#### DOCKET NO. D-1990-105 CP-3

#### DELAWARE RIVER BASIN COMMISSION

**Special Protection Waters** 

Town of Fallsburg Consolidated Water District Groundwater Withdrawal Town of Fallsburg, Sullivan County, New York

# **PROCEEDINGS**

This docket is issued in response to an Application submitted by the Town of Fallsburg Consolidated Water District (FCWD or docket holder) to the Delaware River Basin Commission (DRBC or Commission) on August 16, 2013 for an increase of an allocation of groundwater and review of a groundwater water withdrawal project (Application). The New York State Department of Environmental Conservation (NYSDEC) issued water supply permit No. WSA 10,620 for Sheldrake No. 2 and WSA 8528 (Draft) for Woodbourne No. 1 on June 29, 2005 and May 31, 1991, respectively. NYS Department of Health (NYSDOH) approved the Sheldrake No. 3 system on December 1, 2011, subject to approval by the DRBC.

The Application was reviewed for inclusion in the Comprehensive Plan and for approval under Section 3.8 of the *Delaware River Basin Compact*. The Sullivan County Planning Commission has been notified of pending action on this docket. A public hearing on this project was held by the DRBC on September 9, 2014.

# A. <u>DESCRIPTION</u>

- 1. Purpose. The purpose of this project is to approve a total withdraw up to 129.4 million gallons per month (mgm) of groundwater from 12 previously approved wells and three new wells (Sheldrake Well No. 2, Sheldrake No. 3 and Woodbourne Well No. 3) to continue to supply water to the FCWD public water distribution system. The three new wells are in use, but were not previously approved by the Commission. The total groundwater allocation approved by this docket is an increase in the previously approved allocation of 93 mgm (90 mg/30 days).
- **Location.** FCWD's 15 groundwater sources are located in the Town of Fallsburg, Sullivan County, New York. Sheldrake Wells Nos. 2 and 3 are open bedrock wells completed in

the Walton Formation and all other wells are screened in unconsolidated valley fill deposits. Fallsburg Wells No. 1 and 2 and Sheldrake Well No. 3 are located within the Sheldrake Stream Watershed. Sheldrake Stream, a tributary to Neversink River, is classified by the NYSDEC a Class B waterbody. Fallsburg Wells Nos. 3, 4, 5, 6, and 7 and Woodbourne Wells Nos. 1, 2 and 3 are located in the Neversink River Watershed downstream of the Neversink Reservoir. The Neversink River is classified by the NYSDEC as a Class B(T) waterbody that supports trout populations. The project withdrawals in the Sheldrake Stream and Neversink River Watersheds are located within the drainage area to the section of the non-tidal Delaware River known as the Middle Delaware, which is designated as Special Protection Waters. Sheldrake Wells Nos. 1 and 2 and Hurleyville Well Nos. 1 and 2 are located in the East Mongaup River Watershed. The East Mongaup River is classified by the NYSDEC as a Class B(T) waterbody that supports trout populations. The project withdrawals in the East Mongaup River Watershed are located within the drainage area to the section of the non-tidal Delaware River known as the Upper Delaware, which is designated as Special Protection Waters.

Specific location information has been withheld for security reasons.

3. Area Served. The FCWD serves water to the Fallsburg, South Fallsburg, Hurleyville, Lock Sheldrake and Woodbourne portions of the Town of Fallsburg. The service area is outlined on a map entitled "Official Highway Map Town of Fallsburg", dated January 1, 2013 submitted with the Application. For the purpose of defining Area Served, the Application is incorporated herein by reference consistent with conditions contained in the DECISION section of this docket.

# 4. Physical features.

a. <u>Design criteria.</u> The FCWD system currently serves water to approximately 10,000 persons on 2,942 domestic service connections and 1 commercial service connection and records an existing average and maximum daily water demand of 1.38 million gallons per day (mgd) and 3.326 mgd, respectively. Over the last 4 years, the average and peak monthly total system demand was 41.7 mgm and 96.5 mgm, respectively. The system serves a seasonal population and the peak usage occurs during the summer months. The FCWD projects the 10-year maximum daily water demand to increase to 4.173 mgd as a result of residential growth. The allocation of 129.4 mgm (4.174 mgd) should be sufficient to meet the docket holder's future demands.

