INCODEL TENTH ANNIVERSARY ANNUAL BUSINESS MEETING

Shawnee Inn
Shawnee-on-Delaware, Pennsylvania
July 10-12, 1946

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INTERSTATE COMMISSION
on the Delaware River Basin

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HON. ELLWOOD J. TURNER
CHAIRMAN

DR. M. P. CATHERWOOD
VICE CHAIRMAN

JAMES H. ALLEN
SECRETARY-TREASURER

MEMBERS OF COMMISSION

DELAWARE

MR. R. C. BECKETT
STATE SANITARY ENGINEER

HON. GEORGE R. CLARK
MEMBER OF HOUSE OF REPRESENTATIVES

HON. GEORGE P. EDMONDS
MEMBER OF THE SENATE

HON. BURTON S. HEAL
RECORDER OF DEEDS, NEW CASTLE COUNTY

MR. W. B. McKENDRICK
STATE HIGHWAY DEPARTMENT

NEW JERSEY

HON. ROBERT C. HENDRICKSON
STATE TREASURER

HON. DUANE E. MINARD, JR.
MEMBER OF ASSEMBLY

HON. JOSEPH C. PAUL
COMMISSION ON INTERSTATE COOPERATION

HON. JOHN G. SHOLL
MEMBER OF THE SENATE

MR. WILLIAM T. VANDERLIPP
DEPT. ECONOMIC DEVELOPMENT

NEW YORK

HON. FLOYD E. ANDERSON
MEMBER OF THE SENATE

DR. M. P. CATHERWOOD
COMMISSIONER, DIVISION OF COMMERCE

HON. GEORGE W. FOY
MEMBER OF ASSEMBLY

HON. NATHANIEL L. GOLDSTEIN
ATTORNEY GENERAL

HON. JOHN S. THOMPSON
MEMBER OF ASSEMBLY

PENNSYLVANIA

HON. FLOYD CHALFANT
SECRETARY, DEPARTMENT OF COMMERCE

HON. WELDON B. HEYBURN
MEMBER OF THE SENATE

HON. FRANKLIN H. LICHTENWALTER
MEMBER OF HOUSE OF REPRESENTATIVES

MR. F. A. PITKIN
DIRECTOR, STATE PLANNING BOARD

HON. ELLWOOD J. TURNER
MEMBER OF HOUSE OF REPRESENTATIVES

INCODEL TENTH ANNIVERSARY ANNUAL BUSINESS MEETING

Shawnee Inn
Shawnee-On-Delaware, Pennsylvania
July 10-12, 1946.

I. Minutes of Preceding Meeting.

II. Executive Secretary's Report.

III. Annual Report of the Chairman.

IV. Stream Pollution Abatement Programs.

V. Schuylkill River Desilting Project.

VI. Water Supply Diversion Problems.

VII. Soil and Forest Conservation.

VIII. Federal Projects and Programs.

IX. Shad Survey

X. Public Relations

XI. Election of Officers.

XII. Finances

XIII. Annual Audit.

XIV. Proposed 1946-1947 Program and Budget.

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Incodel Calendar
Business Meeting

NUMBER I. Reading of Minutes of Previous Meeting.

By Executive Secretary.

ACTION REQUIRED:

ACTION RECOMMENDED:

By:

ACTION TAKEN:

THE INTERSTATE COMMISSION ON THE DELAWARE RIVER BASIN

SUMMARY OF MINUTES

INCODEL EXECUTIVE COMMITTEE MEETING

Trenton, New Jersey
June 7-8, 1946.

An Incodel Executive Committee business meeting was held at Trenton, New Jersey, on Friday and Saturday, June 7-8, 1946. Present were Chairman Turner, Commissioners R. C. Beckett from Delaware, Joseph C. Paul from New Jersey, M. P. Catherwood from New York and F. A. Pitkin from Pennsylvania. Messrs. Allen and Boardman represented the staff.

MINUTES OF THE PRECEDING MEETING

The minutes of the Executive Committee's preceding business meeting, held at the Stacy Trent Hotel, Trenton, New Jersey, Friday, March 15, 1946, were approved as submitted pursuant to motion made by Messrs. Pitkin and Beckett.

REPORT OF EXECUTIVE SECRETARY

On motion made by Mr. Paul, seconded by Dr. Catherwood and approved, the Executive Secretary's report was ordered to be received and filed.

STREAM POLLUTION ABATEMENT PROGRAM

The informal staff report on stream pollution abatement programs which referred particularly to the progress being made in Philadelphia, Camden and Port Jervis relative to the construction of sewage collection and treatment facilities was ordered to be received and filed upon motion made by Messrs. Pitkin and Paul. The Committee specifically instructed the staff to continue to assist representatives of the Cities of New York and Port Jervis in consummating an agreement leading to the construction of the Port Jervis sewage treatment plant at the earliest practical opportunity.

The staff was also instructed to prepare a special diagram or chart setting forth a comprehensive time schedule for the completion of sewage and industrial waste treatment plants in the Basin for use at the annual meeting.

SCHUYLKILL RIVER DESILTING PROJECT

The informal staff report on the Schuylkill River Desilting Project which called attention to the great amount of assistance which Incodel has given to the Pennsylvania Water and Power Resources Board in advancing that river clean-up program was ordered received and filed upon motion made by Messrs. Pitkin and Catherwood.

It was agreed that Chairman Turner and Commissioner Pitkin would confer with Governor Martin and Attorney-General Duff with the view of getting the administration to take steps to accelerate progress on this project.

WATER SUPPLY DIVERSION PROJECTS

The staff report on water supply diversion projects pointed out that Attorney General Goldstein had secured the approval of representatives of the State and City of New York to petition the United States Supreme Court for an amendment of its decree in the New York-New Jersey Delaware River Diversion case permitting the City to adopt the engineering formulae contained in the Incodel reciprocal legislation on water supply diversion projects. It had previously been agreed at an Incodel meeting held in Philadelphia on January 25, 1946 that the Attorneys General of Pennsylvania and New Jersey would join in this petition. It is also planned to ask the Supreme Court whether its decree relative to retention of jurisdiction was intended to apply to all future diversions from the Delaware River watershed.

The Executive Committee approved the recommendations of the staff to make special arrangements for the completion of the program for going before the Supreme Court during its annual business meeting in July, if possible.

The report on water supply diversion projects was ordered to be received and filed on motion of Messrs. Beckett and Catherwood.

SOIL AND FOREST CONSERVATION

The staff report on soil and forest conservation pointed to the development of a specific work program for the promotion of soil and forest conservation in the Delaware watershed. This program had been formulated in consequence of a special meeting of members of Incodel and the staff with the Soil and Forest Advisory Committee which had been appointed by the Commission.

The Committee agreed that a major part of its program for its annual meeting should be devoted to this item.

The report on soil and forest conservation was ordered to be received and filed upon motion made by Messrs. Beckett and Paul.

FEDERAL PROJECTS AND PROGRAMS

The report on Federal projects and programs referred to the successful part which Incodel had played in securing Congressional approval of Federal participation in the Schuylkill River clean-up project and to the Commission's activities in opposing the movement to blanket the country with Federal regional authorities and in the development of Federal pollution abatement legislation which would properly recognize and protect the interest of State and local governments.

The report was ordered to be received and filed upon motion made by Messrs. Paul and Catherwood.

ARRANGEMENTS FOR 1946 ANNUAL MEETING

The Executive Committee gave special consideration to the proposed arrangements for Incodel's 1946 annual meeting. The Chairman's suggestion that efforts should be extended to make this an especially fine meeting in observance of the Commission's Tenth Anniversary were approved by the Committee.

The report was received and filed upon motion made by Messrs. Pitkin and Paul.

TENTH ANNIVERSARY ANNUAL REPORT

Mr. David W. Robinson, of the Council of State Governments, with whom arrangements have been made to assist the staff in the preparation of the special report covering the Commission's activities since its inception in 1936, submitted a preliminary layout for the booklet which was approved by the Committee.

The staff report on this subject was ordered to be received and filed upon motion made by Messrs. Paul and Catherwood.

PUBLIC RELATIONS

After giving its approval to the request of the Friends of the Land to have Mr. Powell, of the Incodel Staff, serve that organization as its Secretary for the ensuing year, the report on public relations was ordered to be received and filed on motion made by Messrs. Pitkin and Paul.

