Assembly to continue to support DRBC's important work to protect and manage the water resources of the Delaware River Basin.

Thank you for the opportunity to submit these comments. If it would be helpful, I would be happy to discuss them or answer any related questions.

Sincerely,



Aurel M. Arndt

Retired CEO, Lehigh County Authority

Treasurer, American Water Works Association

cc. Steve Tambini, DRBC

Rep. Ryan Mckenzie

Rep. Marcia Hahn  
Rep. Steve Samuelson  
Rep. Michael Schlossberg  
Rep. Justin Simmons  
Rep. Gary Day  
Rep. Peter Schweyer  
Rep. Jeanne McNeill  
Rep. Zachary Mako

5/31/2018

Kurt Schroeder  
The Kirk Farm  
3929 Upper Mountain Road  
Furlong PA 18925

The Honorable Daryl Metcalfe  
Chairman – State Government Committee  
Pennsylvania House of Representatives  
144 Main Capitol Building  
PO Box 202012  
Harrisburg PA 17120

Reference: Support of the Delaware River Basin Commission  
Kirk Farm Pond – Groundwater Interference

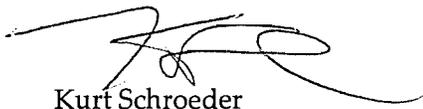
**Rep. Daryl Metcalfe:**

I would like to take this opportunity to share our experience with the Delaware River Basin Commission (DRBC). Ten years ago, a new development was constructed adjacent to our 71-acre historic farm in Bucks County, which required wells for a new public water system. The water system was designed directly by the Township.

Once constructed, and literally within days of bringing the new well online, our 100-year old pond went dry, leaving the entire spring fed stream channel empty, and killing 1,000's of fish. After receiving no positive response from the Township, we were introduced to the DRBC. Fortunately, this Commission exists and has the regulatory authority to ensure impacts to watercourses are *'repaired, restored, or otherwise mitigated'*. After the staff and geologists from DRBC responded, and a brief period in federal court, only then was our situation resolved. I distinctly remember my father and I testifying at a hearing before the DRBC and facing multiple Township lawyers, geologists, hydrogeologists, engineers, and staff. Certainly a show of force that no local landowner/farmer should have to defend themselves against. DRBC staff presented factual evidence and compelled the DRBC to rule in our favor to mitigate this detrimental condition.

The DRBC staff were some of the most professional individuals and legal Counsel that I have ever interacted with, particularly affiliated with a governmental entity. Subsequent to our issue, many neighbors had their wells go dry, and they too were protected by the DRBC to ensure their private property and water rights were protected.

Sincerely,



Kurt Schroeder

## Howard J. Woods, Jr. & Associates, L.L.C.

June 4, 2018

The Honorable Daryl D. Metcalfe  
Chairman – State Government Committee  
Pennsylvania House of Representatives  
144 Main Capitol Building  
PO Box 202012  
Harrisburg, PA 17120-2012

Re: Delaware River Basin Commission

Dear Chairman Metcalfe:

I understand you have scheduled a June 11<sup>th</sup> Public Hearing to receive testimony from individuals and entities that are regulated by the Delaware River Basin Commission (DRBC) and to investigate concerns about the impact of DRBC policies and actions on business growth, economic vitality and the rights of property owners within the Basin. I am sorry that I cannot appear in person and I respectfully ask that you consider these written comments in the deliberations of your Committee.

I am a registered Professional Engineer in the Commonwealth of Pennsylvania. I have a Bachelors Degree and a Masters Degree in Civil Engineering from Villanova University. My Masters Degree concentration is in Water Resources Management. I have been practicing in this field for over forty years and throughout my career, I have had numerous interactions with DRBC. I have first-hand experience with their policies and actions.

