

DELAWARE RIVER BASIN COMMISSION

**MEETING OF SEPTEMBER 10, 2025**

Minutes

Commissioners	Greg Patterson, Delaware, Chair
Present:	Jill Whitcomb, Pennsylvania, Vice Chair
	Steve Domber, New Jersey, Second Vice Chair
	Lt. Col. Ryan Baum, United States
	Karen Stainbrook, New York
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 September 10, 2025 was conducted remotely. The meeting also was 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.

Greg Patterson called the meeting to order, introducing himself as Secretary of the Delaware Department of Natural Resources and Environmental Control (“DNREC”), and DRBC Alternate Commissioner for Governor Matt Meyer, the FY 2025-26 Commission Chair.

At Secretary Patterson’s request, DRBC’s Commission Secretary and Assistant General Counsel, Pam Bush, called the roll. Present were: Steve Domber, New Jersey State Geologist, New Jersey Department of Environmental Protection (“NJDEP”), alternate Commissioner for Governor Phil Murphy; Karen Stainbrook, New York Director of the Bureau of Water Resource Management, New York Department of Environmental Conservation (“NYSDEC”), alternate Commissioner for Governor Kathy Hochul; Jill Whitcomb, Deputy Secretary for Water Programs at Pennsylvania Department of Environmental Protection (“PADEP”), alternate Commissioner for Governor Josh Shapiro; and Lt. Colonel Ryan Baum, Philadelphia District Commander, U.S. Army Corps of Engineers (“USACE,” “Corps of Engineers,” or “Corps”), alternate Commissioner for Colonel Jesse Curry, North Atlantic Division Commander, USACE.

DRBC Executive Director Ms. Bowman Kavanagh and the Commission’s General Counsel Kenneth Warren also introduced themselves.

Approval of Minutes. Ms. Bush had previously circulated draft Minutes of the Commission's June 11, 2025 business meeting and had received one correction, which she reported she had made. She recommended that the Minutes be approved as presented. Mr. Domber so moved, Ms. Whitcomb offered a second, and without discussion, the Minutes of the June 11, 2025 business meeting were approved by unanimous vote.

Announcements. Ms. Bush announced two upcoming DRBC advisory committee meetings. DRBC's Water Quality Advisory Committee was to meet on Monday, September 15, 2025, at 9:00 AM *via* Zoom, and DRBC's Water Management Advisory Committee was to meet on Wednesday, October 15, 2025, at 10:00 AM *via* Zoom. Additional details for both meetings were available on DRBC's website.

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\\_sayed091025.pdf](https://www.nj.gov/drbc/library/documents/HydrologicConditions_sayed091025.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.* Presenting a bar graph of precipitation in a portion of the upper basin during the twelve months from September 2024 through August 2025, Ms. Sayed observed that during September and October of 2024, this region had experienced significantly below normal precipitation, while in May of 2025, it had received more than 200 percent of normal precipitation. The region had again received below normal precipitation in July and August, and just slightly higher than normal precipitation in June. Similarly, a graph of precipitation in the eastern central region of the basin showed far below normal precipitation (less than an inch) in September 2024, and no precipitation in October 2024. Like the upper basin, this central region received double the normal quantity of rainfall in May 2025, followed by significantly below normal precipitation in June and August, and normal precipitation in July. In general, Ms. Sayed noted, summer rainfall had occurred primarily in scattered storms, with no major storms occurring in this portion of the basin. Precipitation in the southern portion of the basin exhibited a similar pattern, with a dry fall season, an extremely wet May, below normal rainfall in June and August, and slightly above normal rainfall in July.

Maps showing cumulative precipitation across the basin over the previous 12 months depicted regional variability. While the upper basin had received approximately 55 inches, or about 6 inches above the normal annual amount, the middle portion of the basin had received 30 inches, about 10 inches below normal, and the lower basin, approximately 35 inches, about 8 inches below normal.

Precipitation over the 90 days preceding the September 10, 2025 meeting had varied. While the upper basin had received 8-10 inches, or about 4 inches above normal, the middle basin had

received only 6-9 inches, or 8 inches below normal. Over the same period, the lower basin had received 13-15 inches of precipitation, or 2 inches above normal. Again, the rain had fallen in smaller, localized storms. Within the 30 days preceding the meeting, the basin had been almost uniformly dry, with the exception of one wet spot in central New Jersey.

*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 had declared a water supply emergency on December 5, 2024, pursuant to which it had 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 June 11, 2025, the Commissioners had voted to end the water supply emergency and terminate 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. Ms. Sayed observed that reservoir storage had begun to drop off in July 2025 and had continued on a normal downward trend. As of September 2025, New York City's reservoirs were hovering around 75 percent of capacity, while the lower basin reservoirs (Blue Marsh and Beltzville), operated by the Corps of Engineers, remained at full capacity. Ms. Sayed noted that the Corps had begun to make releases from the F.E. Walter Reservoir (principally used for flood control) to achieve the reservoir's normal target winter pool elevation.

*Streamflow.* Ms. Sayed displayed hydrographs of flows past Montague and Trenton, New Jersey, which showed that in September 2025, streamflow at both locations had been below the median. Ms. Sayed noted that the Delaware River Master had directed releases from the New York City reservoirs to help augment the flow at Montague. She also observed that although many streams were flowing at normal or just slightly below normal volumes, if the basin continued to experience a lack of rainfall, the drying conditions would intensify.

*Salt Front.* On a daily basis, DRBC monitors the location of the "salt front," the seven-day average location in the Delaware Estuary at which the chloride concentration is 250 milligrams per liter. Ms. Sayed explained that although the salt front had crept upstream, reaching River Mile 90 on November 21, 2024, reservoir releases and precipitation had eventually caused it to recede to within its normal range early in the new year. In June of 2025, the salt front had begun to creep upstream again, and as of the September 9, 2025 meeting date, it was located at River Mile 78.2, just above the September median of River Mile 76.

*Groundwater.* Ms. Sayed explained that groundwater levels typically take longer to rebound from dry conditions, but wells in the basin had been showing improvement. She displayed groundwater status maps color-coded by county for May 1, June 8, and September 8, 2025. With few exceptions,

the wells were showing below or much below normal levels in May 2025. However, by June 2025, most had largely recovered, with only a few wells remaining at below normal levels. As of the meeting date, although groundwater across most of the basin was at normal levels, the persistent dry conditions over the summer had caused monitoring wells in the northern and eastern portions of the basin to fall below normal elevations, and in the case of a few wells in southern New Jersey, to fall much below normal. Ms. Sayed noted that if dry conditions persisted, groundwater levels in other regions of the basin would likely also decline. Ms. Sayed also noted that the monitoring well in Cumberland County, New Jersey had registered below normal for most of the year, and as of the meeting date, was hovering between drought watch and drought warning levels.

