

DELAWARE RIVER BASIN COMMISSION

MEETING OF JUNE 11, 2025

Commissioners	Karen Stainbrook, New York, Chair
Present:	Steve Williams, Delaware, Vice Chair
	Lt. Col. Jeffrey Beeman, Second Vice Chair
	Steve Domber, New Jersey
	Jill Whitcomb, Pennsylvania
DRBC Staff	Kristen Bowman Kavanagh, Executive Director
Participants:	Kenneth J. Warren, DRBC General Counsel
	Pamela Bush, Commission Secretary and Assistant General Counsel
	Elba Deck, Director, Administration and Finance
	Sara Sayed, Water Resource Scientist, Operations Branch
	David Kovach, Manager, Project Review

The business meeting of June 11, 2025 was held in person at the Nurture Nature Center, 518 Northampton Street, Easton, Pennsylvania. The meeting was also broadcast publicly *via* Zoom webinar and phone and was livestreamed on the DRBC YouTube channel. Recordings were made on both Zoom and YouTube. The agenda was posted on the DRBC website ten or more days before the meeting date.

Karen Stainbrook called the meeting to order, introducing herself as Director of the Bureau of Water Resource Management, New York State Department of Environmental Conservation (“NYSDEC”), and DRBC Alternate Commissioner for Governor Kathy Hochul, the current Commission Chair.

Lt. Col. Beeman led the Pledge of Allegiance.

Ms. Stainbrook acknowledged and thanked the Nurture Nature Center and its staff for hosting the meeting. She also thanked DRBC staff for planning the meeting and related events.

Remarks of Salvatore J. Panto, Mayor of the City of Easton. Mayor Panto welcomed attendees to the City of Easton, Northampton County, Pennsylvania. He offered a brief history of the City and County, noting that they were named after John Penn’s wife, who originated from an area known as Easton Neston, Northamptonshire, England. Mayor Panto emphasized the importance of Easton’s location at the confluence of the Delaware and Lehigh Rivers. He explained that Easton’s downtown for decades had been separated from its waterfronts, but beginning in 2009, urban planners and developers worked to better connect the community with the riverfront. Mayor Panto acknowledged the significant flooding and loss of property that occurred in Easton between 2004 and 2006 and said that regulations were subsequently adopted to help with future flooding events.

The Mayor thanked Rachel Hogan Carr, Executive Director of the Nurture Nature Center, for her work in protecting the region's waterways and educating Easton's residents.

Remarks of Rachel Hogan Carr, Executive Director of the Nurture Nature Center. Ms. Carr welcomed attendees to the Nurture Nature Center. She explained how the floods of 2004, 2005 and 2006 sparked the idea for a community-based center for flood education, which eventually became the Nurture Nature Center. She discussed the Center's work of engaging with and educating the community about environmental issues through science, art, and community programming, and she specifically mentioned the Center's work on community resiliency, including the creation of a climate action plan for the City of Easton.

Ms. Carr announced that there would be a 1:30 pm press conference to announce the launch of a new Earth and Skydome immersive theater at the Nurture Nature Center. She also invited meeting attendees to visit the Center's "Science on a Sphere" exhibit, installed by the Office of Education of the National Oceanographic and Atmospheric Administration ("NOAA").

Remarks of Representative Ryan Mackenzie, U.S. Representative, 7th Congressional District of Pennsylvania. In a videotaped message, Rep. Mackenzie welcomed attendees to the Lehigh Valley. He noted that the Lehigh River provides essential drinking water to the region and allows farmland in the Lehigh Valley to flourish. He also recognized that the river supports the economy and natural beauty of places like Carbon County and that the DRBC helps make this all possible. In closing, he extended his congratulations and wished continued success to DRBC and to Ms. Bowman Kavanagh in her new role as Executive Director.

Commissioners Roll Call. At Ms. Stainbrook's request, the Commissioners introduced themselves: Steve Williams, Director of the Division of Watershed Stewardship, Delaware Department of Natural Resources and Environmental Control ("DNREC"), alternate DRBC Commissioner for Governor Matt Meyer; Steve Domber, New Jersey State Geologist, New Jersey Department of Environmental Protection ("NJDEP"), Alternate DRBC Commissioner for Governor Phil Murphy; Jill Whitcomb, Deputy Secretary for Water Programs at Pennsylvania Department of Environmental Protection ("PADEP"), alternate Commissioner for Governor Josh Shapiro; and Lt. Colonel Jeffrey Beeman, Philadelphia District Commander, U.S. Army Corps of Engineers ("USACE," "Corps of Engineers," or "Corps"), alternate DRBC Commissioner for Brigadier General John Lloyd, North Atlantic Division Commander, USACE.

DRBC Executive Director Ms. Bowman Kavanagh, the Commission's General Counsel Kenneth Warren, and Assistant General Counsel and Commission Secretary Pam Bush also introduced themselves.

Approval of Minutes. Ms. Bush said she had circulated draft Minutes of the Commission's March 12, 2025 business meeting in advance and had received one correction, which was made. She recommended that the Minutes be approved as presented. Lt. Col. Beeman so moved, Mr. Domber

offered a second, and without discussion, the Minutes of the March 12, 2025 business meeting were approved by unanimous vote.

Announcements. DRBC's Water Management Advisory Committee was to meet on Wednesday, June 18, 2025, at 10:00 AM *via* Zoom. Additional details were available on DRBC's website.

A Resolution for the Minutes Recognizing the City of Easton and Nurture Nature Center. Ms. Bowman Kavanagh presented a Resolution for the Minutes recognizing and commending the City of Easton and Nurture Nature Center for their commitment to the Lehigh and Delaware Rivers. She read the following resolution into the record noting that it had been provided to the Commissioners in advance for their review.

RESOLUTION FOR THE MINUTES

A Resolution for the Minutes recognizing and commending the City of Easton and Nurture Nature Center for their commitment to the Lehigh and Delaware rivers.

WHEREAS, the Delaware River and its tributaries are a vital natural resource for the communities and ecosystems within the Delaware River Basin; and

WHEREAS, the City of Easton, Pennsylvania, is located at the confluence of the Delaware River and its second-largest tributary, the Lehigh River, a place historically called the "Forks of the Delaware"; and

WHEREAS, the City of Easton and its partners have demonstrated an ongoing commitment and dedication to the protection and preservation of the Lehigh and Delaware Rivers; and

WHEREAS, together, the City of Easton and its partners promote stewardship and sustainability practices that help to enhance water quality, habitat protection, and recreational opportunities; and

WHEREAS, the City of Easton is a leader in implementing innovative strategies to restore, protect and promote conservation, and engage residents in the protection of the Lehigh and Delaware Rivers; and

WHEREAS the Easton City Environmental Advisory Committee strives to make Easton a more environmentally friendly place to live and work; and

WHEREAS, founded in 2007, the Nurture Nature Center for two decades has been a key partner of the City of Easton in building community resilience to environmental risk by leveraging the power of informal science education, art-centered approaches to learning, and community dialogue and networking; and

WHEREAS, the Nurture Nature Center is bringing a Sustainable Business Recognition Program to the Lehigh Valley, celebrating business owners in the Easton and Bethlehem areas for their commitment to sustainability; and

WHEREAS, the City of Easton and its partners together are addressing environmental challenges, promoting public awareness, and advocating for the sustainable management of the Delaware River Basin.

NOW THEREFORE, BE IT RESOLVED that the:

Delaware River Basin Commission hereby recognizes and commends the City of Easton, the Nurture Nature Center, and their many partners for their outstanding commitment and connection to the Lehigh and Delaware rivers, and encourages continued collaboration and cooperation in the stewardship and preservation of these invaluable resources.

Mr. Domber so moved, and Lt. Col. Beeman offered a second. Without further discussion, the Resolution for the Minutes recognizing and commending the City of Easton and Nurture Nature Center for their commitment to the Lehigh and Delaware Rivers was approved by unanimous vote. Mayor Panto and Ms. Hogan Carr were presented with the resolution.