The combined capacity of the FCWD's sources (15 wells) is 3,155 gpm and is sufficient to meet the 10-year projected daily demands of the system. However, NYSDEC requires that the water supply system is designed to meet peak daily demands with the largest source out of service. FCWD's largest producer is Fallsburg No. 7 (700 gpm). With this well out of service, the available capacity of the system is reduced to 2,455 gpm, a deficit of 443 gpm compared to the 10-year peak day demand. The docket holder is aware that the 10-year peak day demands cannot be met with the largest source out and is actively pursuing additional groundwater sources.

b.	Facilities.	The existing and	new project well	ls have the foll	owing characteristics:

	DEPTH/	SCREENED	PUMP	YEAR
WELL NO.	DIAMETER	INTERVAL	CAPACITY	DRILLED
Fallsburg No. 1	148' / 10"	110' – 145'	60 gpm	1940
Fallsburg No. 2	146" / 10"	104' – 144'	70 gpm	1940
Fallsburg No. 3	177' / 10"	147' – 177'	400 gpm	1946
Fallsburg No. 4	162' / 10"	132' – 162'	150 gpm	1948
Fallsburg No. 5	148' / 10"	128' – 148'	150 gpm	1949
Fallsburg No. 6	129' / 8"	109' – 129'	150 gpm	1954
Fallsburg No. 7	60' / 10"	45' – 60'	700 gpm	1963
Woodbourne No. 1	143' / 10"	121' – 141'	125 gpm	1956
Woodbourne No. 2	51' / 10"	41' – 51'	200 gpm	1957
Woodbourne No. 3	48' / 24"	40' – 48'	405 gpm	1990
Sheldrake No. 1	41' / 10"	31'-41'	70 gpm	1962
Sheldrake No. 2	435' / 8"	Open rock	150 gpm	2003
		62' casing		
Sheldrake No. 3	515' / 8"	Open rock	200 gpm	2007
		55' casing		
Hurleyville No. 1	42' / 10"	31'-41'	100 gpm	1959
Hurleyville No. 2	39' / 10''	32' – 37'	150 gpm	1959

All water service connections are metered.

All wells are metered.

Prior to entering the distribution system, the water is disinfected with chlorine and the pH adjusted with addition of potassium hydroxide.

Fallsburg Nos. 2, 3 and 4, Sheldrake No. 1, 2 and 3 are located outside FEMA mapped 100-year floodplains. With the exception of Fallsburg No. 7, the rest of the project wells are located within FEMA mapped 100-year floodplains, but the well house floors and well casings were constructed above the highest known flood elevations. Work to raise the well house/casing at Fallsburg No. 7 is scheduled in the near future.

The FCWD water system is not interconnected with any other distribution system.

c. Other. Wastewater from the Lock Sheldrake sewer district area is conveyed to the Town of Fallsburg's Lock Sheldrake wastewater treatment plant (WWTP) most recently approved by DRBC Docket No. D-1985-074 CP-2 on March 6, 2013. The NYSDEC issued its most recent SPDES Permit No. NY0024538 on November 4, 2011 for this treatment facility. Wastewater from the remainder of the docket holder's service area is conveyed to the Town of Fallsburg's WHO WWTP most recently approved by DRBC Docket No. D-1994-059 CP-2 on March 6, 2013. The NYSDEC issued its most recent SPDES Permit No. NY0024520 on

November 4, 2011 for this treatment facility. Both treatment facilities have adequate capacity to continue to receive wastewater from the project.

- **d.** Cost. The total cost of this project was \$1,600,000.
- e. Relationship to the Comprehensive Plan. Fallsburg Nos. 1, 2, 3, 5, 6 and 7 were added to Comprehensive Plan as part of Addendum No. 1 adopted July 1962. Sheldrake No. 1 was added to the Comprehensive plan by the Commission in Docket No. D-1972-37 CP approved June 28, 1972. Fallsburg No. 4, Woodbourne No. 1 and No. 2, Hurleyville No. 1 and No. 2 well sources were included in the Comprehensive Plan by the Commission in Docket No. D-90-105 CP. The Woodbourne No. 3 and Sheldrake No. 2 and No. 3 wells will be included in the Comprehensive Plan upon the approval date of this docket.