PROPOSED 1946-1947 PROGRAM AND BUDGET

The suggested program and budget for 1946-1947 was approved by the Executive Committee. The staff was instructed to prepare the proposed program and budget in final form for submission and action of the entire Commission as its

annual meeting. The informal staff report was ordered received and filed on motion made by Messrs. Catherwood and Beckett.

FINANCES

The reports on finances were ordered to be received and filed after the Committee had taken the following action:

1. The office was instructed to make the necessary arrangements for the annual audit.
2. Incodel accounts, current and payable, for the months of March, April and May, 1946 in the amounts of $2,722.15, $2,286.75 and $1,925.67, respectively, were approved by the Committee. These accounts and others which have also been approved by the Committee will be submitted to the entire Commission at its annual meeting for final confirmation.

This action was taken upon motion made by Mr. Paul, seconded by Mr. Beckett and approved.

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THE INTERSTATE COMMISSION ON THE DELAWARE RIVER BASIN

SUMMARY OF MINUTES

INCODEL ANNUAL BUSINESS MEETING
Shawnee-On-Delaware, Pennsylvania
July 10-12, 1946.

The annual business meeting of the Interstate Commission on the Delaware River Basin was held in conjunction with its Tenth Anniversary Conservation Conference at Shawnee-On-Delaware, July 10-12, 1946.

The Incodel conference convened Wednesday evening, July 10, with an opening address of welcome by its Chairman, followed by the showing of a picture concerning soil conservation, entitled "THIS IS OUR LAND," and one on stream pollution abatement called "CLEAN WATERS." The program for Thursday, July 11, was divided between the morning session on conservation of water resources and the afternoon session devoted to soil and forest conservation. The session held on Friday morning was centered around the subject Federal-State Relationships which was participated in by Commissioner Lichtenwalter, Colonel F. F. French, District Engineer of the United States Army Engineers, Philadelphia, and Colonel William F. Heavey, District Engineer of the United States Army Engineers, New York City. A printed copy of the program for the meeting is appended hereto and made a part of these minutes.

The Incodel conference was preceded on Wednesday, July 10 by a conference devoted to the nation-wide aspects of water resources utilization and conservation, participated in by Incodel, the Potomac River Basin Commission and the Council of State Governments. A copy of this program is also appended.

Present at the business sessions were: Chairman Turner, Messrs. Chalfant, Heyburn, Lichtenwalter and Pitkin from Pennsylvania, Senator Anderson and

Vice Chairman Catherwood from New York, Commissioners Minard, Paul and Vanderlipp from New Jersey, and Mr. R. C. Beckett from Delaware. Messrs. Allen, Boardman and Powell, and Misses Moore and Tropp represented the staff.

MINUTES OF PRECEDING MEETING

The report of the Executive Secretary was ordered to be received and filed on motion made by Messrs. Pitkin and Heyburn and agreed to, after the Commission took or authorized the following actions:

1. Approved the Executive Committee's action in having 3500 copies of the Tenth Anniversary Booklet printed at a cost of $1,425 summarizing the activities of Incodel for the 1936-1946 decade.

2. Instructed the office to send a letter of appreciation to Mr. David W. Robinson for his assistance to the Commission and staff in making preparations for the Commission's Tenth Anniversary meeting.

3. Instructed the office to send a letter to Senator Hannold of New Jersey welcoming him to the membership of Incodel.

4. Instructed the office to send a letter to State Treasurer Robert C. Hendrickson welcoming him back to the Commission and expressing the Commission's disappointment over the fact that he was unable to attend the Annual Meeting due to conflicting engagements.

5. Instructed the office to send a letter to Duane E. Minard, Jr. congratulating him on his appointment as prosecutor of Essex County, New Jersey.

ANNUAL REPORT OF CHAIRMAN

After complimenting the Chairman for his outstanding leadership, the Commission, upon motion made by Messrs. Pitkin and Paul, ordered that the Chairman's Annual Report be received and filed.

STREAM POLLUTION ABATEMENT PROGRAMS

The informal staff report on stream pollution abatement programs which referred particularly to progress being made in Philadelphia, Camden, and Port Jervis in the advancement of construction programs for sewage collection and treatment facilities was ordered to be received and filed upon motion made by Messrs. Heyburn and Paul. The Commission paid its compliments to the Executive Committee and staff in promoting arrangements for the apparent consummation of negotiations between the representatives of the City of New York and New Jersey regarding the construction of the Port Jervis sewage treatment plant.

SCHUYLKILL RIVER DESILTING PROJECT

The informal staff report on the Schuylkill River desilting project indicated that progress leading to the initiation of actual construction operations was being accelerated due to the prodding and assistance given to the State by the Incodel organization. Despite this encouraging development, and in consequence of the discussion of the Schuylkill project during the conference session, the Commission, upon the recommendation of its Chairman, to whom the matter had been earlier referred, agreed that a letter should be directed by the office to Hon. James A. Kell, Chairman of the Pennsylvania Water and Power Resources Board, advising him that Mr. Boardman, of the Incodel staff, would have to return to Incodel activities by August 15, 1946.

The report of the Schuylkill River project was ordered to be received and filed on motion made by Messrs. Vanderlipp and Pitkin, and agreed to.

WATER SUPPLY DIVERSION PROBLEM

The informal report on water supply diversion problems referred to the work being done by Attorney General Goldstein in preparing a petition to be joined in by Attorneys General Duff and Van Riper requesting the Supreme Court to inform the interested States whether, in retaining jurisdiction in the New York-New Jersey diversion case, it intended that such retention should apply only to that case or to any future water supply diversion project. The report also made reference to the Philadelphia water problem indicating that this situation added to the compelling reasons fr an early determination of the Supreme Court's jurisdiction in the subject of water diversion.

SOIL AND FOREST CONSERVATION

The informal staff report on soil and forest conservation which presented a brief explanation of the Incodel publicity and educational program in this field was ordered to be received and filed upon motion made by Messrs. Lichtenwalter and Heyburn.

FEDERAL PROJECTS AND PROGRAMS

The report considered by the Commission on Federal projects and programs included a progress statement relative to the following subjects:

1. Congressional approval of the Schuylkill River project.
2. Pending Congressional approval on the Lehigh and Lackawaxen River Flood Control projects.
3. Authorization of Forest Service surveys in the Delaware basin relative to upstream flood control, timber resource inventory, and watershed management research activities.

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4. Indefinite postponement of further consideration of Congress on bills for the creation of regional watershed agencies patterned after TVA.

5. Status of measures providing for Federal control over stream pollution abatement.

The recommendation of the staff to develop a special program designed to secure a united front for the protection of States' responsibilities and the importance of Federal-State relations in the matter of Federal stream pollution activities was approved by the Commission, upon motion made by Messrs. Vanderlipp and Pitkin.

The report on Federal projects and programs was ordered to be received and filed upon motion made by Messrs. Beckett and Paul.

SHAD SURVEY

The agenda item on shad survey included a copy of report from Elmer Higgins, Chief of the Division of Fishing Biology, U.S. Fish and Wildlife Service, to Mr. Wayne D. Heydecker, Secretary-Treasurer, Atlantic States Marine Fisheries Commission, and copy of Mr. Heydecker's reply. Specifically, the Fish and Wildlife Service expects to report, before January 1947, its findings as to whether the Incodel standards for the abatement of stream pollution will be sufficient to bring about the restoration of the shad industry.

After the staff had been instructed to express its appreciation to Mr. Heydecker for the report and for his cooperation with Incodel, the report on shad survey was ordered to be received and filed upon motion made by Messrs. Turner and Paul.

PUBLIC RELATIONS

The report on public relations which simply referred to the friendly working arrangements between Incodel and other agencies interested in conservation and recommended that efforts be continued to strengthen these relations, was ordered to be filed upon motion made by Messrs. Vanderlipp and Turner.

ELECTION OF OFFICERS

Nominations submitted to the Commission for the election of the member-at-large from each of the States consisted, upon the recommendation of the respective State delegations, of the following: Hon. Ellwood J. Turner, Pennsylvania, Hon. Joseph C. Paul, New Jersey; Hon. Nathaniel Goldstein, New York; Hon. W. B. McKendrick, Delaware. Each candidate was unanimously elected upon the closing of nomination and the subsequent casting of ballots by the Secretary.

Hon. Ellwood J. Turner was unanimously elected Chairman of the Commission for the year 1946-1947 after his name had been placed in nomination by Commissioner Chalfant. Hon. M. P. Catherwood was similarly unanimously elected as Vice Chairman, his name having been placed in nomination by Mr. Paul.

Mr. James H. Allen was unanimously elected Secretary-Treasurer being nominated by Commissioner Minard.

