

Basin News Briefs

50th Anniversary of Supreme Court Decree

June 7, 2004 marked the 50th anniversary of the 1954 U.S. Supreme Court decree that resolved an interstate dispute between New York State, New Jersey, Pennsylvania, Delaware, and New York City over the allocation of water in the Delaware River Basin.

The amended decree, which replaced an earlier 1931 decree, determined the amount of water that the city can take from its Delaware Basin reservoirs and the amount it must release downstream. The U.S. Geological Survey's (USGS) Office of the Delaware River Master was established to ensure that the provisions of the 1954 decree are met. The daily operations of the River Master's Office are conducted by Deputy River Master Gary Paulachok, who is located in Milford, Pa.

River Master Steve Blanchard paddled with Delaware River Sojourners on June 8, 2004 and gave a presentation about the decree and his office's duties during the lunchtime break. On September 22, 2004, DRBC commissioners and staff participated in a congressional briefing sponsored by USGS in Washington, D.C. to celebrate the decree's anniversary and its 50 years of cooperative water management in the basin. Additional information about the decree, including links to the Delaware River Master's web site, can be found at <http://www.nj.gov/drbc/decree.htm>.

Delaware Estuary News

- The Delaware Estuary Program (DELEP), one of 28 national estuary programs, was established in 1988 to lead public and private partners in the creation and implementation of the

Comprehensive Conservation and Management Plan (CCMP) to protect and restore the estuary's natural resources. Over the past several years, the DELEP office, located at the DRBC's headquarters, worked closely with scientists and planners to facilitate interstate coordination and enhancement of the overall resource management capacity in the estuary while the private, non-profit Partnership for the Delaware Estuary, located in Wilmington, Del., focused on education and stewardship programs. Following the resignation of DELEP Director Peter Evans during the summer of 2004, the decision was made to merge the Partnership and DELEP into one entity under the leadership of Partnership Executive Director Kathy Klein, effective October 2004. The DRBC will continue to lead the scientific aspects of DELEP and in January 2005 hired Dr. Danielle Kreeger as estuary science coordinator to assess and compile estuary data and to serve as a liaison between DELEP and the commission.

- A two-part science conference was convened by the Partnership for the Delaware Estuary during 2005 to bring researchers, resource managers, the public, and other interested parties together to summarize the current state of science regarding the estuary and to build consensus in defining and prioritizing future science needs. "The State of Science in the Delaware Estuary" took place January 10-12 in Cape May, N.J. and was followed by "Linking Science and Management for the Delaware Estuary," which was geared toward the science needs

of decision makers, on May 10-11, 2005 in Newark, Del.

- The Delaware Estuary Monitoring Report covering monitoring developments and data collected or reported during 1999-2003 was completed in September 2004. The report, which was prepared by DRBC Monitoring Coordinator Ed Santoro in cooperation with the commission's Monitoring Advisory Committee, can be viewed at <http://www.nj.gov/drbc/04MonRpt/index.htm>.
- Congressmen Frank LoBiondo (R-N.J.) and Michael Castle (R-Del.) along with Senators Jon Corzine (D-N.J.), Thomas Carper (D-Del.), Frank Lautenberg (D-N.J.), and Joseph Biden (D-Del.) secured \$300,000 in federal funding for a Delaware Estuary oyster restoration project during 2004. Acting Governor Codey announced in February 2005 that New Jersey would contribute an additional \$300,000 to the effort. The funds are being used to plant empty clam shells to spur the growth of oyster seed, which will then be transplanted at nursery sites in the Delaware Bay. This project will economically benefit the coastal communities in both New Jersey and Delaware and is an excellent example of the federal and state governments working together to leverage taxpayer dollars in support of a vital, shared natural resource. DRBC Deputy Director Bob Tudor has been actively involved in the oyster restoration efforts.
- New Jersey and Delaware in 2004 issued common fish consumption advisories for shared waters in the lower part of the Delaware

Estuary, including the bay and the Delaware River downstream of the Pennsylvania border, sending a consistent message to the public about what fish are suitable for eating and in what quantities. This is a great start to achieving common fish consumption advisories among the states throughout the estuary and is a key goal of the Delaware Estuary Program's CCMP.

Pennsylvania Act 220 Water Resources Planning

The DRBC received \$250,000 in additional funding from Pennsylvania during both 2004 and 2005 to help the Commonwealth develop its new state water resources plan as required by Act 220. This funding would not have been possible without the strong support from a number of state senators and representatives as well as the DEP and Governor Rendell's office. Tasks include developing water demand analyses and inputs for watershed budgets, defining critical areas, and water conservation. DRBC staff helped to organize public meetings and hearings during May and August 2005 in Blue Bell and Hawley, Pa. to give residents of southeast and northeast Pennsylvania an opportunity to provide input into the development of the new state water plan. Both sessions were coordinated by the Delaware Water Resources Regional Committee, which is chaired by DRBC Executive Director Carol R. Collier. She also serves on the Statewide Water Resources Committee.

Interstate Flow Management Strategy Report Issued

A paper summarizing flow management issues in the basin and recommending procedures and technical tools to resolve these types

of issues was completed in August 2004. The "Strategy for Resolution of Interstate Flow Management Issues in the Delaware River Basin" was prepared for the commission by HydroLogics, Inc., in association with STV, Inc., ATS, Inc., the Greeley-Polhemus Group, and DRBC staff. The complete report can be viewed on the commission's web site at <http://www.nj.gov/drbc/04flowreport/index.htm>.