My career in this field began in the 1970's when DRBC was still a relatively young entity. When DRBC was created, there was no US Environmental Protection Agency and there was no Pennsylvania DEP. As you may know, DRBC was born out of necessity. Conflicts between water users had risen to the level where litigation over water rights was frequent. A dispute between New York and New Jersey, in which the Commonwealth was an intervenor, rose all the way to the US Supreme Court on two separate occasions. In issuing an amended decree in 1954, the Court allocated water resources among the basin states and retained jurisdiction over all issues related to the litigation. The Court also established a River Master to administer its decree and established that its allotment of water resources was to remain subject to the paramount authority of the United States to maintain navigation in the basin. The condition of water quality in the surface streams in the late 1950's and early 1960's was generally known to be extremely poor as a result of a widespread lack of adequate municipal and industrial waste treatment. Portions of the Delaware River and its tributaries, such as the Schuylkill River, including the Manayunk Canal, were open sewers. While issues related to ground water quality and quantity were less visible than issues with surface streams, over-pumping and contamination were already having adverse impacts on well owners and ground water users. Flooding was problematic in many areas – even more so than in recent years. When DRBC was created, 43 state agencies, 14 interstate agencies, and 19 federal agencies exercised a multiplicity of splintered powers and duties within the basin. In 1961, the Governors of Pennsylvania, Delaware, New York and New Jersey and President Kennedy



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signed concurrent compact legislation into law creating a regional body with the force of law to oversee a unified approach to managing a river system without regard to political boundaries. The Basin Compact was signed for the Commonwealth by then Governor David Lawrence. Today, the Chairman of the DRBC Commissioners is Governor Tom Wolfe.

It has been my experience in dealing with the DRBC over decades that this agency has been instrumental in fostering regional solutions to very complex water quality and water quantity issues. Without a doubt, litigation of the sort common prior to the creation of DRBC has been avoided. You will note that the Compact was executed in 1961 – before we experienced the worst drought of record in the eastern United States (1964 through 1967). While this drought could have easily been the catalyst for another round of interstate litigation, DRBC successfully coordinated a series of negotiations that lead to a fair reapportionment of water resources, the establishment of new standards to control salinity (a clear win for the City of Philadelphia and surrounding counties) and a drought flow management system designed to maintain flow targets along the mainstem of the Delaware River. This coordinated approach often referred to as the “Good Faith Agreements,” which were later supplemented by the Flexible Flow Management Program, balanced water resource needs associated with drinking water supply, recreation, fisheries, waste assimilation and navigation. The Flexible Flow Management Program was recently (2017) readopted unanimously by the 1954 Supreme Court Decree Parties for another ten years. Without DRBC’s steady hand in the 1970’s and 1980’s, and their continuing efforts to manage and avoid conflicts, it is my professional opinion that we would have been mired in yet another round of interstate litigation and we would not have had the benefit of adequate water resources to support industry and commerce, let alone had adequate water quality for the drinking water needs of over 15 million people.

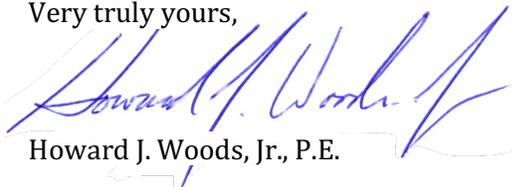
With respect to ground water management and regulation, DRBC should be credited with another success in Southeastern Pennsylvania. At the request of the Commonwealth and many of the communities in this area, DRBC held hearings in the late 1970’s to determine the extent of ground water over-development and to devise a system to apportion and regulate the use of ground water under the authority of Article 10 of the Compact. As a result of these hearings and the testimony received, DRBC established the Southeastern Pennsylvania Ground Water Protected Area. This area includes all or parts of Berks, Bucks, Chester, and Montgomery Counties. Prior to the development and implementation of this program, many portions of the area experienced pumping in excess of total available recharge. In dry periods, wells were seen to fail, springs and streams that were fed by the water table dried up and the water supply depended on by over 1,000,000 people, including those supplied by municipal and private wells became unreliable. As a direct result of this program and DRBC’s management, conflicts between users have declined dramatically and the resources of the Triassic Lowlands and adjacent areas have once again become reliable sources of high quality drinking water for residential, commercial and industrial use. DRBC’s policies and procedures assure the efficient use of a finite and valuable resource. In addition, these same policies and procedures protect the significant investment many individuals and municipalities have made in wells, treatment and pumping facilities in this region.