*Drought Conditions.* A map published by the U.S. Drought Monitor showed that as of September 2, 2025, much of the basin was experiencing drier conditions. That said, as of September 9, 2025, most of the basin remained in “normal” hydrologic status, with the exception of the Coastal South region of New Jersey, which was is in a drought watch.

*Seasonal Outlook.* NOAA’s drought outlook indicated that the basin would likely remain free of drought through the end of November 2025. Ms. Sayed noted, however, that this outlook could change depending on precipitation actually received. She cautioned that although NOAA had predicted an average hurricane season of between 13 and 19 named storms, including three major hurricanes, as of September 10, 2025, there had only been six named storms, including one major hurricane which had not affected the basin. Ms. Sayed explained that precipitation levels in the basin depend on rainfall from hurricanes; accordingly, if no additional storms or hurricanes affected the region, drier conditions were likely to occur.

In summary, Ms. Sayed explained, the basin had experienced a lack of rainfall for the previous few months, which was starting to be reflected in streamflows and precipitation levels. She noted that although the basin could expect warmer than normal temperatures with no drought conditions through November, this outlook could change depending on precipitation actually received.

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

*New DRBC Commissioners.* Ms. Bowman Kavanagh recognized Col. Jesse T. Curry as the new DRBC Commissioner representing the United States. Col. Curry assumed command of the North Atlantic Division of the U.S. Army Corps of Engineers on July 25, 2025. Ms. Bowman Kavanagh also welcomed Lieutenant Col. Ryan A. Baum as Col. Curry’s first alternate DRBC Commissioner. Lt. Col. Baum took command of the Army Corps’ Philadelphia District on July 16, 2025.

*New DRBC Staff.* Ms. Bowman Kavanagh welcomed Anthony Pontarelli, who joined DRBC as Government Affairs Lead in July 2025 after 15 years in state and federal political consulting and government affairs roles. Mr. Pontarelli earned his B.A. in political science from Villanova University and most recently worked as a senior associate at a strategic consulting firm.

*Scientific publications and presentations.* The DRBC report, “Characterization of PFAS in Surface Water, Sediment, and Fish in the Pennsylvania Coastal Zone” was published in July 2025. Staff’s work on this project was supported in part by a NOAA Coastal Zone Management Program grant administered by the Pennsylvania Department of Environmental Protection.

Since the June business meeting, DRBC staff had presented on microplastics at the Society of Women Environmental Professionals of Greater Philadelphia and had given talks on PFAS and 6-PPDq in the Delaware River Basin for the Penn State Extension Master Watershed Steward Program and during the 2025 Delaware River Sojourn. Staff also presented on DRBC initiatives to the Pennsylvania DEP’s Citizens Advisory Council.

*Outreach and education.* DRBC staff engaged in outreach and educational activities at the following seasonal events:

- Juneteenth Celebration at Mercer County Park (Mercer County, NJ)
- The River of the Year Festival (East Stroudsburg, PA)
- The 30th Annual Delaware River Sojourn
- Riverfest (Hancock, NY).

DRBC staff also co-hosted a webinar on open space and nature-based solutions for hazard mitigation with the Pennsylvania Emergency Management Agency on June 30, 2025. For details, see [Delaware River Basin Commission|PEMA Middle Delaware Flood Mitigation Assistance Workshops](#).

*Formal testimony.* Ms. Bowman Kavanagh reported that the Pennsylvania Senate Majority Policy Committee had invited her to provide testimony on data centers at a public hearing on August 11, 2025. Ms. Bowman Kavanagh’s testimony highlighted potential water resource considerations associated with data center development and the Commission’s efforts to better understand water demands and potential impacts associated with this emerging industry. Ms. Bowman Kavanagh explained that ensuring the availability of information about data centers’ projected water demands would be critical to managing this new use in a way that balances competing water needs and ensures the long-term health and viability of the basin’s water resources for residents, businesses and the ecosystem.

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

A Resolution for the Minutes regarding the request by Delaware River Partners, LLC (“DRP”) for an extension of Docket D-2017-009-2 for the Gibbstown Logistics Center Dock 2. Ms. Bush offered the following background for the proposed action:

In 2019, DRP applied for approval to conduct dredging and construct a two-berth deepwater pile-supported wharf structure at the existing Gibbstown Logistics Center (“GLC”), a multi-use marine terminal and international logistics center located at the former DuPont/Chemours Repauno Works site in Greenwich Township, Gloucester County, New Jersey. “Dock 2,” as this project is called, was proposed to be located slightly downstream of a one-berth, deep-water pile-supported wharf structure that the Commission approved for the GLC on December 13, 2017. Following a duly noticed public hearing and opportunity for written comment, the Commission issued Docket D-2017-009-2 (the “Docket”) for the Dock 2 project on June 12, 2019. At the business meeting on that date, DRBC staff provided the Commissioners with a summary of the comments received and recommended certain changes to the draft docket resulting from public input. The Commissioners concluded that with the recommended modifications, the project would not substantially impair or conflict with the Commission’s Comprehensive Plan. They approved the Docket that day by unanimous vote.

Subsequently, the Delaware Riverkeeper Network (“DRN”) requested an administrative hearing on the Commission’s approval, which the Commission granted. In May 2020, a hearing officer appointed by the Commission with the consent of the parties presided over an eight-day evidentiary hearing involving 13 expert witnesses and three fact witnesses, written testimony, cross-examination, re-direct, and rebuttal testimony. The Hearing Officer’s 102-page Report of Findings and Recommendations concluded that the objectors had not demonstrated that Dock 2 would substantially impair or conflict with the Commission’s Comprehensive Plan, and recommended no changes to the Docket issued on June 12, 2019. On December 9, 2020, the Commission issued its final opinion and decision upholding the Docket approval.

DRN appealed the Commission’s decision to the United States District Court for the District of New Jersey. While the litigation was pending in District Court, DRP submitted to the Commission a request for a three-year extension of the Docket, which would otherwise expire after three years under DRBC regulations then in effect, unless DRP could show that it had expended substantial funds in relation to the cost of the project by that point. On September 8, 2022, following an opportunity for written comment by DRN and an opportunity for DRP to respond, the Commission approved DRP’s request for a three-year-extension of the Docket, through June 12, 2025, on two grounds: (1) that DRP demonstrated that it had expended substantial funds in relation to the cost of the project within the three years following the Commission’s approval; and (2) that appeals of the federal and state approvals of the GLC Dock 2 project then pending, including by DRN, provided an independent ground for the Commission to extend the regulatory three-year period.

In March 2023, the District Court ruled in the Commission’s favor, upholding the Docket approval.

In June of 2024, after a full notice and comment rulemaking, the Commission amended its rules to update and clarify the provision for automatic termination of a docket when the approved activities were not undertaken within a specified period of time, and to provide for additional

process and greater transparency. Under the amended rule, in March 2025, DRP requested a second extension of its Dock 2 docket. Because DRP's extension request was timely filed, the approval remained in effect pending the Commission's decision.