FINANCES

The reports on finances were ordered to be received and filed upon motion made by Messrs. Paul and Beckett after the Commission had taken the following action:

1. Approval of bills current and payable for the month of June as of the close of business on June 30, 1946.
2. Approval of the Executive Committee's action in approving bills paid for the months of January 1946 through May 1946.

ANNUAL AUDIT

The annual audit made by Ellwood B. Revell & Co., Philadelphia, after being carefully reviewed, was approved by the Commission upon motion made by Messrs. Chalfant and Paul.

The office was instructed to send a copy of the annual audit to the Chairman of the Interstate Cooperation Commissions of New York, New Jersey, Pennsylvania and Delaware.

Upon motion made by Messrs. Vanderlipp and Chalfant and agreed to, the appropriation account payable by Delaware, of $121.67 for 1944-1945, and of $100.00 for 1945-1946 was ordered to be written off the books. This action was taken after Mr. Beckett explained that the monies would not be available, having been expended to pay expenses of members of the Delaware Commission on Interstate Cooperation for expenses on business meetings related to Incodel activities.

PROPOSED 1946-1947 PROGRAM AND BUDGET

The Incodel proposed program for 1946-1947 as set forth in the agenda item on the subject, consisting of specific work items on Stream Pollution Abatement, Water Supply Diversion, Soil and Forest Conservation, Surface and Ground Water Supplies, Public Relations, Federal-State Relationships, State-Local Relations and General and Miscellaneous Activities, was approved upon motion made by Messrs. Vanderlipp and Pitkin.

Upon motion made by Messrs. Chalfant and Paul, a budget amounting to $40,000 for 1946-1947, detailed in accordance with the tabulation included with the agenda item on Program and Budget, was unanimously approved. This action included approval of the payment of $25.00 per month to Chairman Turner for

partial reimbursement of office, traveling and other expenses normally incurred by him in connection with his activities on Incodel business.

Upon motion made by Messrs. McKendrick and Paul and agreed to, the following request for appropriations from the states for 1946-1947 was approved.

Delaware	$2,500.
New Jersey	8,750.
New York	8,750.
Pennsylvania	15,000.
	$33,000.

Meeting the $5,000 excess of budget over appropriations by drawing upon the unexpended operating reserve for 1945-1946 was also approved by the same motion.

STAFF SALARIES FOR 1946-1947

Upon motion of Messrs. Paul and McKendrick and agreed to, the salaries of the members of the Incodel Staff for the year 1946-1947 were increased by $1580, classified in accordance with the schedule included in the agenda item on Program and Budget. This schedule on file has been corrected by changing the figures shown for "Present Salary" and "Proposed Salary" of Henry Rowan from $2700 to $2640 and from $2940 to $2880, respectively. The corresponding correction of the "Totals" also has been made.

ADJOURNMENT

The Incodel business meeting was adjourned, subject to call of the Chairman, Friday, July 12, 1946 at 1:30 P.M.

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F. *"Problems in the Brandywine"*

MR. CLAYTON M. HOFF
Executive Vice President of the Brandywine Valley Association

G. *"Incodel's Program For The Delaware Basin"*

MR. F. A. PITKIN
Executive Director, Pennsylvania State Planning Board and Member of Incodel

H. GENERAL DISCUSSION

7:30 P.M. PICNIC AND ENTERTAINMENT

***Friday, July 12, 1946*—Morning Session**

FEDERAL-STATE RELATIONSHIPS

Presiding: ~~HON. BURTON S. HEAL Recorder of Deeds of the State of Delaware~~ and Member of Incodel R.C.Beckett,St.Ban.Eng. & Member, Incodel Dover, Delaware

10:00 A.M. *"Federal Regional Authority Issue"*

HON. FRANKLIN H. LICHTENWALTER
Pennsylvania House of Representatives and Member of Incodel

10:30 A.M. *"Flood Control and Navigation"*

COLONEL F. F. FRECH
District Engineer of the United States Army Engineers, Philadelphia

11:00 A.M. *"New Jersey Ship Canal"*

COLONEL WILLIAM F. HEAVEY
District Engineer of the United States Army Engineers, New York City

11:30 A.M. ADJOURNMENT

PROGRAM

THE INTERSTATE COMMISSION ON THE DELAWARE RIVER BASIN

Tenth Anniversary

Conservation Conference

SHAWNEE-ON-DELAWARE, PENNSYLVANIA

July 10–12, 1946

Evening Session—*Wednesday, July 10, 1946*

Presiding: Hon. M. P. Catherwood
Commissioner, Department of Commerce, Albany, New York
and Vice Chairman of Incodel

8:30 P.M. *"Welcome to Incodel's Tenth Anniversary"*
Hon. Ellwood J. Turner
Chairman, Interstate Commission on the Delaware River Basin

9:00 P.M. *"Clean Waters"*
An interesting film in technicolor and sound on stream pollution abatement.

Remarks by W.P.Hearsman
9:30 P.M. *"This Is Our Land"* General Electric Co.,Phila.
An inspiring movie on soil conservation.

10:00 P.M. SUMMARIZATION
Hon. ~~James H. Duff~~ Ellwood J.Turner, Chn.,Incodel
~~Attorney General, Commonwealth of Pennsylvania~~

***Thursday, July 11, 1946*—Morning Session**

CONSERVATION OF WATER RESOURCES

Presiding: Hon. ~~Robert C. Hendrickson~~ Duane E. Minard,Jr.
~~State Treasurer, State of New Jersey~~ NJ Leg.&Member,Incodel
~~and Member of Incodel~~ Newark,NJ

10:00 A.M. *"Stream Pollution Control with Special Reference To Pending Federal Legislation"*
Mr. Richard C. Beckett
State Sanitary Engineer of Delaware and Member of Incodel

10:30 A.M. GENERAL DISCUSSION

10:45 A.M. *"Schuylkill River Restoration Program"*
Mr. James H. Allen
Executive Secretary of Incodel

11:00 A.M. *"Water Supply Diversion Projects"*

A. *"The Incodel Program"*
Hon. ~~Nathaniel L. Goldstein~~ Edw. L. Ryan
Asst. Attorney General of New York State and ~~Member of Incodel~~

B. *"New York City's Delaware Project"*
Mr. Roger W. Armstrong
Chief Engineer, New York City Board of Water Supply

C. *"Philadelphia's Water Problem"*
Mr. Frank B. Murdoch
Special Counsel, Philadelphia Water Commission

D. *"New Jersey's Interests"*
Hon. Walter D. Van Riper Russell E. Watson,Esq.
Attorney General, State of New Jersey

E. GENERAL DISCUSSION
James H. Allen

12:30 P.M. SUMMARIZATION
Hon. Ellwood J. Turner
Chairman, Interstate Commisison on the Delaware River Basin

1:00 P.M. LUNCHEON

***Thursday, July 11, 1946*—Afternoon Session**

SOIL AND FOREST CONSERVATION

Presiding: Hon. Ellwood J. Turner
Chairman, Interstate Commission on the Delaware River Basin

2:00 P.M. A. *"Soil and Forest Conservation—A Key To Future Prosperity"*
A few observations by the presiding officer

B. *"U. S. Soil Conservation Service Activities"*
Dr. Austin L. Patrick
Regional Conservator, U. S. Soil Conservation Service, Pennsylvania

C. *"U. S. Forest Service Activities"*
Dr. Verne L. Harper
Director, U. S. Dept. of Agriculture, Northeastern Forest Experiment Station

D. *"Functions of State Soil Conservation Committees"*
Hon. Miles Horst
Secretary of Agriculture of Pennsylvania and Chairman of Pennsylvania State Conservation Committee

E. *"Problems in the Lehigh River Basin"*
Mr. ~~George P. Kingsley~~ Alvin A. Shumann
Vice President of the Lehigh River Valley Flood Control Council

WATER RESOURCES CONFERENCE

Sponsored jointly by the Interstate Commission on the Delaware River Basin, The Council of State Governments and the Interstate Commission on the Potomac River Basin.

Shawnee Inn — Shawnee-on-Delaware

July 10, 1946.

Morning Session

Presiding, Honorable L. Harold Sothoron, Chairman, Interstate Commission on the Potomac River Basin

10:30 AM - Formation and Scope of Water Resources Committee, Frank Bane Executive Director, Council of State Governments.