Hydrologic Conditions. DRBC Water Resource Scientist Sara Sayed presented the hydrologic conditions report. Ms. Sayed's presentation can be accessed at:
https://www.nj.gov/drbc/library/documents/HydrologicConditions_sayed_061125.pdf

Hydrologic cycle. Ms. Sayed provided an overview of the hydrologic cycle, by which water moves among the land, oceans, and atmosphere. Her presentation focused on some of these processes, including precipitation, surface water, streamflow, salinity intrusion and groundwater.

Precipitation. Precipitation in the basin during the twelve months from June 2024 through May 2025 had varied. In September and October 2024, the basin experienced drier than normal conditions with each portion of the basin—upper, middle and lower—receiving less than half the amount of precipitation that is typical for that timeframe. The deficit significantly impacted basin conditions in the fall and winter of 2024 and 2025. Ms. Sayed explained that although precipitation increased in November and December 2024, it remained well below normal in January 2025 and was at or slightly below normal during February through April 2025. Significant rainfall in May 2025 helped to alleviate the dry conditions that had affected the basin since the previous September.

Ms. Sayed shared maps showing cumulative precipitation in the basin for the previous 12 months. Surprisingly, she noted that the northeast portion of the basin received approximately 60 inches of precipitation, or about 18 inches *above* normal. However, the middle portion of the basin received less than 25 inches of precipitation, about 20 inches below normal, while the lower portion of the basin received less than 35 inches of precipitation, about 10 inches below normal.

Throughout the basin, precipitation over the 90 days preceding June 9, 2025 had been at or above normal levels. Indeed, during this 90-day period, the northwest portion of the basin received 16-18 inches of rain, about 6-8 inches above normal, while the southeast portion of the basin received 18-20 inches of precipitation, about 8 inches above normal.

New York City Reservoir Storage. Ms. Sayed presented a hydrograph showing (a) combined storage in New York City's Delaware Basin reservoirs during the previous twelve months, (b) median storage over the same period based on decades of data, and (c) regulatory drought storage levels. Due to concern over dry conditions in the basin, the Commission declared a water supply emergency on December 5, 2024, pursuant to which it issued a special permit providing for coordinated actions to manage out-of-basin diversions, mainstem flow objectives, and regional reservoir operations. At the Commission's quarterly business meeting on March 12, 2025, the Commissioners kept the water supply emergency in effect and voted to extend the special permit. The hydrograph showed that although combined storage in the City's Delaware Basin reservoirs remained below the long-term median through April 2025, due to significant rainfall in May, the City's reservoirs and the lower basin reservoirs owned and operated by the Corps of Engineers had reached full capacity by June 1, 2025.

Streamflow. Ms. Sayed displayed hydrographs of flows past Montague and Trenton, New Jersey. These illustrated that in April 2025, streamflow at both locations had been below the median, but due to storms in May 2025, flows were above normal, another indication that the basin had recovered from the drier conditions experienced in late 2024 and early 2025. Ms. Sayed noted that since May 8, 2025, flows at both Montague and Trenton had remained at or above normal levels. According to the U.S. Geological Survey ("USGS"), by June 10, 2025, streamflow in tributaries and streams in the upper and central basin had largely recovered to normal or above normal levels, while in the lower basin, with the exception of a few tributaries that remained below or much below normal levels, streamflow levels were also normal or above normal. Notably, with two exceptions, according to USGS gages, none of the basin's tributaries or streams were "much below normal" or "low."

Salt Front. DRBC monitors the location of the salt front in the Estuary, the location at which the chloride concentration is 250 milligrams per liter, on a daily basis. Ms. Sayed explained that although the front crept upstream, reaching River Mile 90 on November 21, 2024, reservoir releases and precipitation caused it to recede to within its normal range, where it has remained since the beginning of 2025. Since then, the salt front has continued trending downstream, and as of June 10, 2025, it was located at River Mile 62.6, which is downstream of the median location for June.

Groundwater. Ms. Sayed explained that groundwater levels typically take longer to rebound from dry conditions, but wells in the basin indicated improvement even in groundwater conditions. Ms. Sayed displayed groundwater status maps color-coded by county for April 1, May 1 and June 8,

2025. With few exceptions, groundwater monitoring wells in each county were below or much below normal in April 2025. However, by June 8, 2025, with the exception of three counties in Southwestern New Jersey and one in Pennsylvania, groundwater levels in the basin had returned to normal or above normal. Ms. Sayed explained that insufficient precipitation and/ or local geology could explain why the few groundwater wells that remained below normal levels were slower to recover.

Hydrographs of groundwater levels observed over the course of 12 months in Lehigh and Chester counties in Pennsylvania showed slightly below to well below normal conditions starting in December 2024. However, the hydrographs also revealed that these wells had begun to recover and were only slightly below or at normal conditions as of June 2025. The well in Burlington County, New Jersey began to decline in July 2024 and had remained below normal since November 2024 but was ticking upwards. The well in Cumberland County, New Jersey had remained below normal since October 2024 but also showed signs of recovery.

Drought Conditions. A map published by the U.S. Drought Monitor showed that as of June 3, 2025, the majority of the basin was no longer experiencing drought conditions, although the western edge of the Pennsylvania portion of the basin still looked abnormally dry. Ms. Sayed noted that an updated map was to be published later in June, which could show more improvement.

She also explained that drought status for reservoir operations in the Delaware River Basin is based primarily on storage in the New York City Delaware Basin reservoirs. Due to other drought indicators (e.g., soil moisture, groundwater levels, streamflows, and precipitation departures), as of the meeting date, all of New Jersey and Berks County in Pennsylvania remained in “drought warning,” while the State of Delaware and the remainder of Pennsylvania remained in “drought watch.” The entire State of New York was in “normal” conditions.

Seasonal Outlook. NOAA’s drought outlook indicated that the basin would likely remain free of drought conditions through August 31, 2025. The seasonal outlook for July through September 2025 was for higher than average temperatures and above normal precipitation in the region. Ms. Sayed noted that an above average hurricane season was expected, with NOAA anticipating between 13 and 19 named storms, six to 10 hurricanes, and between three and five major hurricanes. Ms. Sayed also advised that not all hurricanes would affect the Delaware River Basin.

In summary, Ms. Sayed said that the basin had experienced a significant recovery from drought conditions experienced in late 2024 and early 2025, particularly due to precipitation experienced in May. She said the basin could expect a warm and wet summer and an above average hurricane season, but that drought conditions were unlikely to recur in the basin over the next three months.

Executive Director’s Report. Highlights of Ms. Bowman Kavanagh’s report to the Commissioners are set forth below.

New Alternate Commissioners for USACE. Ms. Bowman Kavanagh recognized Laura Bittner and R. Brian Paul as the new second and third alternate commissioners on behalf of North Atlantic Division Commander Brigadier General John P. Lloyd. Ms. Bittner is Chief of the Hydrology, Hydraulics and Coastal Branch of the Philadelphia District, and Mr. Paul is the Planning Program Manager in the Planning and Policy Division, North Atlantic Division.

New DRBC Staff. Ms. Bowman Kavanagh welcomed Naomi Mendelsohn, who joined DRBC as Associate Counsel in April 2025. Ms. Mendelsohn is a graduate of Rutgers University School of Law and is admitted to the bar in Pennsylvania and New Jersey. She has two decades of experience as an attorney and most recently worked as a Supervisory Attorney in the Office of General Counsel at the Social Security Administration.

Ms. Bowman Kavanagh also welcomed Bailey Adams, who joined the Commission in May 2025 as a Water Resource Scientist in DRBC's Project Review Branch. Ms. Adams holds a B.S. in Environmental Science from Rider University and is currently working on her M.S. in Environmental Science at Rutgers. Ms. Adams is a former DRBC intern and worked as a staff scientist at an environmental counselling firm for several years.

Ms. Bowman Kavanagh also welcomed DRBC's summer interns: Katie Alexandrenko, Carl Bargery, and Sum Harris.

DRBC Staff Recognition. Ms. Bowman Kavanagh congratulated DRBC Senior Water Resource Scientist Michael Thompson, who was named to the American Academy of Environmental Engineers and Scientists' 40 Under 40 Recognition Program. Mr. Thompson also won the 2025 Fresh Ideas Competition for best Young Professional Presentation at the AWWA-NJ Annual Conference, as well as second prize at this week's AWWA Annual Conference and Exposition (ACE) Fresh Ideas Poster Session.