The regulation as amended in June of 2024 provides that the Commission may extend an approval for a period up to five years, based upon a written request and supporting documentation demonstrating that four criteria have been met:

- (i) No material changes to the project as approved are proposed;
- (ii) The condition of the project site has not changed in a manner important to determining whether the project would substantially impair or conflict with the Commission's Comprehensive Plan;
- (iii) The Comprehensive Plan has not changed in a manner important to determining whether the project would substantially impair or conflict with it; and
- (iv) The project sponsor is diligently pursuing the project as shown by its planning, construction or project operational activities, its project expenditures, its efforts to secure government approvals necessary for the project, **or** its active participation in appeals of government decisions on its applications. The project sponsor is expressly not required by this subsection to conduct activities that it is not legally authorized to conduct or that it demonstrates would be unreasonable for it to conduct before all necessary government approvals are in place.

In accordance with the procedural provisions of the amended rule, the Commission published DRP's request for an extension of Docket D-2017-009-2 and accepted written comment on the request for a period of 10 days. The Commission received 862 comments prior to the close of the comment period. The Commission also accepted and considered 51 additional comments submitted after the comment period closed. The public comments were submitted by multiple individuals and by eight NGOs. Also in accordance with the amended rule, the Commission furnished all of the comments to the project sponsor, who was afforded an opportunity to respond in writing, and did so.

The commenters objected to the extension on multiple grounds, including that: the public process was flawed or inadequate; material changes to the project had occurred or were proposed; the project sponsor had failed to diligently pursue the project; and the request should be denied on other grounds, all of which had been raised previously and addressed by the Commission in 2019 and 2020. These included concerns related to health and safety, climate change, water quality, aquatic life, economic impact, environmental justice, local opposition, and alleged violation of Pennsylvania's Environmental Rights Amendment.

Ms. Bush explained that the DRBC staff had carefully reviewed all of the comments and prepared a detailed comment and response document and recommendation, which had been provided to the

Commissioners for review. Ms. Bush explained that in staff's view, DRP had demonstrated that the conditions of DRBC's amended regulation were satisfied.

Ms. Bush explained that the draft resolution provided for the Commission to exercise its discretion to extend the Docket for an additional five years, through June 12, 2030. Ms. Bush nevertheless noted that the resolution also recognized that litigation over the project's Corps of Engineers' permits had been stalled for several years in District Court, pending the resolution of a petition before the Federal Energy Regulatory Commission. Accordingly, Ms. Bush explained, even if the Commission were to extend the Docket, the project could not proceed in the near term.

Ms. Bush recommended that the Commission approve the Resolution for the Minutes as proposed. Mr. Domber so moved, and Ms. Whitcomb offered a second. Without further discussion, the Resolution for the Minutes regarding the request by Delaware River Partners LLC for an extension of Docket D-2017-009-2 for the Gibbstown Logistics Center Dock 2 was approved by unanimous vote.

The text of the resolution follows:

#### RESOLUTION FOR THE MINUTES

A RESOLUTION for the Minutes regarding the request by Delaware River Partners LLC for an extension of Docket D-2017-009-2 for the Gibbstown Logistics Center Dock 2.

WHEREAS, on June 12, 2019, the Delaware River Basin Commission (the "Commission" or "DRBC") issued Docket D-2017-009-2 (the "Docket") to Delaware River Partners LLC ("DRP") approving a dredging and deep-water berth construction project known as the Gibbstown Logistics Center Dock 2 ("GLC Dock 2" or "Project"), to be constructed at the applicant's multi-use marine terminal and logistics center, located on a portion of the former DuPont Repauno Works site in Greenwich Township, Gloucester County, New Jersey; and

WHEREAS, GLC Dock 2 is to consist of a wharf featuring two deep-water berths "for the loading of bulk liquid products directly from railcar or truck onto ocean-going vessels for export and includes infrastructure for transloading operations," to support the transloading of a variety of bulk liquid products, including butane, isobutane, propane (collectively, liquified petroleum gas, or "LPG"), liquefied natural gas ("LNG"), and ethane (Docket sec. A.4 Project Description); and

WHEREAS, the Docket specifically provides that there may be "no manufacturing of any bulk liquid products at the site," and "no bulk storage of LNG at the site," (*id.*); and



WHEREAS, following a full evidentiary hearing granted to resolve an administrative appeal of the Docket, on December 9, 2020, the Commission entered its final decision affirming the Docket; and

WHEREAS, in January 2021, the Delaware Riverkeeper Network (“DRN”) appealed the Commission’s decision to the United States District Court for the District of New Jersey (the “District Court”), *DRN v. DRBC and DRP*, Civ. A. No. 21-1108 (D.N.J.); and

WHEREAS, with the District Court appeal still pending, on June 2, 2022, DRP requested a three year extension of the Docket in accordance with Section 401.41(a) of the *Rules of Practice and Procedure* (“RPP”) then in effect, which in relevant part provided 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)”);

WHEREAS, following an opportunity for written comment by the Delaware Riverkeeper Network and an opportunity for DRP to respond, on September 8, 2022, the Commission approved DRP’s request for a three-year extension of the Docket, through June 12, 2025, on two distinct grounds: (1) that DRP demonstrated it had expended substantial funds in relation to the cost of the project within the three years following the Commission’s approval, and that it was thus entitled to the requested extension under Section 401.41(a) of the RPP; and (2) that the pending appeals of federal and state approvals of the GLC Dock 2 project provided an independent ground for the Commission to extend the three-year expiration period in Section 401.41(a) or to waive the expiration period in accordance with Section 401.123 of the RPP; and

WHEREAS, in an opinion and order dated March 31, 2023, the District Court affirmed the Commission’s Docket approval and directed the Clerk of Court to close the case, *see DRN v. DRBC and DRP*, Docket Nos. 61 & 62; and

WHEREAS, by Resolution No. 2024-06 on June 5, 2024, the Commission amended RPP Section 401.41(a), effective July 22, 2024 (hereinafter, “Section 401.41(a)”), altering the conditions under which a docket may be extended; and

WHEREAS, Section 401.41(a)(1) provides for a docket extension of up to five years, based upon a written request from the project sponsor accompanied by supporting documentation demonstrating that:

- (i) no material changes to the project as approved are proposed;
- (ii) the condition of the project site has not changed in a manner important to determining whether the project would substantially impair or conflict with the Commission’s Comprehensive Plan;

- (iii) the Commission's Comprehensive Plan has not changed in a manner important to determining whether the project would substantially impair or conflict with the Comprehensive Plan; and
- (iv) the project sponsor is diligently pursuing the project as shown by its planning, construction or project operational activities, its project expenditures, its efforts to secure government approvals necessary for the project, or its active participation in appeals of government decisions on its applications for government approvals. The project sponsor is not required by this subsection to conduct activities that it is not legally authorized to conduct or that it demonstrates would be unreasonable for it to conduct before obtaining all necessary final government approvals;