# **B.** FINDINGS

## **Special Protection Waters**

In 1992, the DRBC adopted Special Protection Waters requirements, as part of the DRBC Water Quality Regulations (WQR), designed to protect existing high water quality in applicable areas of the Delaware River Basin. One hundred twenty miles of the Delaware River from Hancock, New York downstream to the Delaware Water Gap were classified by the DRBC as SPW. This stretch includes the sections of the river federally designated as "Wild and Scenic" in 1978 -- the Upper Delaware Scenic and Recreational River and the Delaware Water Gap National Recreation Area -- as well as an eight-mile reach between Milrift and Milford, Pennsylvania which is not federally designated. The SPW regulations apply to this 120-mile stretch of the river and its drainage area.

On July 16, 2008, the DRBC approved amendments to its *Water Quality Regulations* that provide increased protection for waters that the Commission classifies as Special Protection Waters. The portion of the Delaware River and its tributaries within the boundary of the Lower Delaware River Management Plan Area was approved for Special Protection Waters designation and clarity on definitions and terms were updated for the entire program.

Article 3.10.3A.2.e.1). and 2). of the *Water Quality Regulations, Administrative Manual - Part III*, states that projects subject to review under Section 3.8 of the Compact that are located in the drainage area of Special Protection Waters must submit for approval a Non-Point Source Pollution Control Plan that controls the new or increased non-point source loads generated within the portion of the docket holder's service area which is also located within the drainage area of Special Protection Waters.

A small portion of the docket holder's westernmost service area including the Hamlet of Hurleyville and the area along Route 52 west of the Hamlet of Lock Sheldrake are located within the drainage area of the Mongaup River above the Swinging Bridge Reservoir. This reservoir is part of the Mongaup Reservoir system listed as one of the major surface water impoundments in Section 3.10.3A.2.g.5) and the docket holder's water supply project in this area is exempt from the NPSPCP requirements, as outlined in Article 3.10.3A.2. of the Commission's WQR.

The rest of the FCWD service area is located within the drainage area of the Neversink River, downstream from the Neversink Reservoir and is not exempt from the NPSPCP requirements discussed above. However, since this project does not entail additional construction and expansion of facilities or service areas and there are no new or increased non-point source loads associated with this approval, the NPSPCP requirement is not applicable at this time. Accordingly, Special Condition C.II.w. has been included in the Decision section of this docket.

# **Sheldrake No. 3 Pumping Test**

Sheldrake No. 3 was drilled in March 2007 to provide a supplemental source of water to the FCWD distribution system. Beginning on April 2, 2007, a 72-hour pumping test was conducted on Sheldrake No. 3 at a constant pumping rate of 204 gpm. Prior to the start of the pumping test, the static water level was 33.5 feet below top of casing (btoc). Total drawdown at the end of the pumping test was 321.3 feet (water level of 354.9 feet btoc) resulting in a 72-hour specific capacity of 0.63 gpm/foot of drawdown. The 180-day extrapolated drawdown at a continuous pumping rate of 204 gpm was projected to be 423 feet (water level of 456 feet below top of casing). The installed pump is set at a depth of approximately 505 feet. The well was placed into operation in February 2012.

During the pumping test, water levels were measured in several nearby wells, including an adjacent former water supply well, a Town-owned well at the nearby Morningside Park and two water supply wells at the Park Side bungalow community. Drawdown in the former water supply well, located approximately 20 feet from Sheldrake No. 3 and the Morningside Park well (436 feet from Sheldrake No. 2) was approximately 109.6 feet and 25.7 feet respectively. Drawdown in the Park Slope Well No. 1, located approximately 4,440 feet from the pumping well was approximately 32.3 feet. No drawdown was observed in the other Park Slope water supply well (Park Slope No. 2). Surface water monitoring conducted in Morningside Lake and the stream south of Sheldrake No. 3 did not indicate any influence as a result of the Sheldrake No. 3 pumping test withdrawals.

The pumping test demonstrated that the well can yield up to 200 gpm. However, the Hydrogeologic Report indicated that the Park Slope Well No. 1 intercepts the same water bearing zones that supply Sheldrake No. 3 and that long-term pumping at this rate may diminish the water recharge available to the Park Slope wells and render the wells marginally capable of supplying the designed daily average water demands. The Hydrogeologic report recommended several options if interference from Sheldrake No. 3 withdrawals were to result in negative impacts to the Park Slope water supply wells, including a reduction in the long-term pumping rates, connection of the Park Slope Development to the FCWD system and the collection of water usage and water level data. Because of the potential of interference to wells in the area, FCWD utilizes a variable frequency drive (VFD) submersible pump that automatically throttles back the withdrawal rate to maintain a 200 foot column of water above the pump (set at approximately 505 feet btoc). Although no water level monitoring is being conducted, FCWD has not received any interference complaints since the start-up of Sheldrake No. 3.