New DRBC Reports. Since the Commission's second quarterly business meeting in March 2025, DRBC published two reports: the 2024 Annual Hydrologic Conditions Report and a report on Enhanced Monitoring for Toxics and Emerging Contaminants in Delaware Estuary Tributaries. Ms. Bowman Kavanagh explained that DRBC's monitoring programs intensify during the warmer months. DRBC's planned efforts for the summer of 2025 were to include biweekly monitoring of Special Protection Waters, as well as non-tidal chloride monitoring and development of a salt reduction pilot study. Additional fieldwork would include monitoring of cyanotoxins, toxics, 6-PPDq, PFAS, and nutrients in tributaries, and a pilot study on antimicrobial resistance.

DRBC's recent Monitoring Advisory and Coordination Committee ("MACC") meeting included an overview presentation on this year's monitoring plans that is available online at:

https://nj.gov/drbc/library/documents/MACC/051425/DRBC_SWQMupdates.pdf

DRBC outreach and engagement. Staff outreach and engagement programs throughout the basin since March included:

- Cleanup at Palmyra Cove Nature Park (NJ)
- Lambertville ShadFest (NJ)
- Chester River Festival (PA)
- World Environment Day (DE)
- Hydromania (PA)
- Webinars with PEMA on flood and hazard mitigation planning (PA), including one with PA State Senator Amanda Cappelletti and PA State Representative Joe Webster.

River of the Year. As announced at the March 2025 business meeting, the Delaware River was named Pennsylvania's River of the Year. To celebrate, the Delaware River Sojourn Steering Committee was to host a series of events throughout the year, highlighting the river as a shared resource. As part of the 30th Delaware River Sojourn, a Delaware River of the Year Festival was to take place at Minisink Park (NY) on Wednesday, June 18, 2025. This event would be free and open to the public. Attendees were directed to DRBC's website for details.

Congratulations to Lt. Col. Jeffrey Beeman. Ms. Bowman Kavanagh congratulated Lt. Col. Jeffrey Beeman on his retirement to take place in July. She thanked Lt. Col. Beeman for his service to the United States and for his active participation and engagement over the last two years as an alternate Commissioner of the DRBC.

General Counsel's Report. The Commissioner's General Counsel, Ken Warren, reported that there were no pending litigation matters and he had no other issues to discuss.

Ceremonial Oath of Office for Executive Director. Lt. Col. Beeman administered a ceremonial Oath of Office to Ms. Bowman Kavanagh as the Commission's fifth Executive Director. Notably, Ms. Bowman Kavanagh was appointed Executive Director effective December 1, 2024, and was administered an oath at that time by the Commission Secretary in accordance with Section 14.6 of the Delaware River Basin Compact. The ceremonial Oath of Office afforded the Commission an opportunity to share publicly Ms. Bowman Kavanagh's pledge to uphold the obligations of the office to the people and governments she serves.

Ms. Bowman Kavanagh recited the following oath:

"I, Kristen Bowman Kavanagh, do solemnly swear that I will support and defend the Constitution of the United States, the Constitutions of the Signatory States to the Delaware River Basin Compact, and the provisions of the Delaware River Compact and that I will faithfully discharge the duties of the office which I am about to enter."

A Resolution for the Minutes concerning the Commission's use of federal funds awarded through the United States Army Corps of Engineers. Ms. Bowman Kavanagh noted that a copy of the resolution had been furnished to the Commissioners for their review in advance of the business meeting. She described the Commission's creation in 1961 and its composition, which includes the states of Delaware, New Jersey, and New York, the Commonwealth of Pennsylvania, and the United States. She explained that the Commission's funding is derived primarily from state signatory party contributions, regulatory program fees, competitive grant awards, Clean Water Act Section 106 program funds, and surface water withdrawal charges. The latter are used to support water supply planning and for the construction, operation, and maintenance of water storage facilities.

In April 2025, the Army Corps of Engineers informed the Commission that to earn a USACE capability determination of more than zero dollars for purposes of any federal signatory party contribution (including any federal appropriation or community project fund or congressionally directed spending award) the Commission must not use federal funds awarded through the Corps to support policies or programs that advance the principles of diversity, equity, and inclusion, or the concept of climate change. Ms. Bowman Kavanagh stressed the importance of preserving the potential for federal signatory party contributions to the Commission's vital work in supporting water security for the more than 14 million people who rely on the basin's water resources.

Ms. Bowman Kavanagh explained that the resolution would provide that any federal funds awarded to the Commission through USACE would continue to be used to support the Commission's core mission as articulated in the Delaware River Basin Compact, and that in recognition of policies of the current federal administration, from the point of adoption of the resolution forward for as long as these policies should remain in effect, federal funds awarded to the Commission through USACE "shall not be used directly or indirectly to support programs or policies that advance the principles of 'diversity, equity, and inclusion' or the concept of 'climate change.'" Ms. Bowman Kavanagh recommended that the Commission adopt the resolution as proposed.

Lt. Col. Beeman so moved and Mr. Williams offered a second. Lt. Col. Beeman noted that the main purpose of the resolution was to ensure that the expenditure of federal funds remained consistent with the administration's position on both "DEI" and climate change. Without further discussion, the Resolution for the Minutes to restrict the Commission's use of federal funds awarded through the United States Army Corps of Engineers was approved by unanimous vote.

The text of the resolution follows:

RESOLUTION FOR THE MINUTES

A RESOLUTION for the Minutes to restrict the Commission's use of federal funds awarded through the United States Army Corps of Engineers.

WHEREAS, the Commission was created in 1961 by legislation known as the Delaware River Basin Compact (the “Compact”), which was concurrently enacted by the states of Delaware, New Jersey, and New York, the Commonwealth of Pennsylvania, and the United States; and

WHEREAS, the vision of the Commission as set forth in the Compact is for “the conservation, utilization, development, management and control of water and related resources of the Delaware River Basin under a comprehensive multipurpose plan [to] bring the greatest benefits and produce the most efficient service in the public welfare”; and

WHEREAS, the Commission is responsible for developing and effectuating plans, policies, and projects relating to the water resources of the Basin; and

WHEREAS, the Commission has provided trusted, effective, and coordinated management of the Basin’s shared water resources since 1961; and

WHEREAS, the Commission’s funding is derived primarily from state signatory party contributions, regulatory program fees, competitive grant awards, Clean Water Act Section 106 program funds, and water supply charges used to support water supply planning and the construction, operation and maintenance of water storage facilities; and

WHEREAS, the Commission values the membership, expertise, assistance, leadership, guidance, and advice provided by each of the signatory parties to the Compact; and

WHEREAS, in April 2025, the United States Army Corps of Engineers (the “Corps”) informed the Commission that to earn a Corps “capability determination” of more than \$0 for purposes of the federal signatory party contribution authorized most recently by section 4001 of the Water Resources Development Act of 2014, Pub. L. 113-121, the Commission must not use federal funds awarded through the Corps to support policies or programs that advance the principles of “diversity, equity and inclusion” or the concept of “climate change”; and

WHEREAS, it is important that the Commission preserve the potential for federal signatory party contributions to its vital work in supporting water security for the more than 14 million people who rely on the Basin’s water resources; now therefore,

BE IT RESOLVED by the Delaware River Basin Commission that:

1. Federal funds awarded to the Commission through the United States Army Corps of Engineers will continue to be used to support the Commission’s core mission as articulated in the Compact on behalf of the more than 14 million people who rely on the water resources of the Basin.

2. In recognition of policies of the current federal administration, from this point forward and for as long as these policies remain in effect, federal funds awarded hereafter to the Commission through the United States Army Corps of Engineers shall not be used directly or indirectly to support programs or policies that advance the principles of “diversity, equity, and inclusion” or the concept of “climate change.”

A Resolution to adopt the Commission’s annual current expense and capital budgets for the fiscal year ending June 30, 2026 (Fiscal Year – July 1, 2025 through June 30, 2026). DRBC’s Director of Finance and Administration, Elba Deck, reported that in accordance with Section 13.3 of the Delaware River Basin Compact, the Commission on May 7, 2025, held a public hearing on its proposed current expense and capital budgets for the fiscal year ending June 30, 2026 (“FY 2026”). An opportunity for written comment on the proposed budgets was also provided. The Commission received no oral or written comments on the proposals.

