

NO. 2024 –

A RESOLUTION establishing a subcommittee of the Delaware River Basin Commission's Water Management Advisory Committee, focused on Source Water Protection.

WHEREAS, the water resources of the Delaware River Basin provide a source of public water supply, including drinking water, for over 8 million people in four states; and

WHEREAS, on average, over 800 million gallons of water are withdrawn throughout the Basin each day for public water supply; and

WHEREAS, protecting sources of public drinking water has multiple benefits, including among others: preventing exposure to contaminants, reducing risks to public health, reducing treatment costs, and protecting water quality for wildlife and recreational uses; and

WHEREAS, Section 7.1 of the Delaware River Basin Compact provides that "[t]he commission shall promote sound practices of watershed management in the basin," and source water protection is a vital consideration in watershed management; and

WHEREAS, the Basin states have developed Source Water Assessment Plans consistent with the requirements of the Federal Safe Drinking Water Act; and

WHEREAS, drinking water public utilities, government agencies and water users throughout the Basin have a common interest in protecting source water quality; and

WHEREAS, source waters of the Delaware River Basin face potential threats that include, but are not limited to: spills and releases of hazardous materials; salinity from road salts and sea level rise; emerging contaminants, including per- and polyfluoroalkyl substances (PFAS); unregulated contaminants; non-point sources of pollution, such as nutrients with the potential to cause harmful algal blooms (HABs), and pathogens; and

WHEREAS, the DRBC's Water Management Advisory Committee (WMAC) and Water Quality Advisory Committee (WQAC) were created to engage diverse sectors in advising the Commission and its staff and to provide a forum for the exchange of information and viewpoints on a variety of watershed and water quality issues. Each has the authority, along with the Commission, to establish subcommittees to address specific issues; and

WHEREAS, a subcommittee can be an effective vehicle for defining, elevating awareness of, and developing strategies to address source water protection concerns for drinking water supplies in the Delaware River Basin; now therefore,

BE IT RESOLVED by the Delaware River Basin Commission:

1. The Executive Director is authorized and directed to:

- a. Convene a Subcommittee on Source Water Protection (SSWP) constituted as set forth in paragraph 4 below, to report to the WMAC.
  - b. Provide a staff liaison to assist the SSWP chair in scheduling meetings, developing and distributing agendas, and preparing meeting summaries and recommendations for the WMAC.
2. The primary objectives of the SSWP are to:
  - a. Provide a regional forum for knowledge sharing and dialogue, and to promote cooperation in addressing source water protection issues and best practices across the Basin.
  - b. Establish and maintain a regular dialogue among public drinking water suppliers and government agencies involved in source water protection within the Basin.
  - c. Coordinate with and support the Delaware Valley Early Warning System.
  - d. Advance to the Executive Director and the WMAC any recommendations that could require Commission action.
3. The SSWP may establish and pursue such other objectives as it deems necessary and appropriate. These may include, but are not limited to:
  - a. Identifying and examining regional source water protection concerns and priorities.
  - b. Coordinating or supporting source water and drinking water protection efforts that benefit multiple water systems.
  - c. Coordinating approaches for funding drinking water supply source protection programs and measures, as needed.
  - d. As appropriate, coordinating with other groups, including the Schuylkill Action Network, that are working to advance and implement source water and watershed protection projects and programs within the Delaware River Basin.
4. The SSWP shall be constituted as follows:
  - a. Reserved Members: Six (6) of the SSWP's members shall be representatives of the states of Delaware, New Jersey, New York, and Pennsylvania; the U.S. EPA; and the City of Philadelphia who possess expertise relevant to the SSWP objectives set forth in paragraph 2 above.
  - b. Other Eligible Organizational Members (Non-Reserved): The number of non-reserved organizational members shall be unlimited, provided each falls within one of the classes defined by i. and ii. below. Non-Reserved organizational

members shall be appointed by the Executive Director, either upon the organization's or the Executive Director's request.

- i. Drinking water utilities that obtain their source water from and provide service to customers within the Delaware River Basin.
    - ii. Drinking water utilities that obtain their source water from the Delaware and Raritan Canal.
  - c. Each organizational member may name one SSWP representative and if desired, one alternate representative. For matters that require a subcommittee vote, each member will have one vote that can be cast by either the member or the named alternate. Members and alternates can be added or revised by eligible organizations and recognized by the chair at any time, with notice to the DRBC staff liaison.
  - d. There are no term limits for members.
  - e. Drinking water utilities that withdraw surface waters from the main stem Delaware River or from the Delaware & Raritan Canal will be encouraged to join and participate in the SSWP.
5. The SSWP shall elect a Chair and a Vice Chair. A nomination and vote for this position shall occur at least once every year. There are no limitations as to how long a chair or vice chair can serve if willing and if duly elected.
  6. The SSWP may consider and establish task- or working groups if needed, with membership determined by needs.
  7. All meetings of the SSWP shall be open to the public, and input from any interested stakeholders should be considered, as needed and as appropriate to the objectives of the SSWP.
  8. The SSWP will meet at least once per calendar year.
  9. The SSWP shall be organized as a subcommittee of the WMAC; however, members are encouraged to coordinate with both the WMAC and the WQAC on matters of interest to both.
  10. All advisory sub-committee members shall serve at the pleasure of the Executive Director and Commissioners and may be removed by either without cause.
  11. Unless renewed, the SSWP shall expire three years from the effective date of this Resolution. Before the end of its three-year term, the SSWP shall make a recommendation to the WMAC and the Commission regarding a path forward for the SSWP. The SSWP shall review the following options:

- a. Continue the SSWP as constituted and request that the Commission renew and extend the term of the SSWP.
- b. Continue the SSWP with recommendations for structural changes, which may include objectives, governance provisions, and/or membership eligibility.
- c. Transition of the SSWP to another form of voluntary source water protection collaborative with similar goals.
- d. Terminate the SSWP with no further action.

BY THE COMMISSION

Adopted:

DRAFT