This docket approves the requested instantaneous rate of 200 gpm and 8.93 mgm. However, because of the potential for interference during prolonged well use or dry periods, the docket holder shall monitor and report water usage and water levels measured at the Park Slope

Well No. 1 or surrogate well(s), if this well is not available for monitoring. The water usage and water levels shall be reported to the DRBC annually. Within 90 days of the approval date of this docket, the docket holder shall submit a monitoring plan which details the proposed monitoring activities to the Commission for approval by the Executive Director (Condition C.II.f. in the Decision section of this docket).

This project consists of an existing withdrawal of groundwater from a total of 15 wells. The total monthly allocation provided by this docket is based on the 10-year projected system daily demands. With the exception of Fallsburg No. 3 and Sheldrake No. 3, the individual well allocations provided in Condition C.II.d. in the Decision Section of this docket were based on FCWD's sustainable yield estimate or the previously approved NYSDEC permitted rates, whichever was less. Sheldrake No. 3, was not previously approved by NYSDEC and the individual instantaneous and monthly well allocations provided by this docket are based on the pumping test rate and data (monitoring required). Fallsburg No. 3 is permitted by NYSDEC at a rate of 300 gpm (13.4 mgm); however, withdrawal data submitted by the docket holder shows that the well is routinely operated at rates over 400 gpm (up to approximately 17 mgm). Because the requested rate of 400 gpm appears to be within the capacity of the well and there have not been any reported well interference complaints, this docket approves an instantaneous rate of 400 gpm, but limits the monthly allocation to the historic monthly use (16.8 mgm). As the existing water withdrawals have already been realized by the local hydrologic system there should be no significant impacts from continued withdrawals from the existing system wells.

The docket holder is investigating additional groundwater sources in order to meet 10-year projected daily demands, which at this time could not be met with its largest source out of service. Prior to bringing any additional source online or increasing the withdrawal rate of an existing well above the allocation approved in this docket, the docket holder must submit an application to the Commission for review and approval under Section 3.8 of the Compact.

# Water Audits for Public Water Supply Systems Serving Greater than 100,000 gpd

Section 2.1.8 of the Water Code states that it is the policy of the Commission to establish a standardized water audit methodology for owners of water supply systems serving the public to ensure accountability in the management of water resources. Voluntary Water Audits were encouraged for public water supply systems through December 31, 2011 (Section 2.1.8.B.). Effective January 1, 2012, the owners of each public water supply system are required to implement an annual calendar year water audit program conforming to IWA/AWWA Water Audit Methodology (AWWA Water Loss Control Committee (WLCC) Water Audit Software) and corresponding AWWA guidance (Section 2.1.8.C). Water audits shall be submitted annually to the Commission by March 31. The FCWD submitted their most recent Water Audit on March 4, 2014.

The DRBC estimates that the project withdrawals, used for the purpose of public water supply, result in a consumptive use of 10 percent of the total water use. The DRBC definition of consumptive use is defined in Article 5.5.1.D of the *Administrative Manual – Part III – Basin Regulations – Water Supply Charges*.

The project is designed to conform to the requirements of the *Water Code* and *Water Quality Regulations* of the DRBC.

The project does not conflict with the Comprehensive Plan and is designed to prevent substantial adverse impact on the water resources related environment, while sustaining the current and future water uses and development of the water resources of the Basin.