The proposed FY 2026 current expense budget was in the aggregate amount of \$8,120,400. In addition to signatory party contributions totaling \$2,631,500, DRBC anticipated transfers into the General Fund from the Water Supply Storage Facilities Fund (“WSSFF”) of \$3.2 million, transfers in for special projects of \$342,000, and other income of approximately \$1 million. For the capital budget, applicable to the WSSFF, revenues of \$4,234,000 and expenditures of \$5,420,000 were projected.

Ms. Deck explained that under the proposed resolution to approve the FY 2026 budgets:

- Should revenue during FY 2026 under a federal or state grant-in-aid program exceed the revenue budgeted from the source, the excess was to be applied to additional uses or programs related to the original grant.
- The Executive Director was authorized and directed to transmit to the principal budget officer of each of the signatory parties a certified copy of the approved budget, together with a certified statement of the amount apportioned to that party.
- If signatory party revenue were to fall below the budgeted amount, the Executive Director was to reevaluate the annual work plan, and after consultation with and concurrence by the Commission, to implement any and all actions deemed appropriate to maintain the financial stability of the General Fund and accomplish the Commission’s work plan priorities.
- The Executive Director was to notify the Commissioners in writing of any signatory party revenue shortfalls.

Ms. Deck explained that the Commission would continue to operate the Pennsylvania Groundwater Protected Area Program in FY 2026. The estimated cost of the program, \$154,000, was expected to be covered in full by the Commonwealth of Pennsylvania. Ms. Deck

recommended that the Commission approve the resolution adopting the FY 2026 capital and expense budgets as proposed.

Mr. Williams so moved, Ms. Whitcomb offered a second, and without further discussion, Resolution No. 2025-02 to adopt the Commission's annual current expense and capital budgets for the fiscal year ending June 30, 2026 (July 1, 2025 through June 30, 2026) was approved by unanimous vote.

A Resolution to apportion among the signatory parties the amounts required for the support of the Current Expense and Capital Budgets for the fiscal year ending June 30, 2026 (July 1, 2025 through June 30, 2026), as set forth in Resolution No. 2025-02. Ms. Deck explained that the proposed resolution would apportion among the signatory parties the following contributions: State of Delaware \$447,000; State of New Jersey \$893,000; State of New York \$359,500; Commonwealth of Pennsylvania \$217,000; and United States \$715,000; for a total of \$2,631,500. She recommended that the resolution be approved, noting that a roll call vote was required.

Mr. Domber so moved and Ms. Whitcomb seconded. On a roll call vote conducted by Ms. Bush, Resolution No. 2025-03 to apportion among the signatory parties the amounts required for the support of the Current Expense and Capital Budgets for the fiscal year ending June 30, 2026 (July 1, 2025 through June 30, 2026) was unanimously approved.

A Resolution to adopt the *Water Resources Program for FY 2026-2028*. DRBC's Manager of Water Resource Planning, Chad Pindar, explained that the proposed *Water Resources Program FY 2026-2028* (the "Program") and a resolution for its adoption had been subjects of a duly noticed public hearing on May 7, 2025 and a comment period running through May 12, 2025. The Program was developed by DRBC staff in consultation with the Commissioners and identifies the projects, plans, programs, services, and activities to be undertaken by the Commission to address the basin's water resource needs during the next three fiscal years. The Commission received no comments on either the program or the resolution. Accordingly, Mr. Pindar recommended that the Commissioners adopt the resolution and accompanying Program document as proposed.

Mr. Williams so moved, Lt. Col. Beeman offered a second, and without further discussion, Resolution No. 2025-04 to adopt the *Water Resources Program FY 2026-2028* was approved by unanimous vote.

A Resolution to end the water supply emergency declared by Resolution No. 2024-07 and to allow the special permits issued pursuant to that declaration to expire by their own terms. Ms. Bowman Kavanagh said a copy of the resolution had been shared in advance with the Commissioners for their review. She explained that on December 5, 2024, following a duly noticed public hearing conducted on November 19, 2024, the Commissioners unanimously adopted Resolution No. 2024-07, declaring a water supply emergency under Section 10.4 of the Compact. The resolution also approved Special Permit No. 2024-01, providing for a coordinated response to conserve water in

regional reservoirs and protect water users. On the same date, the Commissioners unanimously approved Resolution No. 2024-08, consisting of a second Special Permit and Conservation Order, to end upon termination of the first, providing for Lake Wallenpaupack and Mongaup Reservoir system operations to preserve and protect water supplies.

Ms. Bowman Kavanagh noted that the Commission extended the special permits at the Commission meeting on March 12, 2025 due to persistent dry conditions in the basin. By its terms, absent Commission and Decree Party action to the contrary, the extended Special Permit approved by Resolution No. 2024-07 was to terminate at the conclusion of the June business meeting, while the water supply emergency declared on December 5, 2024 was to remain in effect until the Commission acted to end it.

With that background, Ms. Bowman Kavanagh explained that as of June 8, 2025, the extremely dry conditions that prevailed in the basin throughout the summer and fall of 2024 had eased, as documented in the hydrologic conditions report provided by Ms. Sayed. In particular, Ms. Bowman Kavanagh noted that combined storage in New York City's Delaware Basin reservoirs, which determines basin-wide drought operating stages, had reached 100 percent by the target date of June 1, 2025. As of the meeting date, combined storage in the three reservoirs was eighty billion gallons above the drought watch line. In addition, the average daily flow at Trenton had met the flow objective of 3,000 cubic feet per second consistently since November 18, 2024, without the need for directed releases from storage, and as of June 11, the salt front was located at River Mile 63, about six miles below the median location for this time of year.

Ms. Bowman Kavanagh explained that the proposed resolution would end the Commission's water supply emergency immediately and that the related special permits would terminate automatically. The resolution also would recognize that each of the basin states is responsible for the declaration of drought stages within that state, and that state declarations of drought watch and drought warning remained in effect in some counties in the basin. Regardless of the Commission's decision to end the water supply emergency, Ms. Bowman Kavanagh said, the resolution encouraged all users of water in the basin to maximize their water efficiency, while providing that persons or entities entitled to divert or withdraw water could continue to do so within legal limits. Ms. Bowman Kavanagh recommended that the Commission approve the draft resolution.

Ms. Whitcomb so moved, Mr. Domber offered a second, and without further discussion, Resolution No. 2025-05 ending the water supply emergency declared by Resolution No. 2024-07 and allowing the special permits issued pursuant to that declaration to expire by their own terms was approved by unanimous vote.

A Resolution for the Minutes to provide for the analysis of sediment cores. DRBC Director of Science and Water Quality Management Namsoo Suk presented a Resolution for the Minutes to provide for the analysis of microplastics and per- and polyfluoroalkyl substances ("PFAS") in

historic and fresh sediment cores. Dr. Suk summarized the resolution by explaining that between 2007 and 2012, sediment cores were collected along the marshes of the Delaware River Estuary and Bay. The sediment core slices were analyzed for polychlorinated biphenyls (“PCBs”), PFAS, and other chemical and physical parameters including radiometric dating, and were archived and stored by the Academy of Natural Sciences. The draft resolution would provide for additional analysis and study of these core slices, and for the collection and analysis of fresh sediment cores to fill the temporal gap between the earlier collection and the present. Dr. Suk further explained that the proposed study would analyze both the historic and fresh sediment cores for microplastics and PFAS. Results from the study would provide spatial and historical microplastics contamination trends and composition changes in the estuary for those contaminants. The results would guide future monitoring efforts and provide valuable information for a mitigation plan. Funding for the study would be provided by the State of Delaware and DRBC.

Dr. Suk further noted that the resolution would authorize DRBC’s Executive Director to enter into an agreement with the Academy of Natural Sciences to collect fresh sediment cores, analyze microplastics, and prepare samples for PFAS analysis by DRBC’s contract lab. Dr. Suk recommended that the Commissioners approve the proposed Resolution for the Minutes.