I would also like to comment on the Special Protection Water Program. The Delaware River is the longest undammed river east of the Mississippi. Three quarters of the non-tidal portion

of the River upstream of Morrisville, Pennsylvania has been included in the Wild and Scenic Rivers program by Congressional action. The Special Protection Waters program is designed to prevent degradation in streams and rivers where the existing water quality is better than the minimum standards through more stringent regulation of discharges. The entire 197 miles of the Delaware River above Morrisville is included in the Special Protection Waters program. Because of the focus of this program, many recreational programs that support growth and development in the Poconos are possible. Essentially, this program is responsible for the continued growth and development within the Lehigh River Valley and in the Poconos, generally. All of these areas of the mainstem and tributaries of the Delaware River are exceptional in the scenic, recreational and environmental value.

It is my understanding that some members of your Committee may have issues with the Susquehanna River Basin Commission. I ask that you not allow those issues to adversely color your opinion of the DRBC. DRBC is an essential agency that deserves the full and continued financial support of the Commonwealth.

Very truly yours,



Howard J. Woods, Jr., P.E.

cc: The Honorable Matthew Bradford, Minority Chair  
The Honorable Kristin Hill, Secretary  
The Honorable Donna Bullock  
The Honorable Mary Jo Daley  
The Honorable Pamela A. DeLissio  
The Honorable Madeleine Dean  
The Honorable Cris Dush  
The Honorable Isabella V. Fitzgerald  
The Honorable Seth M. Grove  
The Honorable Jerry Knowles  
The Honorable Stephen McCarter  
The Honorable Brett R. Miller  
The Honorable Christopher M. Rabb  
The Honorable Brad Roae  
The Honorable Francis X. Ryan  
The Honorable Rick Saccone  
The Honorable Tommy Sankey  
The Honorable Brian Sims  
The Honorable Jared G. Solomon  
The Honorable Craig T. Staats  
The Honorable Emilio A. Vazquez  
The Honorable Justin M. Walsh  
The Honorable Judy Ward  
The Honorable Jeff C. Wheeland



## THE CAMDEN COUNTY MUNICIPAL UTILITIES AUTHORITY

1645 Ferry Avenue • Camden, NJ 08104  
Phone (856) 541-3700 • Fax (856) 964-1829  
[www.ccmua.org](http://www.ccmua.org)

June 7, 2018

Hon. Daryl D. Metcalfe  
Chair, State Government Committee  
144 Main Capitol Building  
P.O. Box 202012  
Harrisburg, PA 17120-2012

Hon. Matthew D. Bradford  
Democratic Chair, State Government  
Committee  
325 Main Capitol Building  
P.O. Box 202070  
Harrisburg, PA 17120-2070

**Re: June 11th Hearing on Delaware River Basin Commission**

Dear Representatives Metcalfe and Bradford:

The Camden County Municipal Utilities Authority (CCMUA) is a regional wastewater treatment facility located along the Delaware River in Camden, NJ where it treats 58 million gallons of sewage per day discharged from residential and commercial properties in Camden County. The treated wastewater is discharged to the Delaware River. The CCMUA is committed to protecting the environment, preventing pollution, being a responsible steward of our natural resources, continually exceeding the requirements of all regulatory obligations, and to the continual improvement/enhancement of its environmental performance.

I am submitting this letter on behalf of the CCMUA to provide input to the State Government Committee in connection with the hearing regarding the Delaware River Basin Commission ("DRBC") scheduled for June 11, 2018. Our understanding is that the purpose of the hearing is to investigate concerns regarding the impact of DRBC policies and actions on business growth and economic vitality in the basin and on the rights of property owners within the basin.

Because our agency operates within the basin, we are subject to DRBC regulations with respect to our wastewater discharges. As a result, we have worked with DRBC in connection with CCMUA-related issues as well as some of the basin-wide issues addressed by the DRBC.



Making It Better, Together.

[www.camdencounty.com](http://www.camdencounty.com)

June 7, 2018

p. 2 of 2

The CCMUA has interacted with the DRBC for many years regarding water quality issues presented in the basin. For example, DRBC implemented an innovative and successful PCB TMDL predicated on tailored pollutant minimization plans that has resulted in significant water quality improvements in the basin. The CCMUA finds the DRBC to be professional, open to discussion, responsive to inquiries, and willing to listen to the concerns of businesses and other stakeholders in the basin while it plays a key role in the interstate management of the shared water resources of the Delaware Basin. Moreover, as an agency like the DRBC, created for the purpose of protecting the health of the Delaware River, we believe that the DRBC is an effective, and essential, protector of the public health and environment.