10:45 AM - Report on Activities of Water Resources Committee, Hon. Ellwood J. Turner, Chairman, Water Resources Committee, Council of State Governments

11:15 AM - Report of Water Conservation Conference, Alban Parker, Chairman, Water Conservation Conference

11:45 AM - General Discussion: Water Resources Problems of the Nation

12:30 PM - LUNCHEON

Afternoon Session

Presiding, Honorable Ellwood J. Turner

2:00 PM - Federal Stream Pollution Legislation, R. C. Beckett, State Sanitary Engineer of Delaware and Member of Incodel

3:00 PM - Functions of the Commissions on Interstate Cooperation, Harold Ostertag, Chairman, Joint Legislative Committee on Interstate Cooperation

3:30 PM - Water Resources Problems in the Potomac Basin and the Activities of the Potomac River Basin Commission, Hon. L. H. Sothoron, Chairman

4:15 PM - Adjournment

Incodel Calendar
Business Meeting

NUMBER II. Report of Executive Secretary.

STATEMENT: See Attached Copy.

ACTION REQUIRED: Review, discussions, suggestions, and approval.

ACTION RECOMMENDED:

By:

ACTION TAKEN:

THE INTERSTATE COMMISSION ON THE DELAWARE RIVER BASIN

REPORT OF EXECUTIVE SECRETARY

Incodel Tenth Anniversary Business Meeting
Shawnee-On-Delaware, Pennsylvania
July 10-12, 1946.

This is the second meeting of the entire Commission since its annual business meeting held a year ago at the Warwick Hotel in Philadelphia. The intervening meeting was held in Philadelphia, January 25-26, 1946. At that time the Commission's activities and accomplishments for the period between July 1945 and January 1946 were reviewed.

The purpose of this meeting, among other things, is to consider progress which has been made during the past twelve months, to agree upon a program of activities for the current fiscal year, to elect officers and new members of the Commission for 1946-1947 and to adopt a budget for the year. A conference jointly sponsored by Incodel, the Potomac River Commission and the Council of State Governments, at the request of the latter two agencies, is being held here Wednesday, July 10 in conjunction with the regularly scheduled Incodel annual meeting.

In addition to the January Commission meeting, the Executive Committee during the past year held five business meetings as follows:

September 14-15, 1945	-	Port Jervis, N.Y.
December 4, 1945	-	Philadelphia, Pa.
March 15, 1946	-	Trenton, New Jersey
April 5, 1946	-	Philadelphia, Pa.
June 7-8, 1946	-	Trenton, New Jersey

The members of the Commission and of the staff also participated in numerous other special meetings and conferences involving discussions of programs of interest and concern to the Commission.

TREASURER'S REPORT

Pursuant to instructions of the Executive Committee at its last meeting, the office has had an annual audit made for the past year. It is being submitted separately for your consideration at this meeting, and consequently no other separate report will be presented to the Commission by its Treasurer.

ANNUAL REPORT OF THE COMMISSION

As you all know, Incodel this year is observing its Tenth Anniversary. Because of the occasion, the Executive Committee agreed that it should prepare a special "birthday" booklet briefly summarizing the accomplishments of the Commission over the past decade. The brochure has been prepared for distribution during the sessions of this meeting and, subsequently, to representatives of public and private agencies interested in the work of the Commission. The record which the Commission has made in this ten-year period is most outstanding, and the Commission should be justly proud of its accomplishments.

The Executive Committee came to the conclusion that this booklet should take the place of a printed annual report of the Commission for the past year.

Based upon the Executive Committee's estimate, the order was placed for the printing of 3500 copies of the booklet. The cost of them, including special mailing envelopes, was $1,425.00.

The Commission's approval of the Executive Committee's action in having the booklet published is requested.

INCODEL MEMBERSHIP

During the year the Commission lost the services of Senator John G. Sholl of New Jersey, a member since July 1943. John resigned from the Senate to accept the position of Supervisor of Migrant Labor Board last June. His place has been filled at the request of the New Jersey Commission on Interstate Cooperation by Senator Harold W. Hannold, of Woodbury, New Jersey. Unfortunately, because of a conflicting engagement which he could not break, Senator Hannold was not able to be present at this meeting. The office has directed a letter of welcome to Senator Hannold. Undoubtedly, the Commission will wish to supplement it by a special message arising from this meeting.

The Commission is most pleased to welcome back one of its most ardent members, State Treasurer Robert C. Hendrickson, who was released from active service in January 1946, after being with the Allied Military Government in the European theatre of operations for over two years.

This is a fitting time for the Commission to extend its congratulations to Assemblyman Duane E. Minard, Jr. who has been rewarded for outstanding public service by being made Prosecutor of Essex County, New Jersey. Fortunately, Duane can continue with Incodel until next year in that, because of time limitations, it was not possible to remove his name from the ballot for re-election to the Assembly. He, therefore, will continue to be an Assemblyman from New Jersey until his resignation is offered and accepted. It is understood that this will be done next January.

STAFF ACTIVITIES

During the year two persons have been added to the Incodel staff. Miss Reba B. Tropp has been very efficiently serving as office secretary since September 1945. Mr. Amos L. Powell was engaged beginning January 1, 1946 to take

responsible charge of the Commission's programs on soil and forest conservation. Mr. Powell is doing nicely and, while progress has been slow due to circumstances beyond his control, the Commission's work in this field is beginning to take hold and to be favorably received.

Members of the staff have been called upon to devote their attention to numerous activities during the past year. It is pleasing to report that these efforts have generally met with success. As a special service to the Commonwealth of Pennsylvania the Commission has made arrangements to have John Boardman serve the State temporarily as Project Engineer in charge of forwarding plans for the restoration of the Schuylkill River. This assignment has extended over the past two months and is expected to be terminated August 1st. Mr. Boardman's salary during this assignment has been paid by the State. The numerous requests to have members of the Commission and staff participate in programs of public and private agencies interested in governmental administration and the advancement of the principles of cooperation have been cheerfully met. Incodel has taken part in approximately 100 such programs during the past year.

APPRECIATION

In conclusion, your Executive Secretary desires again this year to express the appreciation of each of the members of the staff for the privilege of taking part in the Commission's interesting and valuable programs and for the courteous consideration given to them by the Commission.

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Incodel Calendar
Business Meeting.

NUMBER III: Annual Report of the Chairman.

STATEMENT: See attached copy.

ACTION REQUIRED: Review, discussion, suggestions, and approval.

ACTION RECOMMENDED:

By:

ACTION TAKEN:

THE INTERSTATE COMMISSION ON THE DELAWARE RIVER BASIN

ANNUAL REPORT OF THE CHAIRMAN

Incodel Tenth Anniversary Business Meeting
Shawnee-On-Delaware, Pennsylvania
July 10-12, 1946.

Incodel is observing its Tenth Anniversary at this meeting. A booklet, especially prepared for this happy occasion, briefly summarizes the Commission's accomplishments over the past decade. May I suggest that that brochure be read in conjunction with this report covering a few of the highlights of Incodel's activities for the year just ended, June 30, 1946.

Every year since it was organized in 1936 the Commission has been able to present an increasingly impressive annual report. The past year, in my judgment, was no exception, although some of its accomplishments perhaps have been less spectacular and news-capturing than in previous fiscal periods.

For example, in the preceding year, we broke through the impasse which had existed since 1939 in getting Pennsylvania to put its stamp of approval on the Incodel reciprocal legislation for the abatement of stream pollution. It was hard to get Pennsylvania to move, but when it did, it went the limit. It not only joined with New York, New Jersey and Pennsylvania in adopting a unified pollution abatement program for the Delaware, but it also accepted the Incodel program for the restoration of the Schuylkill River, joined the Ohio Basin States in a similar program there, and enacted one of the most forward, state-wide conservation programs in existence.

With this development coupled with the ending of the war there was a natural tendency to assume that there would be plenty of action soon; that it would not be long before the dirt would fly.

This has not materialized. It should not have been expected. The results of the mistakes of a century and a half cannot be erased overnight. They have not been corrected in the past twelve months. Nor will they be in the next, or the following period, or the one after that. But, the ground for action has been broken. Practically every municipality, and many industries, in the Delaware Valley are prepared to embark upon an action program to meet their responsibility in the restoration and conservation of our water resources as soon as labor and material markets will permit. Philadelphia, the main obstructionist of the past, is ready to proceed with the construction of adequate municipal sewage collection and treatment facilities, as is Camden, its across-the-River neighbor in New Jersey and also New York City and Port Jervis, who hold the key to the maintenance of a suitable quality of the waters of the Delaware entering New Jersey and Pennsylvania. Altogether these and hundreds of other municipalities and industries are only waiting for the green light of availability of manpower and supplies to put a $100,000,000 stream cleansing program into effect. Adding to that the $35,000,000 Federal-State project for the restoration of the Schuylkill River, the Delaware's largest tributary, gives a measure of Incodel's success in advancing its first objective, stream pollution abatement.