# C. <u>DECISION</u>

- I. Effective on the approval date for Docket No. D-1990-105 CP-3 below:
- a. The project described in Docket No. D-90-105 CP RENEWAL is removed from the Comprehensive Plan to the extent that it is not included in Docket No. D-1990-105 CP-3; and
- b. Docket No. D-90-105 CP RENEWAL is terminated and replaced by Docket No. D-1990-105 CP-3.
- c. The project and the appurtenant facilities described in the Section A "Physical features" shall be added to the Comprehensive Plan.
- II. The project and appurtenant facilities as described in the Section A "Physical features" are approved pursuant to Section 3.8 of the *Compact*, subject to the following conditions:
- a. Docket approval is subject to all conditions, requirements, and limitations imposed by the NYSDEC and NYSDOH permits, and such conditions, requirements, and limitations are incorporated herein, unless they are less stringent than the Commission's. The docket holder shall register with and report to the NYSDEC all groundwater sources described in this docket in accordance with the NYSDEC Regulations ECL Article 15 Title 33 § 15-3301 Water Withdrawal Reporting.
- b. The wells and operational records shall be available at all times for inspection by the DRBC.
- c. The wells shall be operated at all times to comply with the requirements of the *Water Code* and *Water Quality Regulations* of the DRBC.
- d. During any month, the combined withdrawal from all well sources shall not exceed 129.4 million gallons. No well shall be pumped above the maximum instantaneous rate and monthly allocation as indicated below:

	MAXIMUM INSTANTANEOUS	MONTHLY ALLOCATION	
WELL NO.	RATE		
Fallsburg No. 1	60 gpm	2.68 mg	
Fallsburg No. 2	70 gpm	3.13 mg	
Fallsburg No. 3	400 gpm	16.80 mg	
Fallsburg No. 4	150 gpm	6.70 mg	
Fallsburg No. 5	150 gpm	6.70 mg	
Fallsburg No. 6	150 gpm	6.70 mg	
Fallsburg No. 7	700 gpm	31.25 mg	
Woodbourne No. 1	150 gpm	6.70 mg	
Woodbourne No. 2	200 gpm	8.93 mg	
Woodbourne No. 3	405 gpm	18.08 mg	
Sheldrake No. 1	70 gpm	3.13 mg	
Sheldrake No. 2	200 gpm	8.93 mg	
Sheldrake No. 3	200 gpm	8.93 mg	
Hurleyville No. 1	100 gpm	4.46 mg	
Hurleyville No. 2	150 gpm	6.70 mg	

- e. The wells shall be equipped, where possible, with readily accessible capped ports and minimum ½ inch inner diameter (ID) drop pipes as repairs or modifications are made at each existing well so that water levels may be measured under all conditions.
- f. A groundwater monitoring program is required to obtain data on long-term groundwater conditions in the vicinity of Sheldrake No. 3. Within 90 days from the approval date of this docket (December 9, 2014), the docket holder shall submit a groundwater monitoring plan to the Commission for approval by the DRBC Executive Director.
- g. The project withdrawals shall be metered with an automatic continuous recording device that measures to within 5 percent of actual flow. An exception to the 5 percent performance standard, but no greater than 10 percent, may be granted if maintenance of the 5 percent performance is not technically feasible or economically practicable. A record of daily withdrawals shall be maintained, and monthly totals shall be reported to the NYSDEC annually and shall be available at any time to the Commission if requested by the Executive Director.
- h. Each new water service connection shall include a water meter in accordance with the DRBC's Resolution No. 87-7 (Revised).
- i. In accordance with DRBC Resolutions No. 87-6 (Revised) and No. 2009-1, the docket holder shall continue to implement to the satisfaction of the NYSDEC, the systematic program to monitor and control leakage within the water supply system. The program shall at a minimum include: periodic surveys to monitor leakage, enumerate non-revenue water and determine the current status of system infrastructure; recommendations to monitor and control leakage; and a schedule for the implementation of such recommendations.

The docket holder shall proceed expeditiously to correct leakages and unnecessary usage identified by the program.