18 C.F.R. § 401.41(a); and

WHEREAS, by letter dated March 14, 2025, DRP submitted a request for a three-year extension of the Docket in accordance with Section 401.4(a)(1), offering evidence to demonstrate that: (i) DRP intended to construct GLC Dock as approved with no substantial material changes; (ii) the condition of the Project had not changed in a manner that would impact its conformance with the Commission's Comprehensive Plan; (iii) the Project had not changed from the original approval and, as such, remained in conformance with the Commission's Comprehensive Plan; and (iv) although construction of the Project was delayed, DRP was diligently pursuing the project by, in relevant part, working to secure and extend all requisite government permits and approvals; and

WHEREAS, in accordance with RPP Section 401.41(a)(4), on April 15, 2025, the Commission published notice of DRP's request to extend the Docket and announced that written comment on the request would be accepted through 5:00 p.m. on April 24, 2025; and

WHEREAS, the Commission received 862 comments prior to the close of the comment period and an additional 51 comments shortly thereafter from individual commenters and the following organizations: DRN, Schuylkill Pipeline Awareness, Damascus Citizens for Sustainability, Berks Gas Truth, Food & Water Watch, Environment New Jersey, Pathways Institute of Metaphysics, and Surfrider Foundation; and

WHEREAS the public comments, all of which objected to the requested extension, alleged specifically that: (1) the Project had changed materially since the Docket was approved, based on the proposed construction of two underground storage caverns on the upland portion of the GLC and because of the potential

transport of LNG by truck to and from the GLC site; and (2) DRP had not diligently pursued construction of the Dock 2 Project; and

WHEREAS, the comments also included objections raised during the Commission's initial review of the Project, including concerns over:

- health and safety related to the transport of LNG and storage of petroleum products;
- air quality and climate change related to fossil fuels;
- water quality resulting from dredging activities;
- harm to aquatic life;
- economic impact to communities in the Delaware River Basin;
- environmental justice; and
- other general political concerns; and

WHEREAS, in accordance with Section 401.41(a)(4), the Commission furnished DRP with the public comments and afforded DRP an opportunity to respond; and

WHEREAS, by letter dated May 16, 2025, DRP replied, asserting that there had been no material change to the Project within the meaning of Section 401.41(a)(1)(i)-(iii), and specifically that:

- the proposed underground storage caverns are unrelated to the Docket, which approved only the dredging and construction activities necessary to construct Dock 2;
- the proposed storage caverns are to be located in an upland portion of the GLC—an area not related to the “Project Area” defined in the Docket;
- the cargo that could potentially be handled by GLC Dock 2 when operational is independent from the Docket and not relevant to DRP's extension request; and

WHEREAS, DRP further attested that it has diligently pursued the Project within the meaning of Section 401.41(a)(1)(iv) by securing necessary government approvals and actively participating in appeals of government decisions, including as a defendant-intervenor in the appeal of the permit issued by the U.S. Army Corps of Engineers pursuant to Section 404 of the Clean Water Act and Section 10 of the Rivers and Harbors Act (the “Army Corps Permit”), *Delaware Riverkeeper Network v. U.S. Army Corps of Engineers*, No. 1:20-cv-4824 (D.N.J.), a matter that is currently administratively terminated pending a decision by the Federal Energy Regulatory Commission (“FERC”); and

WHEREAS, DRP also averred that it has made substantial expenditures in support of the Project, including incurring \$8 million in costs; and

WHEREAS, DRP contends that the objections relating to health and safety, air quality and climate change, water quality, aquatic life, economic impact, environmental justice, and political concerns were thoroughly considered during the DRBC public process, administrative hearing, and litigation related to the Commission's initial approval of the Docket; and

WHEREAS, the DRBC staff, in consultation with the Commissioners and staff of their respective agencies, carefully reviewed DRP's extension request and supporting materials as well as the entirety of the public comments, and developed a Comment and Response Document setting forth the Commission's response to the comments submitted by the public and DRP; and

WHEREAS, construction of the GLC Dock 2 project cannot commence until litigation over the Army Corps Permit issued to DRP is resolved, *Delaware Riverkeeper Network v. U.S. Army Corps of Engineers*, No. 1:20-cv-4824 (D.N.J.);

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

1. The Commission incorporates the WHEREAS Clauses above as though fully set forth herein.
2. The September 2025 Comment and Response Document is hereby adopted in its entirety.
3. After thorough consideration of the public comments and the materials submitted by DRP, the Commission hereby finds that:
  - a. There have been no material changes to the Docket as approved by the Commission. In particular, the Commission finds that:
    - i. The proposed construction of two storage caverns upland of the GLC Dock 2 project are unrelated to the dredging and construction activities approved by the Docket, which are located almost entirely on submerged lands of the Delaware River; and
    - ii. The transport of LNG or other bulk gases by truck is separate from the activities authorized by the Docket. Regardless, given that the "Project Description" in the Docket expressly contemplates the transport of LNG by truck, this aspect of DRP's proposed activities does not constitute a change.
  - b. The condition of the Project site has not changed in a manner important to determining whether the project would substantially impair or conflict with the Commission's Comprehensive Plan;

- c. The Commission's Comprehensive Plan has not changed in a manner important to determining whether the Project would substantially impair or conflict with the Comprehensive Plan; and
  - d. DRP has diligently pursued the Project within the meaning of Section 401.41(a). In particular on the basis of averments and documentation provided by DRP, the Commission finds that:
    - i. DRP has attempted to secure all relevant permits and government approvals required for the Project.
    - ii. DRP is actively participating in litigation related to the Army Corps Permit, a matter that is currently administratively terminated pending a decision by FERC.
  - e. DRP has satisfied the conditions of Section 401.41(a), and the Commission accordingly exercises its discretion to extend the Docket for an additional five years, through June 12, 2030.
  - f. If the Project as approved by the Commission changes materially from that described in the Docket, amendment of the Docket may be required.
4. DRP is hereby directed to inform the Commission promptly of any change to the Project as approved by the Docket, arising from the pending appeal of the DRP's Army Corps Permit or for any other reason, if the change could affect the Commission's determination that the Project does not substantially impair or conflict with the Commission's Comprehensive Plan.

A Resolution for the Minutes authorizing the Executive Director to enter into agreements for conducting a Creel Survey in the Delaware River Basin. DRBC's Senior Aquatic Biologist, Jacob Bransky, explained that a creel survey of recreational fishing in the basin, focusing on American Shad, river herring and migratory Striped Bass, was to be funded by the Atlantic States Marine Fisheries Commission ("ASMFC"), with additional funding from the states of Delaware, New York and Pennsylvania. ASMFC and the states believed DRBC to be uniquely situated to facilitate and manage the interstate survey. DRBC's role would include the development and issuance of a request for proposals ("RFP"), and in consultation with the Delaware River Basin Fish and Wildlife Management Cooperative ("Co-op"), the selection of a successful bidder. DRBC would enter into an agreement with the lowest responsible bidder to perform the survey and would monitor the consultant's progress, review, approve and pay invoices, obtain reimbursement from the ASMFC and state funders, and receive an administrative fee from ASMFC for these services. Mr. Bransky explained that the text of the proposed resolution had been shared with the Commissioners in

advance of the meeting. He recommended that the Commission approve the Resolution for the Minutes as proposed.

