

A RESOLUTION pursuant to Article 10.4 of the Delaware River Basin Compact to preserve and protect water supplies in the Delaware River Basin.

WHEREAS, on July 20, 1999, the Commonwealth of Pennsylvania declared a drought emergency for 55 of its 67 counties, including all of those in the Delaware River Basin; and

WHEREAS, on August 5, 1999, the State of Delaware declared a drought emergency for northern New Castle County (north of the Chesapeake and Delaware Canal); and

WHEREAS, on August 5, 1999 the State of New Jersey declared a drought emergency for the entire state; and

WHEREAS, on August 10, 1999, the State of New York declared a drought warning for several counties, including those counties located within the Delaware River Basin; and

WHEREAS, on August 2, 1999, the Commission requested the U.S. Army Corps of Engineers to temporarily store approximately 11 billion gallons of water in F. E. Walter Reservoir above the conservation pool to provide additional water for flow augmentation and salinity control; and

WHEREAS, the Corps has agreed to this request and has begun storing this additional water at the Walter Reservoir; and

WHEREAS, while the Commission's drought warning and emergency indicators set forth in Resolution Nos. 83-13 and 88-22 have not been triggered, unprecedented drought conditions at this time indicate that full drought emergency action by the Commission may be required in the near future pursuant to those resolutions; and

WHEREAS, the Commission deems it in the public interest to support the drought warning and emergency programs of the four basin states and to take certain emergency actions to preserve and protect water supplies in the Basin; now therefore,

BE IT RESOLVED by the Delaware River Basin Commission:

1. The July 21, 1999 agreement between the Delaware River Basin Commissioners and parties to the decree is hereby ratified and confirmed and the Trenton flow objective is hereby reduced from 3,000 cubic feet per second (cfs) to 2,700 cfs.
2. As set forth in their drought emergency declarations, the signatory states shall continue to restrict nonessential uses of fresh water in the New Jersey and Pennsylvania portions of the Basin and the area in Delaware north of the Chesapeake and Delaware Canal. The State of New York shall continue to restrict nonessential uses of fresh water on a voluntary basis in the New York portion of the Basin.

3. Water storage presently impounded by the Wallenpaupack dam of the Pennsylvania Power and Light Company and by the Mongaup reservoir system of the former Orange and Rockland Utilities Company in New York will be called upon to provide releases from storage to assist in meeting flow objectives at Montague or Trenton, New Jersey.
4. The Army Corps of Engineers shall continue to store water at F. E. Walter Reservoir and provide releases of water upon the request of the Commission to assist in maintaining the Trenton flow objective.
5. The Commonwealth of Pennsylvania is hereby requested to assist in relieving the water supply emergency by providing releases of water from the Nockamixon Reservoir upon the request of the Commission to assist in maintaining the Trenton flow objective.
6. Upon the request of a signatory state, the Commission shall require self-supplied users of ground and surface waters in that state whose use for any purpose exceeds an average of 1 mgd during any 30-day period to prepare contingency plans for water curtailment or reduction in the event that it is necessary and submit those plans to the Commission.
7. All residents of the Basin are urged to conserve water to the maximum extent possible to preserve and protect the Basin's water supplies.
8. This resolution shall take effect immediately and shall remain in effect until terminated by action of the Commission.

/s/ Warren T. Lavery  
Warren T. Lavery, Chairman pro tem

/s/ Anne M. Zamonski  
Anne M. Zamonski, Acting Secretary

ADOPTED: August 18, 1999