Mr. Williams so moved, and Lt. Col. Beeman offered a second. Without further discussion, the Resolution for the Minutes to provide for the analysis of microplastics and per- and polyfluoroalkyl substances (PFAS) in historic (2007-2012) and fresh sediment cores was approved by unanimous vote.

The text of the resolution follows:

RESOLUTION FOR THE MINUTES

A RESOLUTION for the Minutes to provide for the analysis of microplastics and per- and polyfluoroalkyl substances (PFAS) in historic (2007-2012) and fresh sediment cores.

WHEREAS, by Resolution No. 2006-13 on July 19, 2006, the Commission authorized the Executive Director to enter into an agreement with the Academy of Natural Sciences (“Academy”), which subcontracted with the University of Delaware for the collection and analysis of sediment cores from the marshes fringing the Delaware River Estuary and Bay (the “Project”), at a cost that was shared among DRBC, the Academy, the University of Delaware, and the Delaware Department of Natural Resources and Environmental Control (“DNREC”); and

WHEREAS, over a period of six years commencing in 2007, the Project team collected 15 sediment cores from marshes fringing the Delaware River Estuary and Bay, and performed physical and chemical analyses, including radiometric dating, to determine time of deposition, grain size, and the presence

and concentrations of nutrients, polychlorinated biphenyls (“PCBs”), and polycyclic aromatic hydrocarbons (“PAHs”); and

WHEREAS, radiometric dating results showed that the collected sediment core slices dated from as early as 1900; and

WHEREAS, core slices remaining from the 2007-2012 collection have been preserved and archived by the Academy (now known as the “Academy of Natural Sciences of Drexel University” or “ANSDU”); and

WHEREAS, ANSDU staff have developed a scope of work for analyzing microplastics from a subset of the archived core slices to establish spatial and historical microplastics contamination trends and composition changes; and

WHEREAS, the number of sites to be analyzed initially is to be limited to six (6) to test the viability of the approach; and

WHEREAS, the ANSDU proposal includes the collection and analysis of additional cores from the top approximately 25 centimeters of sediment (“fresh cores”) at six of the historic collection sites to capture sediments deposited over the past 14 to 19 years; and

WHEREAS, DRBC and the basin states are interested in ANSDU’s proposed microplastics analysis, but also in temporal and spatial trends for the presence of PFAS in the same group of archived and fresh sediment cores; and

WHEREAS, the integration of historical and fresh datasets will provide a comprehensive assessment of contamination trends in the Delaware River and Bay, supporting future monitoring efforts and management strategies for mitigating the impacts of these emerging contaminants; and

WHEREAS, the DRBC budget for Fiscal Year 2026 includes the sum of approximately \$50,000 in General Fund monies for this effort, and DNREC is expected to contribute approximately \$110,000 to the effort; now therefore,

BE IT RESOLVED by the Delaware River Basin Commission:

1. The Executive Director is authorized and directed to enter into an agreement with the Academy of Natural Sciences of Drexel University in an amount not to exceed \$86,000 for the purposes of:

- a. collecting fresh sediment cores as described above;
- b. analyzing microplastics from archived and fresh sediment cores from six sites; and
- c. preparing sediment slices from six archived and six fresh sediment cores and providing these to DRBC’s contract laboratory, ALS, for PFAS analysis; and

2. The Executive Director is further authorized and directed to issue a work order to ALS for analysis of PFAS from archived and fresh sediment cores from six sites, at a cost not to exceed \$64,000.

3. Because the services to be provided are of a specialized and professional nature, in accordance with Section 14.9(5) of the Delaware River Basin Compact, the requirement for use of competitive bids for the above-described services is hereby waived.

A Resolution for the Minutes concerning DRBC Docket D-2020-003 CP-1 for the Port of Wilmington Edgemoor expansion project. Ms. Bush explained that the DRBC Docket issued in 2022 to Diamond State Port Corporation for the Port of Wilmington Edgemoor expansion project included a condition, Condition 10, that echoed a Commission rule in place at that time providing that approval for the project would expire automatically in three years unless the sponsor expended substantial funds in relation to the cost of the project before three years had passed. Recognizing a number of problems with the automatic termination rule, in June 2024, the Commission amended the rule, effective July 2024. DRBC's Executive Director alerted all potentially affected docket holders to certain key deadlines under the new rule. In December 2024, Diamond State wrote DRBC explaining that in its view, it had fulfilled Condition 10 of its docket and the unamended rule prior to the effective date of the amendment. Specifically, Diamond State asserted that it had expended substantial funds – approximately \$21 million – in reliance on the project before three years had passed, and that its public and private partners had made additional commitments and expenditures in partial reliance on the docket equal to an additional sum of more than \$319 million against a total project cost of \$415 million. Diamond State thus contended that its docket should continue in effect under Condition 10 and the Commission's pre-amendment rule in effect at the time of the docket's issuance. The Commission asked Diamond State to confirm certain facts it had asserted. The docket was administratively continued to allow Diamond State time to do so.

Ms. Bush said the proposed resolution would find that Diamond State satisfied the unamended provision of the Commission's regulations and Condition 10 within three years of the docket approval date and that its docket thus would continue in effect. Ms. Bush also explained that the resolution would require Diamond State to provide the Commission with timely notice if its project should change such that revisions of the 2022 approval would be required. Importantly, Ms. Bush noted, as of the June meeting date, the project could not proceed until Diamond State's USACE permits, which were vacated by a U.S. District Court in October 2024, were reissued and a pending adjudication of its state approval was resolved.

Accordingly, Ms. Bush recommended that the Commissioners approve the draft resolution continuing Diamond State's docket in effect, with the additional provision that Diamond State will inform the Commission of any material changes to the activities DRBC approved.

Mr. Williams so moved, Mr. Domber offered a second, and without further discussion, the Resolution for the Minutes concerning Docket D-2020-003 CP-1 for the Wilmington Edgemoor Port Expansion Project was approved by unanimous vote.

The text of the resolution follows:

RESOLUTION FOR THE MINUTES

A RESOLUTION for the Minutes concerning Docket D-2020-003 CP-1, issued to the Diamond State Port Corporation for the Port of Wilmington Edgemoor Expansion.

WHEREAS, on November 1, 2020, in accordance with Section 3.8 of the Compact, Diamond State Port Corporation (“DSPC”) applied to the Commission (also herein, “DRBC”) for approval of dredging and deep-water berth construction activities for its Port of Wilmington Edgemoor Expansion project, (the “Project”); and

WHEREAS, on March 9, 2022, following a duly noticed public comment period and public hearing, the Commission issued Docket D-2020-003 CP-1 (the “Docket”) approving the proposed activities subject to conditions intended to ensure the Project does not substantially impair or conflict with the Commission’s Comprehensive Plan; and

WHEREAS, as is typical for dredging and in-water construction projects, the Docket included no expiration date; and

WHEREAS, the Docket nevertheless was subject to Section 401.41(a) of the *Rules of Practice and Procedure* (the “RPP”) then in effect, which provided in relevant part that “[a]pproval by the Commission under these regulations shall expire three years from the date of Commission action unless prior thereto the sponsor has expended substantial funds (in relation to the cost of the project) in reliance upon such approval,” 18 C.F.R. § 401.41(a) (“unamended Section 401.41(a)”); and

WHEREAS, echoing unamended Section 401.41(a), Condition 10 of the Docket (“Condition 10”) likewise provided that the Commission’s approval “shall expire three years from the approval date . . . unless prior thereto the docket holder has commenced operation of the subject Project or has expended substantial funds (in relation to the cost of the Project) in reliance upon this docket approval”; and

WHEREAS, by Resolution No. 2024-06 on June 5, 2024, the Commission amended Section 401.41(a), effective July 22, 2024, altering the conditions under which a docket may be automatically terminated and the criteria and procedure by which automatic termination may be avoided; and

WHEREAS, by letter dated December 3, 2024, DSPC asserted that because it had expended substantial funds in relation to the cost of the Project within the three-year timeframe established by unamended Section 401.41(a) and Condition 10, it was not subject to the amended version of the rule, and its Docket approval would remain active past March 9, 2025, without the need for an extension; and