Ms. Stainbrook so moved, Ms. Whitcomb offered a second, and without further discussion, the Resolution for the Minutes authorizing the Executive Director to enter into agreements for conducting a Creel Survey in the Delaware River Basin was approved by unanimous vote.

The text of the resolution follows:

#### RESOLUTION FOR THE MINUTES

A RESOLUTION for the Minutes authorizing the Executive Director to enter into agreements for conducting a Creel Survey in the Delaware River Basin.

WHEREAS, the Atlantic States Marine Fisheries Commission (“ASMFC”), established in 1942, is an interstate commission comprised of the 15 Atlantic coastal states, which assists in managing and conserving the states’ shared coastal fishery resources; and

WHEREAS, the ASMFC’s mission is to promote the cooperative management, protection and enhancement of Atlantic coast fisheries—marine, shell, and diadromous; and

WHEREAS, pursuant to Amendments 2 and 3 of the ASMFC’s Interstate Fishery Management Plan (“Plan”), the ASMFC is required to complete a Creel Survey for American Shad and river herring, and pursuant to Amendment 7 of the Plan, it must do the same for migratory Striped Bass; and

WHEREAS, the ASMFC has charged the Delaware River Basin Fish and Wildlife Management Cooperative (“Co-op”), of which DRBC is a liaison member, with monitoring and reporting catch, landings and effort associated with the recreational catch and release of American Shad, river herring, and migratory Striped Bass within the Delaware River Basin; and

WHEREAS, a Creel Survey to quantify the above efforts has not been performed since 2002; and

WHEREAS, the ASMFC has secured funding to implement a Creel Survey between March 1 and June 30, 2026, and the states of Delaware, New York and Pennsylvania have tacitly committed to providing additional funding to extend the Survey; and

WHEREAS, the ASMFC, in consultation with the Co-op, has requested DRBC’s assistance in facilitating and completing the referenced Survey; and

WHEREAS, DRBC is uniquely situated to facilitate and manage an interstate survey on recreational fisheries in the Delaware River Basin; and

WHEREAS, the Delaware River Basin Compact (“Compact”) in relevant part provides that the Commission:

- may “[c]onduct and sponsor research on water resources, their planning, use conservation, management, development, control and protection . . . and collect, compile, correlate, analyze, report and interpret data on water resources and uses in the basin” (§ 3.6(c));
- “shall promote and aid the coordination of the activities and programs of federal, state, municipal and private agencies concerned with water resources administration in the basin” (§ 3.9); and

WHEREAS, the Creel Survey will be accomplished through on-the-ground interviews of anglers, using a series of pre-defined questions and examination of their relevant catch, as well as through aerial surveys (using planes or drones) to estimate the number of anglers fishing in a defined spatial area; and

WHEREAS, because neither the ASMFC, nor any single basin state, has the capacity to manage the entirety of the project given its interstate nature, DRBC has been asked to provide administrative support for this effort, in return for a fee;

WHEREAS, using ASMFC funds allocated for this purpose, the Commission will secure assistance from a third-party contractor to conduct the Creel Survey; now therefore,

BE IT RESOLVED by the Delaware River Basin Commission:

1. The Executive Director is hereby authorized to enter into an agreement with ASMFC to facilitate and manage the above-described Creel Survey within the Delaware River Basin, focusing on American Shad, river herring and migratory Striped Bass.

2. The Executive Director is further authorized to develop and issue a request for proposal (“RFP”) for the Creel Survey, and in consultation with the Co-op, to select and enter into an agreement with the lowest responsible bidder in an amount not to exceed the combined sum made available by the ASMFC and the basin states for the bidder’s services, for a term to expire on December 31, 2026.

3. The Executive Director is further authorized to accept a fee from ASMFC for its services, and to enter into any additional contracts or agreements and/or to accept purchase orders from DRBC’s member states as needed to facilitate the Creel Survey.

4. This Resolution for the Minutes shall take effect immediately.

A Resolution for the Minutes authorizing the Executive Director to enter into an agreement for professional services to support legislative and agency engagement and pursue funding opportunities. DRBC’s Director of External Affairs and Communications, Elizabeth Brown,

presented a Resolution for the Minutes authorizing the Executive Director to enter into a 12-month agreement with a qualified consultant to support and safeguard annual signatory party funding for the DRBC, identify additional sources of funding, support and safeguard DRBC's mission and authorities. Ms. Brown explained that a complete copy of the proposed resolution had been circulated to the Commissioners in advance of the meeting, and recommended that the Commission approve the Resolution for the Minutes as proposed.

Ms. Whitcomb so moved, Mr. Domber offered a second, and without further discussion, the Resolution for the Minutes authorizing the Executive Director to enter into an agreement for professional services to support legislative and agency engagement and pursue funding opportunities was approved by a vote of four in favor, with the Federal representative abstaining.

The text of the resolution follows:

#### RESOLUTION FOR THE MINUTES

A Resolution for the Minutes authorizing the Executive Director to enter into an agreement for professional services to support legislative and agency engagement and pursue funding opportunities.

WHEREAS, the Delaware River Basin Compact ("Compact") provides that the United States, the Commonwealth of Pennsylvania, the State of New Jersey, the State of Delaware, and the State of New York are full signatory parties and voting members of the Delaware River Basin Commission ("Signatory Parties"); and

WHEREAS, the Compact provides for the Commission to manage, protect, and improve the water resources of the Delaware River Basin, including by defining and advancing programs for the optimum planning, development, conservation, utilization, management, and control of the Basin's water resources to meet present and future needs; and

WHEREAS, since the Commission's inception in 1961, the Signatory Parties have participated fully in Commission decision-making and have helped to coordinate among the multiple federal and state agencies whose actions affect the water resources of the Basin; and

WHEREAS, the Compact obligates the Signatory Parties to support the Commission's operations through the appropriations processes of their respective legislatures; and

WHEREAS, each year, the legislatures and agencies of the respective Signatory Parties may consider legislation, policies, and programs focused on or affecting matters central to the Commission's mission; and



WHEREAS, the Compact provides, in relevant part, that the Commission may:

- “Prepare, publish and disseminate information and reports with respect to the water problems of the basin and for the presentation of the needs, resources and policies of the basin to executive and legislative branches of the signatory parties.” (Compact Sec. 3.6 (f)) and
- “Negotiate for such loans, grants, services or other aids as may be lawfully available from public or private sources to finance or assist in effectuating any of the purposes of this Compact....” (Compact Sec. 3.6 (g)); and