- j. In accordance with DRBC Resolution No. 2009-1 and Section 2.1.8 of the Water Code, the docket holder shall implement an annual calendar year water audit program conforming to IWA/AWWA Water Audit Methodology (AWWA Water Loss Control Committee (WLCC) Water Audit Software) and corresponding guidance. Water audits shall be submitted annually to the Commission by March 31. The docket holder shall implement to the satisfaction of the NYSDEC, the continuous program to encourage water conservation in all types of use within the facilities served by this docket approval. The docket holder will report to the NYSDEC on the actions taken pursuant to this program and the impact of those actions as requested by the NYSDEC.
- k. No water service connections shall be made to newly constructed premises with plumbing fixtures and fittings that do not comply with water conservation performance standards contained in Resolution No. 88-2 (Revision 2).
- 1. The docket holder shall continue implement its Water Conservation Plan as approved by NYSDEC, and shall report to the NYSDEC on actions taken pursuant to this program and the impact of those actions as requested by the NYSDEC.
- m. The docket holder shall implement to the satisfaction of the NYSDEC, a drought or other water supply emergency plan.
- n. Sound practices of excavation, backfill and reseeding shall be followed to minimize erosion and deposition of sediment in streams from any new facilities or repair related construction.
- o. No new water service connections shall be made to premises connected to sewerage systems which are not in compliance with all applicable effluent limits contained in State permits and the *Water Quality Regulations* of the Commission.
- p. Nothing herein shall be construed to exempt the docket holder from obtaining all necessary permits and/or approvals from other State, Federal or local government agencies having jurisdiction over this project.
- q. The docket holder is permitted to provide the water approved in this docket to the areas included in Section A.3. Area Served of this docket. Any expansion beyond those included in Section A.3. Area Served is subject to DRBC review and approval in accordance with Section 3.8 of the *Compact*.
- r. Unless an extension is requested and approved by the Commission in advance, in accordance with paragraph 11 of the Commission's Project Review Fee schedule (Resolution No. 2009-2), the docket holder is responsible for timely submittal of a docket renewal application on the appropriate DRBC application form at least 12 months in advance of the docket expiration date set forth below. The docket holder will be subject to late charges in the event of untimely submittal of its renewal application, whether or not DRBC issues a

reminder notice in advance of the deadline or the docket holder receives such notice. In the event that a timely and complete application for renewal has been submitted and the DRBC is unable, through no fault of the docket holder, to reissue the docket before the expiration date below (or the later date established by an extension that has been timely requested and approved), the terms and conditions of the current docket will remain fully effective and enforceable against the docket holder pending the grant or denial of the application for docket approval.

- s. The issuance of this docket approval shall not create any private or proprietary rights in the water of the Basin, and the Commission reserves the rights to amend, alter or rescind any actions taken hereunder in order to insure the proper control, use and management of the water resources of the Basin.
- If the monitoring required herein, or any other data or information demonstrates that the operation of this project significantly affects or interferes with any domestic or other existing uses of ground or surface water, or if the docket holder receives a complaint by any existing ground or surface water users within the zone of influence of the withdrawal, the docket holder shall immediately notify the Executive Director of any complaints by any ground or surface users within the zone of influence of the withdrawal, and unless excused by the Executive Director, shall investigate such complaints. The docket holder should direct phone call notifications of potential well or surface water interference or complaints of interference to the DRBC Project Review Section at 609-883-9500, extension 216. notification must always be followed up in writing directed to the Executive Director. In addition, the docket holder shall provide written notification to all potentially impacted users of wells or surface water supplies of the docket holder's responsibilities under this condition. Any ground or surface water user which is substantially adversely affected, rendered dry or otherwise diminished as a result of the docket holder's project withdrawal, shall be repaired, replaced or otherwise mitigated at the expense of the docket holder. A report of investigation and/or mitigation plan prepared by a hydrologist shall be submitted to the Executive Director as soon as practicable. The Executive Director shall make the final determination regarding the validity of such complaints, the scope or sufficiency of such investigations, and the extent of appropriate mitigation measures, if required.
- u. The Executive Director may modify or suspend this approval or any condition thereof, or require mitigating measures pending additional review, if in the Executive Director's judgment such modification or suspension is required to protect the water resources of the Basin.
- v. For the duration of any drought emergency declared by either New York or the Commission, water service or use by the docket holder pursuant to this approval shall be subject to the prohibition of those nonessential uses specified by the Governor of New York to the extent that they may be applicable, and to any other emergency resolutions or orders adopted hereafter by the Commission.
- w. Prior to allowing connections from any new service areas or any new developments, the docket holder shall either submit and have approved by the Executive Director of the DRBC a Non-Point Source Pollution Control Plan (NPSPCP) in accordance with Section

3.10.3.A.2.e, or receive written confirmation from the Executive Director of the DRBC that the new service area is in compliance with a DRBC approved NPSPCP.

x. Any person who objects to a docket decision by the Commission may request a hearing in accordance with Article 6 of the *Rules of Practice and Procedure*. In accordance with Section 15.1(p) of the Delaware River Basin Compact, cases and controversies arising under the Compact are reviewable in the United States district courts.

### BY THE COMMISSION

APPROVAL DATE: September 10, 2014

**EXPIRATION DATE:** September 10, 2024