Unless inflation runs rampant, I confidently expect that within six years from now, the Delaware and its tributaries will be relieved of all unreasonable forms of pollution.

WATER SUPPLY DIVERSION

As to our second objective, the establishment and acceptance of mutually advantageous rules-of-the-game concerning the diversion of the flows of the

Delaware and its tributaries for municipal water supply, Incodel again has practically rung the bell. The formulae which it has devised have been made a part of the laws of the States of New York, New Jersey and Pennsylvania, although they are not yet operative. This requires a ruling upon two points by the United States Supreme Court, namely:

1. Its approval of the substitution of the Incodel recommendations as to compensating water for the rules which it announced in the New York-New Jersey Diversion Case for the operation of the New York City Delaware project.
2. Its intent as to retention of jurisdiction over the development of municipal water projects involving a diversion of stream flows.

Through the leadership of Attorney General Goldstein of New York, one of Incodel Members, a program for resolving these questions, consisting of the presentation of a petition jointly sponsored by the Attorneys General of the three interested states at the October, 1946 term of the United States Supreme Court, is in the process of preparation. Following a ruling by the Court, Incodel should be in a position to perfect its tri-state water supply diversion policy. With a new interest on the part of Philadelphia and New Jersey, and a renewed interest by New York City, this Incodel undertaking takes on increasing importance.

FEDERAL-STATE RELATIONS

Although its effects are not easily visualized or realized, Incodel has performed perhaps its greatest services by promoting the continuance of the nation's constitutional policies by the effective work which it has done in reshaping and improving federal-state relationships. Last year, the Commission played a prominent part in persuading Congress to announce a legislative policy to protect states' interests in the planning of federal navigation and flood control projects. Federal and state agencies are now required by law to formulate such programs on a cooperative basis.

This was a marked reversal of the trend to completely disregard the wishes of state and local governments which has been growing during the six or seven preceding years.

During the past year, Incodel helped tremendously in the successful program to prevail upon Congress to proceed with caution in its consideration of proposals to blanket the nation with federally controlled watershed development agencies patterned after the Tennessee Valley Authority. For the time being at least, efforts to T.V.A.-ize the Missouri Valley and the Columbia River Basin and eventually to extend this philosophy over the entire country have been set aside. In their deliberations of measures for the establishment of such agencies, the United States Senate Committees have given due recognition to the demonstration of the capacity of existing agencies of federal, state and local governments to work together cooperatively in the formulation of regional programs for the utilization and conservation of natural resources. To Incodel belongs a large measure of the credit for this accomplishment. It has not hesitated to point with pride to the manner in which the problem is being handled in the Delaware Valley.

SOIL AND FOREST CONSERVATION

During the past year Incodel has made substantial progress in the advancement of its most recent undertaking for the promotion of practical programs for soil and forest conservation. I am convinced that this task is of utmost importance. Our soils and forests are being rapidly depleted. Unlike water they cannot be replenished in a year or a few years after a drought, or restored in a relatively short period after being unduly despoiled. Once topsoil is lost, it is gone forever. We know of no way to recover it from the bottom of streams or from the ocean floor and return it to its point of origin. Great civilizations have disappeared or lie buried in oblivion because they gave no heed to this fact.

While forests can be replaced after ruthless exploitation or careless destruction, it is a long, long process. At best, many generations, often several centuries, are required.

If we are our children's keepers, if we have that sense of responsibility for making our country, our region, a better place for unborn future descendents to enjoy, surely we must do our part to protect the things that will make this possible. We can do this best by protecting our natural resources; water, soil, forests and minerals. The future economic welfare and prosperity, not only of this country but of the world, will depend upon how well we do this job. Nothing would please me more than to feel that we, in the Delaware Basin, will meet our responsibility, will set an example for the rest of America, in this field.

As with all our tasks, we are making a humble beginning on our soil and forest conservation program. But, our objective of getting all agencies

dealing in these matters to work together toward a common goal has started to take hold. We are preaching the gospel of conservation. We are advocating joint and concerted action.

We are breaking down jealousies and suspicions and overcoming the obstinacy of inertia.

These results are being accomplished by a publicity, educational and good will program upon which we have embarked. It is discussed in detail in a separate item of this agenda.

FUNDAMENTAL POLICIES

In the early stages of its operational activities, the Commission adopted the policy of tackling first things first, of operating slowly and carefully but on sound, solid ground, and of gradually embarking upon advisable new fields of endeavor as older items of business demand less attention. That this procedure produces more effective and lasting results than spreading ourselves out too thinly over a wider range of activities has been well proved. By continuing the policy of taking little steps instead of trying to cover the entire gamut as a single undertaking, we are gradually approaching our over-all objective of producing a practical and workable plan for the wise utilization of the human and natural resources of our interstate river region. Let us carry on in the wise manner.

CONCLUSION

In bringing this brief report to a close I wish, again this year, to acknowledge and express appreciation for the high quality services rendered

by our staff. Their intelligent and untiring work is of the highest order.

To the members of the Commission, may I convey my deepest gratitude for the honor and privelege of serving as your Chairman. It is an honor and great pleasure to work with such a fine group of public officials. We are building a solid and worth-while structure, and I am happy to have the opportunity to take part in this great undertaking.

Respectfully submitted,

Ellwood J. Turner
Chairman.

Incodel Calendar
Business Meeting

NUMBER IV: STREAM POLLUTION ABATEMENT PROGRAMS.

STATEMENT: See attached copy.

ACTION REQUIRED: Review, discussion, suggestions, and approval.

ACTION RECOMMENDED:

By:

ACTION TAKEN:

THE INTERSTATE COMMISSION ON THE DELAWARE RIVER BASIN

STREAM POLLUTION ABATEMENT PROGRAMS

Incodel Tenth Anniversary Business Meeting
Shawnee-On-Delaware, Pennsylvania
July 10-12, 1946.

Much progress was made in the advancement of the Commission's basin-wide program for the abatement of stream pollution during the past year. Outstanding developments in this field are briefly summarized in this report.

At the primary elections on May 21st last, Philadelphia citizens by an almost ten-to-one vote authorized the City to borrow $34,000,000. for the completion of its sewage collection and treatment facilities. As you know, a councilmanic appropriation of an additional $8,000,000 for the same purpose had been approved five months earlier. This is great news! It is one of the breaks for which Incodel has been fighting for many years. It seems that, at long last, the log jam which has impeded programs for the abatement of stream pollution in the Delaware River basin has been broken. Progress from now on should proceed at a greatly accelerated rate.

Philadelphia, the worst offender, now has a physical and financial program to meet its responsibility in the abatement of stream pollution. It is actually engaged on the construction of intercepting sewers and it intends to advertise for bids for the reconstruction of its northeast sewage treatment plant this Summer. Its overall program calls for the completion of the entire system within the next six years. It will be financed by revenues received from sewer rentals.

CAMDEN

As a violator of the principles of common decency in respect to the disposal of municipal sewage and industrial wastes, the City of Camden has followed closely on Philadelphia's heels. But satisfactory progress is also being made in

this community. Under the terms of the Consent decree, secured as the result of the cooperative efforts of the New Jersey State Health Department and Incodel, Camden is required to keep pace with Philadelphia in the construction of plants for the collection and processing of its municipal and industrial refuse. The original date for the beginning of such construction, May 1, 1946, has been extended six months.

PORT JERVIS

The stream pollution situation at Port Jervis is also well in hand, due to a great extent to the interest which Incodel has taken in this matter. Following the special conference which it arranged between the officials of Port Jervis and the New York City Board of Water Supply, new efforts have been made between these two groups to negotiate an agreement relative to their respective responsibilities in the construction of the Port Jervis sewage collection and treatment plant. The results are highly encouraging. During the past session of the New York State legislature, an act was passed amending the administrative code of the City of New York to authorize the making of a contract between that City and the City of Port Jervis in reference to the construction of the Port Jervis treatment facilities. The act permits the City of New York to proceed with the construction of such a plant in accordance with an agreement mutually acceptable to the two municipalities. It also authorizes the City of New York to acquire by purchase or condemnation, such real estate in Port Jervis or Orange County as may be necessary to carry out the program.