WHEREAS, the Commission’s interests would be well served by engaging the services of an individual or firm to track member agency and legislative developments and to assist the DRBC staff in educating those involved about potential synergies or discontinuities with Commission programs; now therefore,

BE IT RESOLVED by the Delaware River Basin Commission:

1. The Executive Director is hereby authorized and directed to enter into a 12-month agreement for the professional services of a qualified consultant to: support and safeguard annual Signatory Party funding for the DRBC; identify additional sources of funding; and support and safeguard the DRBC’s mission and authorities.
2. The objectives of such an agreement shall be:
  - a. To maintain clear congressional and legislative authorizations for DRBC funding.
  - b. To ensure inclusion of adequate DRBC funding in state and federal appropriations.
  - c. To support federal and state policies, programs and legislation that align with the DRBC’s mission.
  - d. To respond to federal and state policies, programs and legislation with the potential to impact the DRBC’s mission.
  - e. To identify sources of supplemental funding to support the DRBC’s mission.
3. The cost for twelve (12) months of professional services shall not exceed \$75,000.
4. All funds originating from signatory party contributions allocated by the Commission for this purpose will be expended in accordance with applicable federal and state laws. In particular, no federal funds will be used for activities

prohibited by the Anti-Lobbying Amendment, 31 U.S.C. § 1352 as amended by the Lobbying Disclosure Act of 1995, 2 U.S.C. § 1601 et seq.

Project Review Applications. DRBC's Manager of Project Review, David Kovach, reported that at the Commission's duly noticed public hearing of August 6, 2025, he had presented 25 draft dockets. Mr. Kovach recommended that two of these, items 5 and 22 on the day's agenda, be postponed to allow additional time for review. Noting that the Commission had received no comment opposing any of the remaining projects, Mr. Kovach asked the Commissioners to approve docket items 1 through 4, 6 through 21, and 23 through 25.

Ms. Stainbrook so moved, Ms. Whitcomb offered a second, and without further discussion, docket agenda items 1 through 4, 6 through 21, and 23 through 25 were approved by unanimous vote.

Mr. Kovach next addressed docket item 26, concerning the Morrisville Municipal Authority Wastewater Treatment Plant. Mr. Kovach explained that the Commission had conducted a duly noticed public hearing on this docket on February 5, 2025. DRN had offered oral comment at the hearing and also had provided the Commission with written comments prior to the close of the public comment period on February 10, 2025. Staff had developed a comment and response document addressing each of the five concerns raised by DRN, and the Commissioners had had an opportunity to review the comment and response document in advance of the September 10 meeting. Mr. Kovach summarized DRN's concerns:

First, DRN had flagged that the geographic coordinates identified in the docket for the outfall and monitoring port were incorrect. Mr. Kovach explained that these errors were mathematical rounding errors in decimal degrees and confirmed that the numbers had been corrected.

Second, DRN was concerned that there would be a lack of adequate dilution capacity in the tidal canal to which outfalls 103 and 203 discharge before the canal reaches the Delaware River. Mr. Kovach explained that with the exception of Total Dissolved Solids ("TDS"), all DRBC effluent limits included in the docket were fixed effluent limits and not water-quality based effluent limits determined by available dilution. Mr. Kovach noted that these limits had been included in the docket since DRBC began issuing dockets for this facility through those outfalls (i.e., for decades). He also explained that the canal has been used as a wastewater and storm water effluent conveyance since the 1950s and that discharges to the tidal canal occur within about 180 feet of the confluence with the Delaware River.

Third, DRN was concerned that the ammonia limits for this facility were high and suggested that the loading of nitrogenous biological oxygen demand to the Estuary might therefore be significant. In response, Mr. Kovach explained that the docket included the effluent limits imposed by the Pennsylvania DEP, which were more stringent than the DRBC's and were therefore controlling. Mr. Kovach also explained that the Morrisville Wastewater Treatment Plant had not been identified

by DRBC in its Estuary dissolved oxygen study as one of the major contributors of nitrogenous biological oxygen demand in the Estuary.

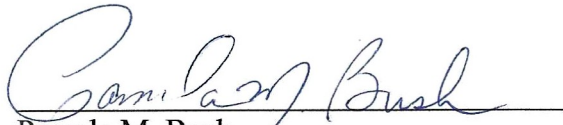
Fourth, DRN was concerned that the hearing notice for the docket described the effluent discharged by the facility as including non-contact cooling water as well as industrial and domestic wastewater. Mr. Kovach explained that DRBC's hearing notice had incorrectly included a reference to non-contact cooling water as part of the discharge. Although such a discharge had been part of previous dockets issued for this project, non-contact cooling water was no longer discharged through Morrisville Municipal Authority's outfall and was no longer included in the docket.

Fifth, DRN was concerned that the TDS determination for the docket allowed the loading of salts, chloride and unspecified dissolved solids into the Estuary. Mr. Kovach explained that the TDS effluent limit at mile point 103 was based on flow and background TDS concentrations. He said a TDS mixing zone had been calculated and approved by DRBC in 2009, and the Zone 2 stream quality objective for TDS was expected to be met. He also explained that according to DRBC's 2024 Delaware River and Bay Water Quality Assessment, the TDS 500 mg/l criterion was met in all water quality zones where the criterion applies, including Zone 2, and the 133 percent of background criterion was also met in 99.4 percent of observations in Zone 2. With respect to chlorides, he stated that the 50 mg/l 15-day mean was met in Zone 2 in 99.4 percent of observations, with only one observed exceedance. Accordingly, Mr. Kovach reported, the DRBC staff did not share DRN's concern that the TDS limit would greatly increase the loading of salts or chloride to the Estuary.

Mr. Kovach concluded by explaining that in the view of the DRBC staff, the project as conditioned by Docket D-1978-068-6 would not substantially impair or conflict with Commission's comprehensive plan. He recommended that the Commission approve the docket with the non-substantive modifications the staff had made in response to DRN's comments.

Ms. Whitcomb so moved, Mr. Domber offered a second, and without further discussion, docket agenda item 26 was approved by unanimous vote.

Adjournment. There being no other business before the Commission, Ms. Whitcomb moved that the meeting be adjourned, Ms. Stainbrook seconded this motion, and the meeting was adjourned by unanimous vote at 11:40 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 SEPTEMBER 10, 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](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 September 10, 2025 are presented below.