International Interest in the DRBC Continues

DRBC Executive Director Carol R. Collier had the opportunity to visit the People's Republic of China and Japan in 2004 as a member of a study group initiative that brought together several Chinese, U.S., and Japanese water experts to explore the potential for U.S.-Japan partnerships in promoting stronger river basin governance in China. The study tours and group research papers focused on river basin management institutions, financing, and public participation in the three nations. This project, "Crafting Japan-U.S. Water Partnerships: Promoting Sustainable River Basin Governance in China," was jointly initiated by the Woodrow Wilson International Center for Scholar's China Environment Forum (located in Washington, D.C.) and the Institute of Developing Economies (located in Chiba, Japan). Visit the DRBC web site at <http://www.nj.gov/drbc/crc.htm> to learn more about this tri-national river basin management project.

International visits to the DRBC's headquarters in West Trenton continued during 2004 and 2005 as commission staff welcomed a visitor from Australia as well as multiple delegations from China and South Korea. The last delegation visiting the DRBC in 2005 included officials from the National Capital Territory of Delhi, who wanted to learn about the commission's approach to water resources management to help them address the various issues facing 15 million people in India's Yamuna River Basin. The Yamuna flows into the Ganges River, which drains an area that is home to about eight percent of the world's population.

NPS Director Experiences the Delaware

National Park Service (NPS) Director Fran Mainella visited the Delaware River Basin over several days in late July 2005. Her first destination included the Upper Delaware Scenic and Recreational River, where she received an orientation to the



National Park Service Director Fran Mainella landing a smallmouth bass on the Delaware River below Damascus, Pa. Joining her in the kayak is outdoor writer/editor Ken Schultz and in the background is NPS Resource Specialist Don Hamilton. (Photo courtesy of Sandra Schultz/NPS)

park, paddled the river, caught a few fish, and attended RiverFest in Narrowsburg, N.Y. During her day-long visit to the Delaware Water Gap National Recreation Area (DWGNRA) on July 25, she toured the park and participated in the 16th Annual “On and Under the Delaware River Cleanup” sponsored by Kittatinny Canoes. Kittatinny proprietor Ruth Jones and hundreds of volunteers over the years have removed nearly 250 tons of trash and thousands of tires from the river.

“This is my first time on the Delaware, and it looks like a lot of fun,” Mainella said in a *Sullivan County Democrat* article. “I am so impressed [with] what is being done around this area. You have so many groups working together to ensure the beauty of the Delaware River as well as its surrounding communities. The Delaware River has so much to offer, and working together like everyone is, I know the river’s future is well protected.”

Mainella is the 16th director and the first woman to lead the National Park Service. According to published reports, she is the first NPS director to visit the DWGNRA, which celebrated its 40th anniversary on September 1, 2005.

A Whale of a Tale

For about a week during April 2005, hundreds of onlookers flocked to the banks of the Delaware River to catch a view of a wayward, white beluga whale that was sighted as far upstream as Trenton, N.J. Noticing an old healed scar on the back of the whale, researchers identified the out-of-place, cold-water mammal as a male named Helis (pronounced “ay’-LEE,” derived from the French word for propeller, helice, the suspected cause of his scar). Helis, first sighted as an



Helis, the beluga whale, in the Delaware River near Burlington, N.J. (Photo courtesy of NOAA/U. S. Dept. of Commerce)

adult in 1986 in the St. Lawrence River, was seen regularly until 1994, but then only twice in 2000 and 2003 before his unexpected trip to the Delaware. Experts said the whale, estimated to be 10 to 12 feet long, appeared to be in good health despite being about 1,200 miles away from his home somewhere between the St. Lawrence River and the Arctic Circle. One theory was that Helis swam up the Delaware enjoying meals of shad, which also were swimming upstream during spawning runs taking place at that time of the year. The U.S. Coast Guard and N.J. State Police carefully watched the whale, protected by federal law, to make sure boaters and others left it alone as it eventually made its way back to the Delaware Bay and out into the Atlantic Ocean.

DRBC Awards

- The commission was presented a first place “Blue Pencil” award by the National Association of Government Communicators for its bald eagle and shad bookmarks in May 2004.
- DRBC’s *Water Resources Plan for the Delaware River Basin: A Common Vision for a Common Resource*, published in September 2004, received the Elwood “Woody”

Jarmar Award for Outstanding Environmental Achievement by the New Jersey Chapter of the American Planning Association in 2005.

- The commission’s Pollutant Minimization Plan (PMP) rule, approved in May 2005 to reduce levels of toxic chemicals in the water column and fish of the Delaware Estuary, received an Honorable Mention in the Clean and Plentiful Water category at New Jersey DEP’s Annual Environmental Excellence Awards Program in November 2005.

Project Application Status Web Page

A new page was added to the DRBC’s web site in December 2005 to assist applicants and the public in understanding the status of docket and permit applications. In addition to general information about the commission’s project review authority, a matrix is provided containing information about applications that are currently under review. The page, which is updated monthly, can be viewed at <http://www.nj.gov/drbc/dockets/status.htm>.