Please feel free to contact me if you have any questions or would like any additional information.

Sincerely,

A handwritten signature in blue ink, appearing to read 'AK', is written over the word 'Sincerely,'.

Andrew Kricun, P.E., BCEE,  
Executive Director/Chief Engineer

cc: Mr. Steve Tambini, DRBC  
Pamela Bush, Esquire, DRBC



## THE BENEFITS OF DRBC MEMBERSHIP FOR THE COMMONWEALTH OF PENNSYLVANIA

### SUMMARY OF DRBC BENEFITS TO THE COMMONWEALTH OF PENNSYLVANIA

#### ✓ SUSTAINABLE WATER RESOURCES

- Water supply for 5.5 million Pennsylvanians (43% of the population of the Commonwealth).
- Water for immediate and long-term economic growth throughout the Pennsylvania portion of the Delaware River Basin.
- Adequate flows in the Delaware River, Lehigh River and Schuylkill River during periods of low flow and drought.
- Protection of the City of Philadelphia's drinking water intakes on the Delaware River from salt water.
- Interstate releases (from NJ) of consumptive use make-up water to ensure continued power production by Pennsylvania generators during periods of low flow.
- Fair and equitable allocation of surface and ground waters to all classes of water users (for withdrawals above 100,000 gpd).
- Water accounting and efficiency requirements to reduce waste and help ensure sustainable supplies.
- Groundwater protection and modeling to meet water needs in areas of Southeastern Pennsylvania with limited groundwater supplies.
- Basin-wide flood loss reduction coordination through DRBC-led task force and committees.
- Enhanced flood warning programs through: improved National Weather Service forecast tools; updated flood inundation mapping; upgraded and maintained USGS flow gages; and enhanced DRBC-hosted Delaware River flood portal, all coordinated by DRBC advisory committees and staff.

#### ✓ CLEAN AND HEALTHY WATERS

- Significantly cleaner waters in the Delaware River Estuary under existing programs, with more improvements under development.
- Protection of Pennsylvania interstate waters with exceptional resource values.
- Improved fishing, fish habitat, fish migration and fish reproduction. Reduction in state fish consumption advisories.
- Coordinated clean-up and reduction of legacy pollutants, including PCBs, in the Estuary.
- Comprehensive assessment of known and emerging contaminants.
- \$694,000 annually in Clean Water Act section 106 grant funds for interstate waters.
- Advanced spill warning system for drinking water purveyors in Pennsylvania.

## THE BENEFITS OF DRBC MEMBERSHIP FOR THE COMMONWEALTH OF PENNSYLVANIA

### ✓ INTERSTATE COLLABORATION

- Vehicle for fair and equitable allocation of interstate waters.
- Fairness, consistency, support and collaboration (versus conflict) to meet the requirements of the Clean Water Act in interstate waters.
- Avoidance of legal cost associated with interstate water rights litigation, through neutral, expert technical support for the Decree Parties' continual improvement of reservoir operating plans.
- Watershed-based planning to meet future needs of all signatory parties.
- Stakeholder input, collaboration and communication on interstate water management issues through the DRBC Regulated Flow Advisory Committee, Toxics Advisory Committee, Monitoring Advisory and Coordination Committee, Water Quality Advisory Committee and Water Management Advisory Committee.
- Leveraged grant funding and signatory party funding for interstate water management programs.

### ADDITIONAL INDIRECT BENEFITS TO PENNSYLVANIA

- Sustainable management of \$8.6 million of economic value flowing to the Commonwealth for Delaware River Basin ecosystem services.<sup>1</sup>
- \$3.2 million in annual flood loss reduction from Blue Marsh and Beltzville Reservoirs.
- Avoided costs for the City of Philadelphia to either relocate its water supply intake or provide advanced treatment to reduce salinity.
- Avoided costs for Pennsylvania to establish authority and administer programs for: comprehensive water allocation; water use fees to support water storage capital and operating costs; and the provision of consumptive use replacement water.
- Avoided costs for Pennsylvania related to interstate water and waste discharge conflicts and the potential for interstate water and waste discharge litigation (versus convening and collaboration under DRBC).