*A. Renewals with No Substantive Changes (Items 1 through 4, 6 through 18, and 26)*

1. Pottstown Borough Water Authority, D-1964-036 CP-3. An application to renew the approval an existing surface water withdrawal of up to 243.2 mgm to supply the applicant's public water supply distribution system from an existing surface water intake on the Schuylkill River. The requested allocation is not an increase from the previous allocation. The surface water intake is located in the Schuylkill River Watershed in the Borough of Pottstown, Montgomery County, Pennsylvania.
2. PL Utilites LLC, D-1974-091 CP-3. An application to renew the approval of the 0.07 mgd Pocono Lake WWTP that replaced the existing 0.07 mgd Deer Haven WWTP. The docket holder also requests a name change from Deer Haven WWTP to Pocono Lake WWTP. Treated effluent from the PL WWTP will continue to discharge Outfall 001 to Wallenpaupack Creek, on Lake Wallenpaupack, at River Mile 277.7 - 15.6 - 8.7 (Delaware River - Lackawaxen River - Wallenpaupack Creek), within the drainage area of the section of the non-tidal Delaware River known as the Upper Delaware, which the Commission has classified as Special Protection Waters, in Palmyra Township, Pike County, Pennsylvania.
3. Reading Alloys, Inc. (Kymera International), D-1979-044 -5. An application to renew the approval of the docket holder's existing 0.24 mgd discharge of non-contact cooling water (NCCW). The docket holder will continue to discharge NCCW to an unnamed tributary (UNT) to Spring Creek at River Mile 92.47 - 76.8 - 6.65 - 5.9 - 3.9 - 1.5 (Delaware River - Schuylkill River - Tulpehocken Creek - Blue Marsh Reservoir - Spring Creek - UNT to Spring Creek) via Outfall No. 001, in South Heidelberg Township, Berks County, Pennsylvania.
4. Antietam Valley Municipal Authority, D-1987-045 CP-7. An application to renew the approval of the docket holder's existing 2.45 WWTP and its discharge of up to 1.225 mgd. The docket holder also requests approval for proposed upgrades consisting of converting and existing digester to an aerobic digester, upgrading aeration and mixing systems of existing aerobic digester, blowers and diffusers, replacing RAS and WAS pumps and adding one standby pump, and installing one digester decant pump. Treated effluent will continue to discharge to Antietam Creek at River Mile 92.47 - 66.1 (Delaware River - Schuylkill River - Antietam Creek) via Outfall No. 001, in St. Lawrence Borough, Berks County, Pennsylvania.
5. Pennsylvania American Water Company, D-1992-003 CP-4. (Exeter Township Wastewater Treatment Plant). *Postponed to allow additional time for review.*
6. Blue Bell Country Club, D-1993-059 -3. An application to renew the approval of an existing groundwater and surface water withdrawal of up to 6.3 mgm for irrigation of the applicant's golf course from existing Well Nos. 2, 3, 5 and existing Ponds Nos. 1 and 2. Wells Nos. 2 and 3 are completed in the Stockton Formation and Well No. 5 is completed in the Lockatong 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 Stony Creek Watershed in Whitpain Township, Montgomery County, Pennsylvania.

7. Village of Wurtsboro, D-1994-025 CP-3. An application to renew the approval of an allocation of 10.4 mgm of groundwater from existing Wells 3, 4 and 5 for public water supply. Well 3 is screened in unconsolidated alluvial deposits and Wells 4 and 5 are completed in the Onondaga Limestone and undifferentiated Lower Devonian and Silurian bedrock aquifers, respectively. The project is located in the Basher Kill Watershed in the Village of Wurtsboro, Sullivan County, New York within the drainage area of the section of the main stem Delaware River known as the Middle Delaware, which the Commission has classified as Special Protection Waters.
8. Bucks County Water and Sewer Authority, D-1999-012 CP-5. An application to renew the approval of the existing 0.429 mgd Tradesville WWTP and its discharge. Effluent limits are currently based upon an average annual flow of 0.33 mgd. The WWTP will continue to discharge treated effluent to Mill Creek at River Mile 115.6 - 36.4 - 1.5 (Delaware River - Neshaminy Creek - Mill Creek) in Warrington Township, Bucks County, Pennsylvania.
9. Bucks County Water and Sewer Authority, D-1999-013 CP-5. An application to renew the approval of the existing 1.6 mgd Harvey Avenue WWTP and its related discharge. The WWTP will continue to discharge treated effluent to Cooks Run at River Mile 115.6 - 38.1 - 2.6 (Delaware River - Neshaminy Creek - Cooks Run) via Outfall No. 001, in Doylestown Borough, Bucks County, Pennsylvania.
10. Pennsylvania American Water Company, D-1999-030 CP-6. An application to renew the approval of an existing groundwater withdrawal of up to 81.778 mgm to supply the applicant's Glen Alsace public water supply system from existing Well Nos. G1, G5, G7, G8, G9, G9A, GL2A, DG3, DG4, DG6, DG11, DG12A and DG13. Well Nos. G1, G5 and G7 are completed in Hornblende Gneiss. Well Nos. G8, G9, G9A are completed in Fonglomerate. Well Nos. GL2A, DG3, DG4, DG6, DG11, DG12A and DG13 are completed in the Brunswick Formation. The requested allocation is not an increase from the previous allocation. The project is located in the Schuylkill River and Trout Run Watersheds, in Lower Alsace Township, Exeter Township and Amity Township, Berks County, Pennsylvania.
11. Lower Perkiomen Valley Regional Sewer Authority, D-2001-042 CP-7. An application to renew the approval of the docket holder's existing Oaks WWTP and its discharge. The WWTP will continue to discharge an average 14.25 mgd of treated effluent to the Schuylkill River at River Mile 92.47 - 32.4 (Delaware River - Schuylkill River), via Outfall No. 001, in Upper Providence Township, Montgomery County, Pennsylvania.
12. East Vincent Township, D-2005-007 CP-4. An application to renew the approval of the applicant's existing 0.053 mgd Bartons Meadows WWTP and its discharge to land via subsurface infiltration beds. The WWTP discharge to land is located in the drainage area of French Creek in East Vincent Township, Chester County, Pennsylvania.