Representatives of both municipalities will be present at this meeting and a special effort will be made to assist them in furthering their negotiations.

BASIN-WIDE PROGRESS

Philadelphia, Camden and Port Jervis, each located in a separate State, constitute the sore spots as far as pollution in the Delaware watershed is concerned. Prospects for their early solution are bright indeed. Equally encouraging is the progress being made in handling stream pollution problems throughout the basin generally. Pennsylvania and New Jersey are both pressing their respective municipalities, and the response has been favorable in most instances. For example, Easton, Pennsylvania and Phillipsburg, N.J. right across the river, are both ready to let contracts for sewage system improvements. The New Jersey State Department of Health has been particularly active recently in issuing orders against offending municipalities and industry in the New Jersey section of the basin.

Impetus undoubtedly will be given to this type of work by the passage of an appropriate Federal stream pollution measure. An attempt was made to pass such legislation this year but was not successful due to time limitation. The subject undoubtedly will be an early item of business next year. It is an important matter and is covered in more detail in another item of this agenda. It also is a special item of discussion on the Commission's conference program and on the program of the joint conference of the Delaware and Potomac River Commissions and the Council of State Governments.

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Incodel Calendar
Business Meeting

NUMBER V. Schuylkill River Desilting Project.

STATEMENT: See attached copy.

ACTION REQUIRED: Review, discussion, suggestions, and approval.

ACTION RECOMMENDED:

By:

ACTION TAKEN:

THE INTERSTATE COMMISSION ON THE DELAWARE RIVER BASIN

SCHUYLKILL RIVER DESILTING PROJECT

Incodel Tenth Anniversary Business Meeting
Shawnee-On-Delaware, Pennsylvania
July 10-12, 1946.

The Commonwealth of Pennsylvania, at its 1945 Legislative Session, approved the Incodel programs for the restoration of the Schuylkill River and appropriated $5,000,000 for work to be done in the two year period ending June 30, 1947. The total estimated cost of this State project is $25,000,000.

Since then, Congress last month passed a 1946 Rivers and Harbors Bill which contains a project for Federal participation in the Incodel Schuylkill program at an estimated cost of $13,000,000.

The success which Incodel has met in gaining approval of this joint Federal-State project for the reclamation of the Delaware River's largest tributary is one of its outstanding accomplishments.

A remaining principal task is to get the work started. Incodel has done everything humanly possible to obtain this goal during the past year. It has concentrated its efforts upon the State because, rightly, the Federal project for cleaning the lower part of the River between Norristown and Philadelphia is conditioned upon, among other things, the completion by the State of fifty per cent of its job in the upper river and the furnishing of satisfactory assurance regarding the balance of the job. Performance, not promises, is what counts.

For months on months despite the urging of Incodel, the State seemingly would not recognize the necessity for action. But, undismayed, the Commission continued to apply the heat and, the ice now has been broken. The Schuylkill River project is beginning to move.

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TRENTON, NJ 08625-0520

It is understood that an agreement between the Reading Railroad and the Commonwealth of Pennsylvania, under which the State will take over the properties of the Schuylkill Navigation Company needed to carry out the project, is about to be executed. Also, there are good reasons to believe that the State will advertise for bids to begin dredging of the Schuylkill this summer, and begin the construction of desilting basins before many more months have elapsed. Unless bids are way out of sight due to the presently inflated market in materials and manpower, the dirt should soon be flying. Governor Martin has called upon the State Water and Power Resources Board to speed up its program for the reclamation of the River, and Attorney General Duff has promised to carry the work forward at an accelerated rate, if he is elected as the next chief executive.

To Incodel belongs most of, if not all, the credit for this progress. Becoming discouraged in April at the pitiful way in which the State was handling the work, the staff called upon Secretary Kell to correct the situation. As an aid, it presented a practical five-year program to him at a conference in Philadelphia, a copy of which is appended to this report. The program provides for the completion of the following items during the first year, ending July 1, 1947.

1. Completion of negotiations for acquisition of Schuylkill Navigation Company properties by June, 1946.
2. Construction of Auburn Desilting Basin.
3. Dredging of Black Rock Pool near Phoenixville.

A visit to the Reading office with Secretary Kell and Chief Engineer Batley disclosed that the personnel there was badly disorganized because of the lack of supervision and direction due to the illness and subsequent death of Project Engineer Hodges. To assist in correcting this situation Secretary Kell asked Incodel to assign John Boardman to the job on a temporary basis on the State

payroll until the State could secure someone to take Hodges' place. It was agreed to do this provided that Secretary Kell and Governor Martin would give Boardman a free rein in running the job and would cut all red tape relative to securing personnel, equipment and supplies to a minimum. The Governor approved this arrangement at a conference held in his office on April 30, attended by Secretary Kell and Messrs. Pitkin, Allen and Boardman of Incodel.

Mr. Boardman has been devoting full time to the Schuylkill job since then, and the necessary field work is almost finished. With the assistance of the services of a consultant, the State should be able to advertise and receive bids for dredging in the Schuylkill within a few weeks.

The press has evidenced a great interest in this development, and the Philadelphia Inquirer is planning to carry a feature story on it emanating from this meeting. It is understood that the article will be based upon the Incodel proposed five year program.

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THE INTERSTATE COMMISSION ON THE DELAWARE RIVER BASIN

A PROPOSED FIVE YEAR PROGRAM

SCHUYLKILL RIVER DESILTING PROJECT
(Based upon Review of Army Engineers 1945 report)

FIRST STEP - ITEMS TO BE COMPLETED BY JULY,1947.

Item Description	Quantity (Cubic Yards)	Desirable Date of Completion	Estimated Cost
(a) Acquisition of Schuylkill Navigation Co. Properties	-	By May, 1946	$25,000.00
(b) Preparation of Plans For and Construction of Auburn Desilting Basin	-	By July, 1947	1,803,000.00
(c) Dredging Black Rock (or Norristown) Pool (1 - 15" Dredge)	2,200,000	By July, 1947	2,000,000.00
(d) Repairing Dams			
Herbines	-	By January,1947	103,400.00
Poplar Neck	-	By January,1947	13,300.00
Big Reading	-	By January 1947	143,000.00
Vincent's	-	By January 1947	9,200.00
Norristown	-	By January 1947	6,200.00
(e) Removal of Dams			
Lords, Hummel, Blue Mt. & Kernsville		By March, 1947	56,000.00
Felix, Leize, Shepps & Kissinger		By March, 1947	60,300.00
TOTAL	2,200,000		$4,219,200.00

SECOND STEP - ITEMS TO BE COMPLETED DURING 1947-1949 BIENNIUM

Item Description	Quantity (Cubic Yards)	Desirable Date of Completion	Estimated Cost
(a) Dredging Operations			
Herbines Pool (1 - 15" Dredge)	1,517,000	July, 1948	$1,437,000.00
Poplar Neck Pool	1,457,000	July, 1949	1,740,700.00
Big Reading Pool (2 - 15" Dredges)	5,868,000	July, 1949	5,756,000.00
(b) Construct Such Temporary Dams in Section of River Between Reading and Vincent's Dam as are Required	-	January,1949	411,900.00
(c) Reconstruct Catfish and Pawlings Dams, probably as Permanent Structures	-	January,1949	1,000,000.00
TOTAL	8,842,000		$10,345,600.00

THIRD STEP - ITEMS TO BE COMPLETED DURING 1949-1951 BIENNIUM

Item Description	Quantity (Cubic Yards)	Desirable Date of Completion	Estimated Cost
Construct Kernsville Dam	-	July, 1951	$ 500,000.00
Complete Dredging in Section of River Between Reading and Norristown	8,458,000	July, 1951	8,144,000.00
TOTAL	8,458,000		$8,644,000.00

RECAPITULATION

FIRST STEP -	Items To Be Completed by July 1947	$ 4,219,200.00
SECOND STEP -	Items to be Completed in 1947-1949 Biennium	10,345,600.00
THIRD STEP -	Items to be Completed in 1949-1951 Biennium	8,644,000.00
TOTAL		$23,208,800.00

Incodel Calendar
Business Meeting

NUMBER VI: WATER SUPPLY DIVERSION PROBLEM.

STATEMENT: See attached copy.

ACTION REQUIRED: Review, discussion, suggestions, and approval.

ACTION RECOMMENDED:

By:

ACTION TAKEN:

THE INTERSTATE COMMISSION ON THE DELAWARE RIVER BASIN

WATER SUPPLY DIVERSION PROBLEM

Incodel Tenth Anniversary Business Meeting
Shawnee-On-Delaware, Pennsylvania
July 10-12, 1946.