<sup>1</sup> See Socioeconomic Value of the Delaware River Basin in Delaware, New Jersey, New York, and Pennsylvania, 2011  
<http://nj.gov/drbc/library/documents/SocioeconomicValueDRB-UDEL-FinalRpt.pdf>



## THE BENEFITS OF DRBC MEMBERSHIP FOR THE COMMONWEALTH OF PENNSYLVANIA

### DETAILS: DRBC EXPENDITURES BENEFITING THE COMMONWEALTH OF PENNSYLVANIA

#### SUSTAINABLE WATER SUPPLY PROGRAMS

##### *1. Flow and Drought Management*

- a. DRBC directs releases from the **Beltzville Reservoir on the Lehigh River** and **Blue Marsh Reservoir on the Schuylkill River** during periods of low flow and drought, to: ensure flows sufficient to meet local and regional water supply needs, including on the Lehigh and Schuylkill rivers; **protect the City of Philadelphia's water supply intake** on the Delaware River from the migration of salt water from Delaware Bay; and ensure uninterrupted supply for all domestic, commercial and industrial withdrawers.
- b. DRBC pays the federal government over \$1.6 million annually to support the operation and maintenance, capital improvements, and debt service costs for **water supply storage in the Beltzville and Blue Marsh Reservoirs** operated by the U.S. Army Corps of Engineers. User fees paid by water withdrawers in all four basin states support flow augmentation in the main stem Delaware River that particularly benefits users of Pennsylvania's Lehigh and Schuylkill rivers.
- c. DRBC provides coordination and **technical support to the parties to the 1954 Supreme Court Decree (including Pennsylvania)** as they negotiate improved strategies for operating NYC's Delaware Basin water supply reservoirs for multiple objectives, including drought management, flood mitigation, habitat protection and recreation. Importantly, DRBC also provides the public input process for the Decree Party negotiations.
- d. To ensure that power generation and other vital uses in the Basin are not interrupted during periods of drought or low flow, DRBC **requires power generators to replace the water they consumptively use** during such dry periods. To satisfy this requirement, many generators rely on storage in the Merrill Creek Reservoir in New Jersey, which was constructed in 1994 in fulfillment of a provision of DRBC's Comprehensive Plan. Replacement water is released during low flow conditions in accordance with DRBC requirements. DRBC's consumptive use replacement policy ensures that large consumptive water users such as the Exelon Limerick Generating Station can continue operating without adversely affecting other users.

##### *2. Water Supply Planning*



## THE BENEFITS OF DRBC MEMBERSHIP FOR THE COMMONWEALTH OF PENNSYLVANIA

- a. DRBC provides technical input to the **Pennsylvania State Water Plan** for the Delaware River Basin.
- b. DRBC is preparing a **Water Supply Planning Study** to evaluate future water availability and water needs in 2030 and 2060 to meet Basin flow objectives and to evaluate water budgets in sub-Basins. The study includes evaluation of: water demands and efficiencies; ecologic flow impacts; climate change; and drought operations.
- c. DRBC is a significant technical contributor and partner along with the Commonwealth of Pennsylvania in the Partnership for the Delaware Estuary under the National Estuary Program (NEP). DRBC has and will continue to provide input, guidance and technical support for the **Comprehensive Conservation and Management Plan (CCMP)** for the Delaware Estuary Program.

### 3. *Water Allocation*

- a. Under Pennsylvania's current Water Rights Law, Commonwealth agencies may review and allocate waters of the Basin only to the extent that diversions are made from surface waters and by a "public water supply agency." DRBC provides a comprehensive system for **reviewing water availability and water withdrawals for both surface and ground waters** and for any and all water users withdrawing at an average rate of 100,000 gallons per day or more over 30 days. DRBC thus maintains a system of fair and equitable allocation of the Basin's water resources across the four basin states.
- b. Pennsylvania and DRBC determined that action was necessary to prevent localized lowering of groundwater tables and diminished base flow in streams, and to provide regulatory guidelines for resolving conflicts among groundwater users in a region of Southeastern Pennsylvania. **At the request of Pennsylvania, DRBC regulations were adopted in 1980 that established a groundwater protected area (GWPA).** The GWPA consists of 76 sub-basins spanning 128 municipalities in Bucks, Montgomery, Chester, Berks, and Lehigh counties. DRBC has permitted approximately 660 wells in the GWPA, for withdrawals of an estimated 17.7 billion gallons of groundwater annually. This unique DRBC program has provided effective resource management by meeting growing water demands and supporting economic development in Southeastern Pennsylvania while ensuring adequate water supplies.

