

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE RESOLUTION

No. 163

Session of
1985

INTRODUCED BY J. L. WRIGHT, MICHLOVIC, VROON, CLYMER, TRELLO,
PITTS, NOYE, GREENWOOD, BIRMELIN, GODSHALL, DORR, CIVERA,
REINARD, OLASZ, ARTY, LASHINGER, GALLAGHER, E. Z. TAYLOR,
WILSON, D. W. SNYDER, MERRY, DISTLER, MORRIS, SAURMAN,
KASUNIC AND FOX, SEPTEMBER 30, 1985

REFERRED TO COMMITTEE ON RULES, OCTOBER 1, 1985

A RESOLUTION

1 Memorializing Congress to set certain prerequisites when
2 considering modification of the Delaware River Basin Compact
3 regarding water charges.

4 WHEREAS, Proposed changes in the Delaware River Basin Compact
5 regarding water charges must be approved by Congress; and

6 WHEREAS, There exist certain inequities in the existing water
7 charges program which exempts New York City and other major
8 water users from charges, but requires certain Pennsylvania
9 municipalities to pay; and

10 WHEREAS, Half of the water supply for New York City comes
11 from the city's upper Delaware Basin reservoirs; the city wastes
12 approximately 200 million gallons of water per day through
13 leakage and lack of metering; and the city has not developed the
14 main stem of the Hudson River as a water supply source; and

15 WHEREAS, New York City's Delaware Basin reservoirs are not
16 presently large enough for the city to take its 800 million
17 gallons per day out-of-basin diversion of water and still

1 maintain the minimum downstream flow of 1,130 million gallons of
2 water per day at Montague, as required by the Supreme Court in
3 1954; and

4 WHEREAS, As a result of the so-called "Good Faith
5 Negotiations" between the Basin States and New York City, the
6 city has been permitted to cut back its reservoir releases and
7 to reduce downstream flows to 710 million gallons per day or
8 less under drought conditions, but has not been required to
9 meter its own water use as a conservation measure; and

10 WHEREAS, In order to offset lower basin water shortages due
11 to reduced New York City releases during drought, the Delaware
12 River Basin Commission has committed itself to construction of
13 new water supply reservoir storage projects; and

14 WHEREAS, New reservoir storage in the basin will make
15 possible an "interchange" of water that will even further
16 benefit New York City at the expense of the Delaware River Basin
17 and its people, commerce, industry and agriculture; and

18 WHEREAS, The commission has now proposed to revise its water
19 charges program so that New York City will continue to be exempt
20 from water charges and a greatly expanded number of in-basin
21 water users will pay for these new facilities that benefit New
22 York City; and

23 WHEREAS, Water charges are a result of exportations of water
24 that are in excess of actual need; and

25 WHEREAS, The Delaware River Basin Compact must not be
26 modified to continue the inequity of exempting New York City
27 from water charges while assessing higher rates on more in-basin
28 water users to pay for water supply projects which will further
29 benefit New York City and which would be needed if New York City
30 abided by the terms set by the Supreme Court Decree of 1954; and

1 WHEREAS, The metering of and charging accordingly for all
2 water distributed by New York City should be a prerequisite of
3 compact modifications regarding water charges; therefore be it

4 RESOLVED, That the House of Representatives of the
5 Commonwealth of Pennsylvania hereby memorializes the Congress of
6 the United States to set the following as prerequisites, when
7 considering modifications of section 15.1(b) of the Delaware
8 River Basin Compact regarding water charges:

9 (1) that New York City agree to prompt development and
10 implementation of a metering program for the water it
11 distributes;

12 (2) that the city agree to charge accordingly for its
13 water; and

14 (3) that the city agree to become subject to water
15 charges;

16 and be it further

17 RESOLVED, That if the compact is to be reopened, the Congress
18 respectfully be requested to let the revised wording affirm that
19 no one single state shall prevent the reopening of the Supreme
20 Court Decree by any other member or group of members of the
21 compact, thus providing the Supreme Court with the opportunity
22 to correct diversion and reservoir release figures as it sees
23 fit; and be it further

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