You will recall that a conference of the Attorneys General of New York, New Jersey and Pennsylvania was held in Philadelphia on January 25, 1946 in conjunction with Incodel's last full-membership business meeting. At that meeting Attorney General Goldstein agreed to hold conferences with the officials of the Board of Water Supply of New York City to secure their consent to have the Attorneys General of New York, New Jersey and Pennsylvania apply to the Supreme Court for an amendment of its decree to permit the City of New York to adopt the formulae for water supply diversion projects contained in the Incodel legislation.

This was followed up by Assistant Attorney General Edward L. Ryan on March 21, 1946 at a conference at the office of Hon. John J. Bennett, corporation Counsel of the City of New York. This conference was attended by representatives of the Board of Water Supply. It resulted in an agreement to develop a plan to make application at the October term of the Supreme Court for the amendment of its decree and for an interpretation relative to the extent of the Supreme Court's jurisdiction. General Goldstein has promised to submit a full report on this subject at this meeting.

This is an especially important subject, particularly in view of the prospective program to develop a new source of water supply for the City of Philadelphia from upland sources in the Delaware Basin involving a diversion as defined by the Incodel reciprocal legislation, a further discussion of which is made in a later part of this report. It would be most desirable to bring about the consummation of the Attorneys General program during our annual meeting.

We are setting our sights at this goal. It is expected that the outcome will be the submission of a draft of petition to the Supreme Court for the approval of Attorneys General Duff and Van Riper, both of whom has promised to attend this meeting. It is understood that the City of New York also desires to ask the Supreme Court for a further amendment of its decree with relation to its provisions concerning the construction and operation of the Port Jervis sewage treatment plant. It is believed that this is a matter which solely concerns the two municipalities involved and would not raise any issue in Pennsylvania and New Jersey.

PHILADELPHIA WATER PROBLEM

The following discussion refers further to the Philadelphia water problem. During the last week of April, the Board of Consulting Engineers, Philadelphia Water Commission, submitted its final report, through the Commission, to Philadelphia City Council. In accordance with the terms of its contract, the Board recommended that if the City decided to secure its supply from new upland sources, the project involving the construction of a dam on the main stem of the Delaware River at Wallpack Bend creating a reservoir extending to Port Jervis should be developed. It was estimated that the cost of this project would be $284,000,000. to which it would be necessary to add approximately $30,000,000. for the rehabilitation of the existing distribution and purification facilities. The Board pointed out that by the expenditure of an additional sum, the Wallpack Bend project could be expanded to provide a sufficient supply of water to meet the future needs of northeastern New Jersey and other areas in that State. Provision was made in the preliminary design for the release of compensating waters to protect the interests of lower riparian owners. These conditions were in accordance with the principles of

the Incodel rules and regulations for water supply diversion projects.

The Board reported that in the event that the City should decide not to secure a supply from new upland sources, an improvement program costing approximately $60,000,000 would be required to assure the safety and palatability of the present sources and to put the system in good working order.

The original plan to put the question to the voters at the May 21st primary election was disapproved by City Council because of the lack of time to properly advise the voters of the situation. In lieu of this program, Council elected to hold its own public hearings. These have just been completed.

It is difficult to forecast what the outcome will be. Probably as good a guess as any is that Council will give the voters an opportunity to express their preference as to whether the City should continue to use its present sources or abandon them in favor of a new upland supply at the November election. If this procedure is adopted, it is believed that the people will vote for a new supply. They probably will not be given the opportunity to make the choice as to whether this should be secured from the project recommended by the Board of Consulting Engineers or the proposal being advanced by the Lehigh Coal and Navigation Company to develop the Lehigh River.

Regardless of the outcome it will certainly be advantageous for Philadelphia and Pennsylvania to join in the petition to the Supreme Court for the substitution of the Incodel formulae and for an interpretation of the Court's intent relative to the retention of jurisdiction concerning water supply diversion projects in the Delaware Basin. Upon the answer to these problems will depend the procedures for securing agreements among the States involved

concerning conditions under which a new upland supply for Philadelphia may be developed and operated.

You will recall that at an Executive Committee meeting held in Trenton in March the office was instructed to prepare a report relative to Secretary of Forests and Waters Kell's request that Incodel advise the Pennsylvania Water and Power Resources Board whether, in its opinion, "the quantity of water proposed to be diverted from the Delaware River at Wallpack Bend for use as a water supply for the City of Philadelphia is fair and equitable.

After study, this report was made and submitted to Secretary Kell under date of April 6, 1946. It was given considerable publicity in the newspapers and has been the basis around which Mr. Frank B. Murdoch, Counsel of the Philadelphia Water Commission, is centering his investigation of the legal phases of the City's water problem. A copy of the report is appended.

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April 6, 1946.

Hon. James A. Kell, Chairman
Water and Power Resources Board
Department of Forests and Waters
Commonwealth of Pennsylvania
Harrisburg, Pennsylvania.

Dear Sir:

This is in reply to your letter of March 13, 1946 requesting the Interstate Commission on the Delaware River Basin to advise the Water and Power Resources Board whether, in the opinion of the Interstate Commission on the Delaware River Basin, "the quantity of water proposed to be diverted from the Delaware River at Wallpack Bend for use as a source of future water supply for the City of Philadelphis is fair and equitable."

It is understood that this information is desired in order to facilitate studies being made by the Philadelphia Water Commission concerning possible future sources of water supply for Philadelphia. It is also noted that the opinion in no way shall prejudice the determinations of this Commission or of your Board in any future proceedings concerning the use of water from the Delaware River Basin.

Your request is made in pursuance of item 4 of Section 10 of Act of May 21, 1943, P.L. 422, which act relates to conditions governing the diversion of water from the Delaware River Basin for municipal water supply purposes. Item 4 provides that your Board, among other duties, shall have the power and authority to:

> "Request the Interstate Commission on the Delaware River Basin -- to report and to recommend whether the quantity of water proposed for diversion and use by a project in New York, New Jersey or Pennsylvania is fair and equitable;--"

From the report prepared by the Board of Consulting Engineers for the Philadelphia Water Commission, entitled "A New Water Supply from Upland Sources," which was transmitted to the Commission by your Board, it has been determined that the quantity of water proposed to be diverted from the proposed Wallpack Bend project will amount to 500 million gallons a day. It is estimated that this quantity will be sufficient to meet the future water supply requirements of the City of Philadelphia until about the Year 2000.

It is the opinion of this Commission that the proposed diversion of 500 million gallons of water per day for the purpose of meeting the estimated water supply requirements of the City of Philadelphia until the Year 2000 is fair and equitable. This conclusion was reached by the Commission's Executive Committee at a meeting held on April 5, 1946 after careful analysis of all of the known principal factors bearing on the question. A brief report concerning the considerations which led to this determination follows.

At the present time the City of Philadelphia uses an average of about 350 million gallons of water per day, of which about 55 per cent is taken from the Schuylkill River and 45 per cent from the Delaware.

During the past twenty-five years numerous investigations have been conducted to determine the advisability of securing a new supply from upland sources for the City and its surrounding territory.

In the earlier years of this period prior to 1931, it was assumed that the common law doctrine of riparian rights would apply to any future project which involved a diversion of stream flows. In other words, that any diversion affecting another State could be made only with the consent of that State.

Because of this impression and because Pennsylvania, New Jersey and New York at that time were viewing the Delaware Basin as a source of water for future municipal water supplies, the three States in 1923 appointed Commissioners

for the purpose of negotiating a compact for the allocation of the waters of the Delaware River Basin among them.

In 1925, the Commissioners arrived at an agreement which called for the equal division of all of the available waters of the River among the three States. These recommendations were accepted by New York, but were not approved by New Jersey and Pennsylvania.

A second attempt was made to agree upon a compact in 1927. This time the recommendations provided for an allocation of 900 million gallons of water daily to Pennsylvania to meet the estimated future needs of Philadelphia and Eastern Pennsylvania, and 600 million gallons per day to each of the States of New Jersey and New York. New York ratified this agreement but it again was not accepted in New Jersey and Pennsylvania.

When New York City decided in 1928 to proceed with the development of a new source of water supply from tributaries of the Delaware River in New York State under the terms of the 1927 compact recommendations, New Jersey brought suit in the Supreme Court of the United States to prevent New York from proceeding with its proposed project.