#### **4. Water Efficiency**

DRBC **water conservation and efficiency programs** proactively help the region manage its finite water supplies. DRBC's **water audit** program helps purveyors identify and reduce water losses in public systems. The audit tracks how effectively water is moved from its source to users' taps, ensuring that systems quantify and address water losses over time. Focus on this issue is allowing PA utility managers to save both water resources and money.

#### **5. Flood Loss Reduction**

- a. In response to a joint directive of the basin state governors after devastating floods in 2004, 2005 and 2006, DRBC convened an **interstate flood mitigation task force** in October 2006. The task force report contains 45 consensus recommendations relating to reservoir operations, structural and non-structural mitigation, stormwater management, floodplain mapping, floodplain regulation, and flood warning. This action agenda moves the basin toward a proactive, sustainable, and systematic approach to flood damage reduction.
- b. DRBC provided funding for the construction of storage in two federal reservoirs in Pennsylvania – the Blue Marsh Reservoir on the Schuylkill River and the Beltsville Reservoir on the Lehigh River. Products of DRBC comprehensive planning, both facilities serve flood protection and water supply functions, as well as providing recreational amenities to thousands of Pennsylvanians.
- c. DRBC continues to serve as the non-federal sponsor of projects to be reviewed and evaluated by the U.S. Army Corps of Engineers for additional flood mitigation potential. In August 2017 the DRBC submitted a "Section 7001" proposal under the Water Resources Reform and Development Act of 2014 for the development of a Comprehensive Flood Mitigation Study of the Delaware River Basin.
- d. Several improvements have been made to the enhanced Delaware River flood warning system stemming from the DRBC-led task force including:
  - i. USGS Stream Gage upgrades
  - ii. Flood Inundation Mapping
  - iii. NWS Forecasting Upgrades
  - iv. DRBC Flood Resources Portal



## THE BENEFITS OF DRBC MEMBERSHIP FOR THE COMMONWEALTH OF PENNSYLVANIA

### CLEAN AND HEALTHY WATERS PROGRAMS

#### 1. *Delaware Estuary Quality Improvements*

Before DRBC was formed in 1961, reaches of the Delaware River Estuary near Philadelphia were so polluted that the river lacked the dissolved oxygen required to sustain aquatic life. **DRBC provided the scientific foundation and leadership for significant water quality improvements that have reduced pollution in the Estuary** to the point where the river and riverfront communities are thriving environmentally and economically. The DRBC recently recognized these significant improvements and is conducting extensive studies to evaluate potential revisions to the water quality standards.

#### 2. *Protecting Clean Waters*

DRBC's **Special Protection Waters program** has served to keep the "clean waters clean" in the non-tidal portion of the main stem river and portions of its tributaries from the basin's headwaters in New York State down to Morrisville, PA/Trenton, NJ. These exceptionally clean waters support recreation, healthy ecosystems, a vibrant water-based economy, and water quality improvements downstream.

#### 3. *Reducing PCBs in the Delaware Estuary*

At the request of PA, DE, NJ, and the U.S. EPA, DRBC is leading a program to **reduce PCB contamination in the tidal Delaware River and Bay** that may eventually eliminate the need for existing state-issued fish consumption advisories. Due to these efforts, PCB loadings from the top 10 dischargers contributing 90% of total point source loadings decreased by 71% between 2005 and 2013.

#### 4. *Water Quality Monitoring and Assessment*

DRBC programs include extensive monitoring and assessment of the quality of Basin waters.

- a. DRBC performs an **interstate waters assessment of the Delaware River and Bay**, the results of which are provided to Pennsylvania and other Basin states to help them meet **Clean Water Act** requirements.