13. Marcus Hook Energy, L.P., D-2008-021 CP-4. An application to renew approval of the existing discharge of up to 4.32 mgd of cooling tower blowdown from the Marcus Hook Cogeneration Facility. The facility will continue to discharge to Water Quality Zone 4 of the Delaware River at River Mile 78.7 via Outfall No. 001, in Marcus Hook Borough, Delaware County, Pennsylvania.
14. Nis Hollow Estates, LLC, D-2010-003 -4. An application to renew the approval of the existing 0.018 mgd WWTP and its discharge. The WWTP will continue to discharge treated effluent to an unnamed tributary of Lehigh River at River Mile 183.7 - 39.3 - 1.2 (Delaware River - Lehigh River - UNT Lehigh River) within the drainage area of the section of the main stem Delaware River known as the Lower Delaware, which the Commission has classified as Special Protection Waters, in East Penn Township, Carbon County, Pennsylvania.
15. Minersville Borough Municipal Authority, D-2014-001 CP-2. An application to renew the approval an existing surface water withdrawal of up to 35.371 mgm to supply the applicant's public water supply distribution system from existing surface water Intake No. 3 on the Dyer Run Reservoir. The requested allocation is not an increase from the previous allocation. The surface water intake is located in the West Branch Schuylkill River Watershed in Cass Township, Schuylkill County, Pennsylvania.
16. Giorgio Foods, Inc., D-2014-016 -2. An application to renew the approval of an allocation of 14.0 million gallons per month of groundwater from existing Wells 1, 2 and 3 for industrial processes and potable use at the applicant's mushroom processing facility. The project wells are completed in the Leithsville Formation in the Willow Creek Watershed in Maiden Creek Township, Berks County, Pennsylvania.
17. MHC Lil Wolf, LP, D-2015-005 CP-3. An application to renew the approval of the existing 0.07 mgd Lil Wolf MHP WWTP and its discharge. The WWTP will continue to discharge treated effluent to an unnamed tributary of Coplay Creek at River Mile 183.7 - 21.1 - 9.9 - 0.6 (Delaware River - Lehigh River - Coplay Creek - UNT Coplay Creek) located within the drainage area of the section of the main stem Delaware River known as the Lower Delaware, which the Commission has classified as Special Protection Waters, in North Whitehall Township, Lehigh County, Pennsylvania.
18. Pocono Mountains Industries, Inc., D-2019-008 -2. An application to approve the applicant's existing 0.014 mgd WWTP and its discharge. The WWTP will continue to discharge treated effluent to Red Run at River Mile 183.7 - 83.5 - 11.4 - 6.4 - 3.6 (Delaware River - Lehigh River - Tobyhanna Creek - Upper Tuckhannock Creek - Red Run), 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 Coolbaugh Township, Monroe County, Pennsylvania.
26. Morrisville Municipal Authority, D-1978-068 -6. An application to renew the approval of the applicant's existing WWTP and IWTP, and their discharges of treated wastewater effluent. The facilities will continue to discharge 3.75 mgd of treated industrial wastewater effluent from the IWTP (Monitoring Point No. 103), and 0.163 mgd of treated wastewater effluent from the WWTP (Monitoring Point No. 203), prior to being combined



and discharging via Outfall No. 003 to Water Quality Zone 2 of the Delaware River at River Mile 127.0, in Falls Township, Bucks County, Pennsylvania. The applicant has requested the continuation of a TDS Determination consisting of an average monthly TDS effluent concentration of up to 1,100 mg/l.

*B. Project Renewals with Substantive Changes (Items 5, 19 through 21, and 23 through 25)*

6. Pennsylvania American Water Company, D-1992-003 CP-4. An application to approve modifications and upgrades to the existing 7.1 mgd WWTP. The proposed construction is part of a Corrective Action Plan and includes modifications to the existing influent pumping station and the addition of a new influent pumping station, dual force mains, diversion chambers, and flow equalization tanks. The WWTP will continue to discharge treated effluent to the Schuylkill River at River Mile 92.5-65.3 (Delaware River – Schuylkill River) in Exeter Township, Berks County, Pennsylvania.
20. Longwood Gardens, D-1992-052 -4. An application to renew the approval of an existing groundwater and surface water withdrawal of up to 8.68 mgm to supply the applicant's public water supply system and irrigation for ornamental horticultural display gardens from existing Wells 1, 2, 3, 5, 6, 8, 9, 10, 11, 12, 13, new Wells 4 and 14 and an existing off-stream constructed ornamental lake. The approval will also remove Well No. B-169 from the docket. The project wells are completed in Granitic Gneiss. The requested allocation is not an increase from the previous allocation. The wells are located in the West Branch Red Clay Creek Watershed, in East Marlborough Township, Chester County, Pennsylvania.
21. Artesian Water Company, D-2002-034 CP-5. An application to consolidate Docket Nos. D-2002-034 CP-4 and D-2003-022 CP-4 into a single docket which makes up the docket holder's New Castle County Regional System. The application will also renew the approval of an existing import project of up to 3.369 mgd from the Chesapeake Bay Basin from the Old County Road, Chesapeake City Road, Eastern States and Choptank and Bethel Church well fields, and up to 3.0 mgd from the Susquehanna River Basin from an interconnection with Chester Water Authority to augment water supply to the applicant's public water supply system. The applicant also requests to renew the approval to withdraw up to 770.93 mgm of groundwater to supply the applicant's public water supply distribution system. The docket holder is not requesting an increase in groundwater withdrawal allocation. The project's existing groundwater withdrawals, except for the Broad Run PA Well 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 and wellfields are located in New Castle County, Delaware and New Garden Township, Chester County, Pennsylvania.
22. Liberty Town, D-1985-052 CP-2. (Swan Lake Domestic Wastewater Treatment Plant (DWTP)). *Postponed to allow additional time for review.*
23. Palisades School District, D-2025-002 -1. An application to approve upgrades to an existing 0.0215 mgd WWTP. Upgrades will include removal of three existing partially buried tanks and installing a new packed membrane biological reactor treatment plant. Treated effluent will continue to discharge to an unnamed tributary to Galow Run at River



Mile 172.32 - 1.73 - 0.63 (Delaware River - Gallows Run - Unnamed Tributary to Gallows Run) within the drainage are of the section of the non-tidal Delaware River known as the Lower Delaware, which the Commission has classified as Special Protection Waters, in Nockamixon Township, Bucks County, Pennsylvania.

24. BAE Systems, D-2025-003 -1. An application to approve a groundwater withdrawal associated with the remediation of groundwater contaminated with volatile organic compounds (VOCs) with an allocation of 4.062 mgm from existing Wells PW-19, RW-1, RI-20S, EW-1, EW-2 and EW-3. The wells are completed in the Brunswick and Lockatong Formations. The groundwater is treated by air stripping followed by a secondary treatment through media absorption before it is discharged via Outfall 1 to an unnamed tributary of the West Branch Neshaminy Creek at River Mile 115.51 - 35.0 - 3.35 - 0.49 (Delaware River - Neshaminy Creek - West Branch Neshaminy Creek - Unnamed tributary of the West Branch Neshaminy Creek). The project is located in the Commission's designated Southeastern Pennsylvania Ground Water Protected Area (SEPA GWPA) in the West Branch Neshaminy Creek Watershed, Lansdale Borough, Montgomery County, Pennsylvania.
25. NJY Camps, D-2025-004-1. An application to approve upgrades to an existing 0.100 mgd WWTP. Upgrades will include demolition of specified existing WWTP equipment and building, a new headworks structure, rehabilitation/retrofit of existing tankage, installation of MBR system and UV disinfection. The WWTP will continue to discharge treated effluent to Sawkill Pond, at River Mile 247.2 – 7.7 – 0.2 (Delaware River – Sawkill Creek – Sawkill Pond) and is located in the drainage area to the Middle Delaware Special Protection Waters (SPW), in Dingman Township, Pike County, Pennsylvania.

*C. Projects Not Previously Reviewed by the Commission*

[None.]