WHEREAS, specifically, DSPC asserted that it: (a) paid the sum of \$16,730,000 on June 6, 2023, for “costs associated with the design and construction of approximately 3.1 million cubic yards of replacement capacity at the Site 15G Dredged Material Placement Facility”; and (b) paid an additional \$4,320,000 on the same date “in engineering and other costs related to development of the . . . dredged material placement capacity” required for the Project, for a total of \$21,050,000; and

WHEREAS, DSPC further avers that these expenditures were “related to” the Project because they were required by agreements “in support of dredging activities approved through consideration of the Docket” and that they constitute substantial funds in relation to the estimated total Project cost of \$400,000,000; and

WHEREAS, by letter dated December 6, 2024, DRBC staff asked DSPC to (a) “confirm that the anticipated project cost remains as stated in Section A.5 of the Docket or provide an adjusted project cost estimate”; and (b) “confirm that the project as described in Section A of the Docket has not changed or provide specific details of any changes;” and

WHEREAS, by letter dated March 17, 2025, DSPC provided the requested confirmations, averring that the Project remains “substantially similar” to that described in Docket Section A and that the Project costs, now estimated at \$415,000,000, “remain substantially consistent with those described in Section A;” and

WHEREAS, DSPC further asserts that within three years of the Docket approval date, the United States, the State of Delaware and port operator and developer Enstructure Wilmington Holdings LLC (“Enstructure”) made additional substantial expenditures and financial commitments in partial reliance on the Docket approval, as follows:

- award by the United States Department of Transportation of \$50 million and expenditure of “significant resources working with DSPC to effectuate the grant” (DSPC letter of December 3, 2024);
- award by the United States Environmental Protection Agency of “a Clean Port grant . . . that commits an additional \$68.9 million for the upland portion of the Project” (DSPC letter of March 17, 2025);

- expenditure of “\$195,000,000 by way of a transfer from the State of Delaware¹ to the DSPC, in furtherance of a binding Joint Development Agreement with Enstructure Wilmington Holdings LLC (‘Enstructure’), the current operator of the Port of Wilmington and developer and future operator of the Project” (DSPC letter of March 17, 2025);
- expenditure of “significant resources in advancing the design and procurement of equipment for the terminal” by Enstructure (DSPC letter of March 17, 2025);
- expenditure by the State of Delaware of “an additional \$3,000,000 in furtherance of binding agreements related to the mitigation plan required by the [Delaware] Department of Natural Resources and Environmental Control” (DSPC letter of March 17, 2025);
- “additional significant costs incurred by DSPC and Enstructure to advance the Project, including expenses for retaining engineering, legal, and other expertise” (DSPC letter of March 17, 2025);
- expenditure of “significant funds” by the Corps (DSPC letter of March 17, 2025); and

WHEREAS, construction of the Project cannot commence unless and until the United States Army Corps of Engineers (the “Corps”) issues a new authorization under its Section 408 program, 33 C.F.R. § 408, and a new Department of the Army permit under Section 404 of the Clean Water Act and Section 10 of the Rivers and Harbors Act (collectively, the “Corps approvals”), both of which were issued in 2022 but vacated in October 2024 by the United States District Court for the Eastern District of Pennsylvania; and

WHEREAS, it is not known at this time whether modifications to the Project may be required before the Corps approvals can be reissued and, if so, whether such modifications might be material to the Commission’s determination in accordance with Section 3.8 of the Delaware River Basin Compact that the Project does not substantially impair or conflict with the Commission’s Comprehensive Plan;

NOW THEREFORE, BE IT RESOLVED by the Delaware River Basin Commission:

1. The Commission incorporates the WHEREAS Clauses above as though fully set forth herein.
2. On the basis of averments by Diamond State Port Corporation, the Commission hereby finds that:

a. In reliance on the Commission's Docket approval and within three years of the Docket approval date, DSPC expended substantial funds in relation to the cost of the Project.

b. The Project and Project cost remain substantially similar to those set forth in Section A of the Docket approval.

c. DSPC thus satisfied both unamended Section 401.41(a) and Condition 10 of the Docket, and its Docket approval continues in effect.

3. If the Project as approved by the Commission changes materially from that described in the Docket, either as a condition of reissuance of the Corps approvals or for any other reason, amendment of the Docket may be required. Accordingly:

a. DSPC shall promptly notify the Commission if the Corps approvals are reissued without any material changes to the project as approved by the Docket.

b. DSPC shall copy the Commission's Project Review Manager on any submissions that have been or are hereafter made to the Corps for purposes of reissuance of the Corps approvals where material changes in the location or plans for the Commission-approved activities are proposed in the submissions.

c. Until notified by the Executive Director or the Commission that no further reporting is necessary, DSPC is directed to report to the Commission annually in May (or by such earlier date with reasonable notice to DSPC as the Executive Director may specify) whether any material changes to the Project as approved in the Docket, other than those identified in accordance with paragraph 3.b. hereof, have occurred over the previous year, and if so, to describe such changes.

4. If and as required by the Executive Director or the Commission in response to information supplied by DSPC in accordance with paragraph 3.b. or 3.c. hereof, DSPC shall apply to the Commission for amendment of the Docket within such time as the Executive Director or the Commission may prescribe.

A Resolution for the Minutes providing for election of the Commission Chair, Vice Chair and Second Vice Chair for the year beginning July 1, 2025 and ending June 30, 2026. Ms. Bush explained that the Delaware River Basin Compact provides for the election of the Commission's officers every year. By tacit agreement among the Commission's members, the presumptive nominees for the fiscal year beginning July 1, 2025 and ending June 30, 2026 were:

- Governor Matt Meyer of Delaware as Chair;
- Governor Josh Shapiro of Pennsylvania as Vice Chair; and
- Governor Phil Murphy of New Jersey as Second Vice Chair.

Ms. Bush asked the Commissioners to approve the resolution for election of the Commission's officers as proposed.

Ms. Whitcomb so moved, Mr. Domber offered a second, and without further discussion, the Resolution for the Minutes providing for the election of the Commission Chair, Vice Chair and Second Vice Chair for the year beginning July 1, 2025 and ending June 30, 2026 was approved by unanimous vote. The text of the resolution follows:

RESOLUTION FOR THE MINUTES

A Resolution for the Minutes providing for election of the Commission Chair, Vice Chair and Second Vice Chair for the year commencing July 1, 2025 and ending June 30, 2026.

WHEREAS, Article 2, Section 2.6 of the *Delaware River Basin Compact* (Compact) states that the Commission shall provide for its own organization and procedure; and

WHEREAS, the Compact further requires the annual election of a Chair and Vice Chair; and

WHEREAS, the Commission has further determined that a Second Vice Chair, to preside in the absence of the other officers, should also be elected; now therefore,

BE IT RESOLVED by the Delaware River Basin Commission:

1. The Governor of Delaware is hereby elected to serve as Chair for the term July 1, 2025 through June 30, 2026.
2. The Governor of Pennsylvania is hereby elected to serve as Vice Chair for the term July 1, 2025 through June 30, 2026.
3. The Governor of New Jersey is hereby elected to serve as Second Vice Chair for the term July 1, 2025 through June 30, 2026.

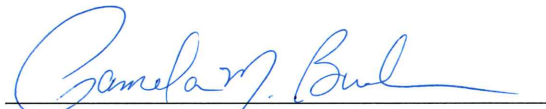
Project Review Applications. DRBC's Manager of Project Review, David Kovach, reported that at the Commission's duly noticed public hearing of May 7, 2025, he had presented 22 draft dockets, of which 21 were for projects located in Pennsylvania and one for a project located in Delaware. Of the 22 projects, 8 involved wastewater discharge and 14 involved water allocations. Noting that the Commission received no public comment opposing any of the projects, Mr. Kovach asked the Commissioners to approve docket agenda items 1-21.

Ms. Whitcomb so moved and Mr. Williams offered a second. Without further discussion, docket agenda items 1 through 21 were approved by unanimous vote.

Mr. Kovach next recommended that the Commission approve docket item 22, which concerned a docket for the Pennsylvania Department of Environmental Protection.