## THE BENEFITS OF DRBC MEMBERSHIP FOR THE COMMONWEALTH OF PENNSYLVANIA

- b. DRBC's **Special Protection Waters** monitoring program is used to determine whether the management objective of no measurable change in existing water quality is being maintained in DRBC Special Protection Waters. To date, monitoring demonstrates that overall, the objective is being attained.
- c. DRBC's **bio-monitoring** program samples sediment, rocks, algae, aquatic insects, and water chemistry to provide a comprehensive overview of the diversity and health of the aquatic community and water quality in the 200-mile non-tidal interstate Delaware River. DRBC is utilizing this information to develop bio-criteria as part of its Special Protection Waters regulations for the non-tidal portion of the main stem. Bio-monitoring data are also included in the Water Quality Assessment Report that DRBC develops every other year to help our members states satisfy their Clean Water Act requirements established by the U.S. EPA.
- d. DRBC's **Delaware Estuary Boat Run** is one of the longest running monitoring programs in the world. The goals of the program are to provide accurate, precise, and defensible estimates of the surface water quality of the Delaware Estuary.
- e. DRBC monitors **metals**, such as copper, zinc, nickel, and mercury, in ambient water, sediment, and the tissue of fish of the Delaware River Estuary to measure the attainment of water quality criteria.
- f. As part of ongoing programs to control **toxic substances** in the Delaware River Estuary, the DRBC conducts periodic monitoring of ambient water toxicity in the estuary and has directed monitoring of acute and chronic effluent toxicity by dischargers.
- g. DRBC periodically samples tissues of resident **fish species** in the non-tidal and tidal portions of the main stem Delaware River.
- h. DRBC has adopted criteria and monitors **chlorides** as part of the Commission's flow and drought management program, which focuses on controlling the upstream migration of salty water from the Delaware Bay during low-flow conditions.
- i. The DRBC has an ongoing monitoring program for **PFAS/PFC** in the main stem Delaware River, examining surface water, fish tissue, and sediment.

- j. **Polychlorinated biphenyls (PCBs)** are a class of carcinogenic chemicals present in the waters of the Delaware River Estuary at concentrations up to 1,000 times higher than the water quality criteria. There are numerous sources of PCBs in the Estuary, which enter fish and other wildlife through absorption or ingestion, and accumulate in their tissues at levels many times higher than in the surrounding water and sediment – levels that are unsuitable for human consumption. In addition to measuring PCBs in water, sediment, and fish, DRBC requires dischargers to develop and implement Pollutant Minimization Plans (PMPs) to track down and reduce or eliminate PCBs where they are found.

#### **5. Wastewater Discharge Management**

- a. **DRBC works collaboratively with the PADEP** to regulate point source discharges (wastewater treatment) and to support the goals of the Clean Water Act. DRBC review does not duplicate the National Pollutant Discharge Elimination System (NPDES) program administered by the PADEP under the federal Clean Water Act. Rather, DRBC requirements supplement those of the PADEP and other state and federal agencies, by ensuring that DRBC water quality standards are met.
- b. DRBC maintains and runs real-time models for **estimating contaminant transport**. This service enables DRBC staff to provide information rapidly to emergency response teams and drinking water purveyors **in the event of a spill on the interstate mainstem Delaware River**.



## THE BENEFITS OF DRBC MEMBERSHIP FOR THE COMMONWEALTH OF PENNSYLVANIA

### INTERSTATE CONVENING AND COORDINATION PROGRAMS

#### 1. *Interstate Coordination and Management*

- a. For over 55 years the federal government and the four basin states have joined together as equal partners to cooperatively manage a shared natural resource.
- b. The Commission provides a unique structure for the management of shared water resources without regard to political boundaries. The hallmarks of this structure have been sound science, collaboration, and adaptation.
- c. In adopting the compact that created DRBC, the signatory states effectively agreed to manage their shared waters collaboratively, not by litigation.
- d. Trans-boundary water crises between other states cost taxpayers millions of dollars without providing the benefits of collaborative water management programs like those of the DRBC.

#### 2. *Advisory Committees*

- a. The DRBC's advisory committees provide a critical forum for the exchange of information and perspectives on a variety of issues, enhancing understanding and informing new policies. The Commissioners recognize the importance of engaging qualified representatives from state and federal government agencies, industry, municipalities, academia, public health, and environmental/watershed organizations to inform their policy decisions. Advisory committee meetings are open to the public. Pennsylvania representatives contribute and participate in the following standing committees:
  - Flood Advisory Committee
  - Monitoring Advisory and Coordination Committee
  - Regulated Flow Advisory Committee
  - Toxics Advisory Committee
  - Water Management Advisory Committee
  - Water Quality Advisory Committee