Lt. Col. Beeman so moved and Mr. Williams offered a second. Ms. Whitcomb stated that because docket item 22 involved an application by the Pennsylvania DEP, to avoid the appearance of bias, Pennsylvania would abstain from this vote. Without further discussion, docket agenda item 22 was approved by a vote of four in favor, with Pennsylvania abstaining.

Adjournment. There being no other business before the Commission, Mr. Domber moved that the meeting be adjourned, Ms. Whitcomb seconded his motion, and the meeting was adjourned by unanimous vote at 11:30 a.m.



Pamela M. Bush
Commission Secretary and
Assistant General Counsel

ATTACHMENT A

DESCRIPTION OF PROJECTS APPROVED BY THE COMMISSION DURING THE BUSINESS MEETING OF JUNE 11, 2025

Background. Projects subject to Commission review in accordance with the Delaware River Basin Compact and Commission regulations must have the Commission's approval in the form of a docket, permit, or resolution (collectively, "docket").

The Commission's project review process takes six to nine months to complete, and the public is informed of the status of project applications by a variety of means during that period:

- Each project for which an application is received is added to the "Project Review Status Report" maintained at https://www.nj.gov/drbc/programs/project/project-review_status-pg.html. This report, updated approximately once a month, includes the applicant's name and project location, a description of the proposed project, the docket number assigned to the project, and the name of the staff member reviewing the project.
- A list of applications received is compiled and posted as a "Notice of Applications Received" (NAR) at <https://www.nj.gov/drbc/programs/project/nar.html>, approximately once per month.
- Anyone interested in receiving notices about projects under review as the notices are posted on the Commission's website may sign up for the Commission's "Most Recent Notice of Applications Received" listserv at <https://www.nj.gov/drbc/contact/interest/index.html>.
- Members of the public seeking additional information about a project may contact the staff member reviewing the project or arrange by appointment to review the relevant Project Review file at any time that is mutually convenient for the staff and the party.
- Approximately six weeks before the Commission's scheduled public hearing date, draft dockets are circulated to the Commission's members for review and comment by the appropriate state and federal agencies.
- Ten days prior to the hearing date, the hearing notice, along with draft dockets, is posted on the Commission's website. A public hearing and meeting notice also appears in the Federal Register and certain state registers in accordance with the respective schedules of these publications. The register notice directs readers to the Commission's website for links to the draft dockets available for comment.

Written comment on hearing items is ordinarily accepted until 5 p.m. on the Monday of the week following the public hearing.

At the Commission's regularly scheduled public meetings, the Commissioners may approve, disapprove, or postpone consideration of any docket for which a hearing has been completed. Approved dockets are posted on the Commission's website as quickly as possible following the date on which the Commission acted. Delay of a few days may occur to complete clerical work, particularly in instances in which the Commissioners approve a docket with modifications.

The projects are customarily considered in three categories: Category A—project renewals with no substantive changes; Category B—project renewals with substantive changes; and Category C—projects not previously reviewed by the Commission. Descriptions of the projects (based on the applications received, which may vary from final projects) for which the Commission issued approvals on June 11, 2025 are presented below.

A. Renewals with No Substantive Changes (Items 1 through 18)

1. Easton Area Joint Sewer Authority, D-1987-010 CP-5. An application to renew approval of the docket holder's existing 10 mgd WWTP. The proposed modification consists of a FOG Receiving/Pre-Treatment Facility, Combined Heat and Power System, and Digester Mixing system. Permits have been obtained but the project is put on hold due to inflationary costs. The WWTP will continue to discharge treated effluent, via Outfall No. 001 to the Delaware River Water Quality Zone 1E at River Mile 182.8, in the City of Easton, Northampton County, Pennsylvania. The WWTP discharges to Lower Delaware Special Protection Waters (SPW) designated as Significant Resource Waters.
2. Shoemakersville Borough, D-1990-007 CP-5. An application to renew the approval of an existing groundwater withdrawal of up to 7.5 mgm to supply the applicant's public water supply system from existing Well Nos. 1, 3, 4, 5 and 6. The project wells are completed in the Hamburg Sequence Formation. The requested allocation is not an increase from the previous allocation. The project is located in the Schuylkill River Watershed, in the Borough of Shoemakersville and Perry Township, Berks County, Pennsylvania.
3. Constellation Energy, D-1992-066 CP-4. An application to renew approval of the applicant's existing 3.045 mgd Eddystone Generating Station IWTP and its discharges of treated industrial wastewater effluent and up to 832.179 mgd of non-contact cooling water (NCCW). Treated industrial effluent will continue to comingle with NCCW prior to discharge to Delaware River Water Quality Zone 4 at River Mile 84.8, in the Borough of Eddystone, Delaware County, Pennsylvania.
4. Tilden Township, D-1993-027 CP-4. An application to renew the approval of a groundwater withdrawal of up to 5.17 mgm from existing Wells 1, 2, and 5 for use in the docket holder's public water system. The water supply project will also be included in the Commission's Comprehensive Plan. The wells are completed in the Hamburg Sequence in the Pigeon Creek-Schuylkill River Watershed in Tilden Township, Berks County, Pennsylvania.
5. Talamore at Oak Terrace Inc., D-1993-030 -4. An application to renew the approval of an existing groundwater withdrawal of up to 5.17 mgm for irrigation of the applicant's Talamore golf course from two existing Wells PW-1 and Water Tower. The project wells are completed in Stockton Formation. The requested allocation is not an increase from the previous allocation. The project is located in the Commission's designated Southeastern Pennsylvania Ground Water Protected Area (SEPA GWPA) in the Park Creek Watershed, in Horsham Township, Montgomery County, Pennsylvania.
6. JFBB Ski Areas, Inc., D-1993-057 -4. An application to renew the approval of an existing surface water withdrawal of up to 103.33 mgm for snowmaking purposes at the applicant's Jack Frost Ski Area resort from an existing surface water intake on Tobyhanna Creek. The

requested allocation is not an increase from the previous allocation. The surface water intake is located in the Tobyhanna Creek Watershed in Kidder Township, Carbon County, Pennsylvania within the drainage area to section of the main stem Delaware River known as the Lower Delaware, which the Commission has classified as Special Protection Waters.

7. Great Bear Conservancy, LLC, D-1996-014 -3. An application to renew the approval of an existing groundwater and surface water withdrawal of up to 12.4 mgm for irrigation of the applicant's golf course from existing Well Nos. 1 and 2 and their off-stream irrigation pond. The project wells are completed in the Buttermilk Falls-Esopus Formations. The requested allocation is not an increase from the previous allocation. The wells are located in the Sand Hill and Shawnee Creek Watersheds, in Middle Smithfield Township, Monroe County, Pennsylvania within the drainage area to section of the main stem Delaware River known as the Lower Delaware, which the Commission has classified as Special Protection Waters.
8. Veolia Water Delaware, Inc., D-1996-050 CP-4. An application to renew the approval of an existing groundwater and surface water withdrawal of up to 30 mgd (930 mgm) to supply the applicant's public water supply distribution system from existing Well Christiana No. 1 and surface water intakes Stanton No. 1, Stanton No. 2, Stanton No. 2A and Christiana No. 1. Well Christiana No. 1 is completed in the Potomac Formation. The application will also renew the approval of a Tidal Capture Structure (TCS) located on White Clay Creek, a tributary of the Christina River, at River Mile 70.73 - 10.3 - 1.8 (Delaware River - Christina River - White Clay Creek). The requested allocation is not an increase from the previous allocation. The project's existing groundwater withdrawals are approved by the Delaware Department of Natural Resources and Environmental Control (DNREC) and will continue to be regulated by DNREC in accordance with the Administrative Agreement (AA) between the Commission and the State of Delaware. The water supply system is located in New Castle County, Delaware.
9. Pennsylvania American Water Company, D-1998-043 CP-4. An application to renew the approval of an existing groundwater withdrawal of up to 165.33 mgm to supply the applicant's public water supply system from existing Well Nos. 12, 13, 16, 18A, 19, 20, 21, 23 and 28. Wells Nos. 12, 13 and 18A are completed in the Richland Formation, Well No. 16 is completed in the Millbach Formation, Wells Nos. 19 and 20 are completed in the Ontelaunee Formation, Well No. 21 is completed in the Allentown Formation, Well No. 23 is completed in the Hammer Creek Formation and Well No. 28 is completed in the Epler/Ontelaunee Formations. The requested allocation is not an increase from the previous allocation. The project wells are located in the Little Cacoosing Creek Watershed in Spring and Lower Heidelberg Townships and Sinking Spring and Wyomissing Boroughs, all in Berks County, Pennsylvania.
10. Liberty Electric Power, D-1999-061 -2. An application to renew the approval of an existing 600 megawatt (MW) electric generating facility and its associated consumptive use of water. The facility will continue to consumptively use up to 4.7 million gallons per day of water purchased from Aqua Pennsylvania. The electric generating facility is located in Eddystone Borough, Delaware County, Pennsylvania.
11. Aqua Pennsylvania, Inc., D-2000-024 -3. An application to renew the approval of the applicant's existing 0.175 mgd Willistown Woods WWTP and its discharge. The

WWTP will continue to discharge treated effluent to an unnamed tributary (UNT) of Hunters Run at River Mile 83.8 - 16.5 - 0.6 - 0.5 (Delaware River - Ridley Creek - Hunters Run - UNT Hunters Run) in Willistown Township, Chester County, Pennsylvania.

12. Hemlock Farms Community Association, D-2000-060 CP-3. An application to renew the approval of an existing withdrawal of up to 31 million gallons per month (mgm) of groundwater from Wells 1, 4, 10, 49 and 80 for public water supply. The wells are completed in the Catskill Formation in the Bushkill Creek and Shohola Creek Watersheds in Blooming Grove Township, Pike County, Pennsylvania within the drainage area to the Middle Delaware and Upper Delaware, which the Commission has classified as Special Protection Waters.
13. Morgan Hill Golf Course, Inc., D-2002-024 -3. An application to renew the approval of an existing groundwater withdrawal of up to 7.03 mgm for irrigation of the applicant's golf course from existing Well IW-1. The project well is completed in the Leithsville Dolomite Formation. The requested allocation is not an increase from the previous allocation. The project well is located in the Delaware River Watershed in Williams Township, Northampton County, Pennsylvania within the drainage area to section of the main stem Delaware River known as the Lower Delaware, which the Commission has classified as Special Protection Waters.
14. Upper Hanover Authority, D-2004-017 CP-5. An application to renew the approval of the existing 0.098 mgd Perkiomen WWTP and its discharge. The docket holder also requests to approve a paper re-rate from 0.098 mgd to 0.120 mgd hydraulically and from 205 lbs/day to 250 lbs/day organically. The existing WWTP will continue to discharge treated effluent to Perkiomen Creek at River Mile 92.5 - 31.2 - 26.5 (Delaware River - Schuylkill River - Perkiomen Creek), via Outfall No. 001, in Upper Hanover Township, Montgomery County, Pennsylvania.
15. Wallenpaupack Area School District, D-2009-027 CP-4. An application to renew the approval for the existing 0.01 mgd New Foundland Elementary School WWTP and its discharge. The existing WWTP will continue to discharge treated effluent to Wallenpaupack Creek, upstream from Lake Wallenpaupack at River Mile 277.7 - 15.8 - 1.4 - 12.7 - 7.8 (Delaware River - Lackawaxen River - Wallenpaupack Creek - Lake Wallenpaupack - Wallenpaupack Creek) via Outfall No. 001, in the drainage area to the Upper Delaware Special Protection Waters (SPW), located in Dreher Township, Wayne County, Pennsylvania.
16. Village of Buckingham Springs, D-2009-040 CP-4. An application to renew the approval of an existing 0.1 mgd WWTP and its discharge. The WWTP will continue to discharge treated effluent to Mill Creek, which is tributary to Neshaminy Creek, at River Mile 115.6 - 23.4 - 5.0 (Delaware River - Neshaminy Creek - Mill Creek), in Buckingham Township, Bucks County, Pennsylvania.
17. Springdale Gardens, LP, D-2009-044 -4. An application to renew the existing 0.0126 mgd Springdale Estates WWTP and its discharge. The existing WWTP will continue to discharge treated effluent to an unnamed tributary (UNT) to Mahoning Creek at River Mile 183.66 - 42.5 - 7.0 - 0.44 (Delaware River - Lehigh River - Mahoning Creek - UNT Mahoning Creek) via Outfall No. 001, located within the drainage area to the Lower

Delaware, classified as Special Protection Waters (SPW), in Mahoning Township, Carbon County, Pennsylvania.

18. Cedarville Investment Group, LLC, D-2014-017 CP-3. An application to renew the approval of the 0.019 mgd recreational vehicle park WWTP and its discharge. The WWTP will continue to discharge treated effluent to Pohopoco Creek at River Mile 183.7 - 40.9 - 2.8 (Delaware River - Lehigh River - Pohopoco Creek) via Outfall No. 001, within the drainage area of the section of the non-tidal Delaware River known as the Lower Delaware, which the Commission has classified as Special Protection Waters, in Franklin Township, Carbon County, Pennsylvania.

B. Project Renewals with Substantive Changes (Items 19 and 20)

19. Aqua Pennsylvania, Inc., D-1989-040 CP-4. An application to renew the approval of an existing groundwater withdrawal with an increase in allocation from 37 mgm to 52 mgm to supply the applicant's Spring Run public water supply system from existing Well Nos. UG-1, UG-2, UG-3, UG-8, UG-9, UG-10, Embreeville 1R and Embreeville 2. Wells Nos. UG-1, UG-2, UG-3, UG-8, UG-9 and UG-10 are completed in the Wissahickon Formation and Embreeville Wells Nos. 1R and 2 are completed in the Cockeysville Marble. The project is located in the Commission's designated Southeastern Pennsylvania Ground Water Protected Area (SEPA GWPA), except for Embreeville Wells Nos. 1R and 2, in the West Branch Brandywine Watershed in West Bradford and Newlin Townships, Chester County, Pennsylvania.
20. Hilltown Township Water & Sewer Authority, D-1992-020 CP-5. An application to renew the approval of an existing groundwater withdrawal of up to 21.52 mgm to supply the applicant's public water supply distribution system from existing Wells 1A, 2 and 5. The approval will reduce the well allocation of Well 1A from 15.12 mgm to 12.96 mgm and increase the well allocation of Well 2 from 5.2 mgm to 7.36 mgm. The requested system allocation is not an increase from the previous allocation. Wells 1A and 2 are completed in the Brunswick Formation and Well 5 is completed in the Lockatong Formation. The project is located in the Commission's designated Southeastern Pennsylvania Ground Water Protected Area (SEPA GWPA) in the Pleasant Spring Creek Watershed, a tributary to the East Branch Perkiomen Creek, in Hilltown Township, Bucks County, Pennsylvania.

C. Projects Not Previously Reviewed By The Commission (Items 21 and 22)

21. Laurel Pipeline Company, LP, D-2024-001 CP-1. An application to approve the temporary exportation of up to 5.28 million gallons of water for hydrostatic testing of a portion of an existing hazardous liquid pipeline located between Sinking Spring and Duncansville, Pennsylvania. Water for hydrostatic testing will be purchased over a two-day period from Lehigh County Authority at the Buckeye Pipeline Company's existing Macungie Facility. After hydrostatic testing is complete, the water will be discharged in the Ohio River Basin. The Macungie Facility is located in Lower Macungie Township and Upper Milford Township, Lehigh County, Pennsylvania within the drainage area to Lower Special Protection Waters.
22. Pennsylvania Department of Environmental Protection, D-2025-001 CP-1. An application to approve a surface water withdrawal of up to 45.0 million gallons per month from the

West Branch Schuylkill River and Pine Knot mine pool drainage discharge to extinguish the Duncott North Refuse Bank Fire. The applicant received an emergency approval for the project pursuant to Section 401.40(b) of the Commission's Administrative Manual - Rules of Practice and Procedure, 18 CFR Part 401 on January 29, 2025. The project is located in the West Branch Schuylkill River Watershed in Cass, New Castle and Norwegian Townships, Schuylkill County, Pennsylvania.