The outcome of this case, in which Pennsylvania intervened to protect its rights, was the establishment of the following principles, among others:

1. That the highest use of the waters of the Delaware River and its tributaries is for municipal water supply purposes.
2. That the States of New York, New Jersey and Pennsylvania all have a common right to use the waters of the Delaware River Basin for municipal water supply purposes.
3. That the basis for the division of the waters of the Delaware River Basin among the States shall be in accordance with the principle of equitable apportionment as determined by reasonable needs and requirements.

4. That projects should be so designed and operated as to tend toward the reduction of floods and the increase of low water flows.

5. That priority of apportionment creates no superiority of right in the use of interstate waters.

During the hearings in this case, Pennsylvania asked the Court to approve an allocation of 750 million gallons of water daily. It was estimated that this quantity would be needed to meet the anticipated water requirements of Philadelphia and Eastern Pennsylvania by the year 1980. This request was denied without prejudice because of the lack of a definite plan of development.

In its study of the Delaware River under the so-called "308" authorizations, the Army Engineers, in its report published in 1934, House Document No. 179, 73d Congress, 2d Session, forecast a need of 461 million gallons daily for the City of Philadelphia by 1980. Their proposed multiple purpose reservoir project, however, provided for a supply of 639 million gallons daily for the City.

Most of the more recent studies which have been made by special water commissions serving the City are agreed that the probable future needs of the City will be approximately 500 million gallons of water a day. These determinations have been arrived at after careful analyses of trends in the growth of population, in the use of water for various domestic and industrial needs, in the prosecution of metering and conservation measures and through other pertinent considerations.

In view of these prior estimates and in view of independent studies made by the Interstate Commission on the Delaware River Basin, we have concluded that it is reasonable to plan for the development of a supply of 500 million gallons of water a day in order to meet the probable future

requirements of the City of Philadelphia. We further believe that the forecasting of such needs until the Year 2000 is sound and in accordance with good engineering practices. We also are of the opinion that the proposed diversion of 500 million gallons of water is fair and equitable, provided it is done under appropriate conditions resulting in the reduction of flood flows and the increase of low water flows below the point of diversion. It is understood that the latter consideration--the manner in which the flows of the Delaware River are to be impounded and released--is not now before your Board for consideration.

We trust the above discussion both answers your specific request and provides the reasons for our determinations.

At this time we also would like to point out that there is plenty of water in the Delaware River Basin to meet the future municipal water requirements not only of Philadelphia but of metropolitan regions in New Jersey as well; that the proposed Wallpack Bend project can be developed to meet the combined needs of both regions. A project of this type not only would be beneficial in respect to water supply but also would enhance the value of the river for recreational and other purposes.

We shall be glad to give you any additional information in the matter as you may desire.

Sincerely yours,

Ellwood J. Turner
Chairman

Incodel Calendar
Business Meeting

NUMBER VII: Soil and Forest Conservation.

STATEMENT: See attached copy.

ACTION REQUIRED: Review, discussion, suggestions, and approval.

ACTION RECOMMENDED:

By:

ACTION TAKEN:

THE INTERSTATE COMMISSION ON THE DELAWARE RIVER BASIN

SOIL AND FOREST CONSERVATION

Incodel Tenth Anniversary Business Meeting
Shawnee-On-Delaware, Pennsylvania
July 10-12, 1946.

You probably will recall that the Commission decided at its last meeting to develop and undertake a program for the protection of the soil and forest resources of the Delaware Basin.

This work got under way on December 4, 1945 when a preliminary discussion was held by the Executive Comm ittee and the Chairmen of the four State Soil Conservation Committees. Two of their recommendations were immediately adopted. An Advisory Committee on Soil and Forest Conservation was created, and an additional staff member was engaged for continuous application to the problems of soil and forest conservation.

The Advisory Committee, having a total membership of fifteen, consists of a representative of the Agricultural Extension Service of each of the basin states, of the four State Soil Conservation Committees, of the State Forestry Departments, of the United States Soil Conservation Service, the Federal Forest Service, and of the Northeastern Forest Experiment Station.

COMMITTEE RECOMMENDATIONS

As the result of a meeting of the Advisory Committee with members of Incodel and its staff on April 5th, it was decided that Incodel, as the first step, should concentrate on a program of education and publicity to describe the need for conservation in the basin and the methods of its practice. It was agreed that such a program should be designed to promote soil and forest

conservation throughout the watershed by attending meetings and through publicity in the newspapers and magazines.

In carrying out this campaign it was recommended that particular stress should be given to the following points:

1. That the overall job of conservation in this region must include adequate consideration of such important items as soil, water and forest conservation, stream pollution abatement and flood control.
2. That the total job is a long term undertaking of tremendous proportions.
3. That the responsibility is everybody's - cityman's and countryman's alike.
4. That there is great and imperative need for erosion control measures and for the institution of sensible forest practices.

The program also will require Incodel representatives to discuss and explain the programs of the Agricultural Extension Service, the laws of the states which permit farmers and landowners to organize and manage soil conservation districts, and to point out that the management of such districts, consisting entirely of local interests, may call upon the services of any or all of the pertinent public agencies operating in the field, as they see fit.

PUBLICITY PROGRAM

As a direct result of this meeting, the staff drew up a detailed publicity program designed to get the facts of conservation and its need to the people of the basin.

The staff is carrying out the provisions of the program now. Your staff member on conservation has addressed eight meetings of farmers in Berks and

Lehigh Counties and has written a series of articles on conservation in the Delaware Basin for the Pennsylvania Farmer, a magazine about which it is said that it is read by seven out of every ten farmers in the region.

The office also has prepared a conservation leaflet which has been distributed widely throughout the basin. To date, requests have been received for about 8000 leaflets from farm organizations and county agents.

THE JOB AHEAD

The job ahead is to procure farmers' recognition of the need for conservation and their acceptance of the responsibility to take individual and collective action. The Incodel program is designed to achieve these objectives by education and publicity, and by coordinating the promotion programs of all of the agencies active in this field.

As you probably know, the basin sections of New Jersey and Delaware have already formed soil conservation districts. Here the job has been started on a cooperative basis. Collective problems such as roadside erosion control and stream bank control are being attacked cooperatively, in addition to soil erosion control on the individual farms. The principal problem in New Jersey and Delaware, therefore, is to demonstrate the need to the farmer and to stir him to quicker action.

The basin section of New York is largely in forests and most of the cropland is in hay. The erosion problem there is not acute. In that area most attention will be devoted to the protection of its forests.

No soil conservation districts have been declared in the Pennsylvania section of the basin, although the problem of erosion is acute. This does not

mean, however, that individual farmers have not put soil conservation practices into effect on their farms. As a matter of fact, the Pennsylvania Agricultural Extension Service, through its County Agents, has established woil conservation demonstration farms in every county. It is this agency's theory that the job best can be done by this method of approach. The idea of initiating and conducting soil conservation districts on a cooperative regional basis has not yet been accepted.

This situation has come about because of the existence of two conflicting philosophies. County Agents, the natural farm leaders, have the responsibility of teaching the farmers the need and methods of soil conservation. However, they believe that farmers, learning by observation the good results on demonstration units in the immediate locality, will adopt similar practices upon their initiative. This may materialize, but obviously it is a slow process.

On the other hand, proponents of soil conservation districts, becoming unduly impatient, have urged the people and commissioners to declare districts. Too often, this step has been suggested before a broad-based foundation of understanding of the basic need for conservation had been laid. In many cases the people were not ready for it.

Incodel's main problem in Pennsylvania is primarily that of clarifying the muddled thinking in the minds of the people, which has resulted from this conflict.

It is clear that what is needed is uniformity in describing the methods and needs of conservation by all the agencies promoting it in this region, so the confusion in the minds of the people may be dispelled and their

present convictions may be acted upon without fear or question.

Recognition of these underlying factors in the Pennsylvania situation creates an opportunity for Incodel to function with effectiveness by achieving among the agencies promoting conservation a clear cut, easily understood, unified program that every interested person and agency will advocate.

While most of our attention has been given unavoidably to the more urgent problems in Pennsylvania, it is not because soil conservation problems do not exist in the other sections of the basin. It has been pointed out that the soil conservation districts of New Jersey and Delaware are functioning with the combined efforts of the district supervisors, the county agent and the district soil technician focused on their district-wide conservation problems. Incodel's effort will be extended as rapidly as possible to work with these districts and with other districts that will be organized in the basin.

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Incodel Calendar
Business Meeting

NUMBER VIII: Federal Projects and Programs.

STATEMENT: See attached copy.

ACTION REQUIRED: Review, discussion, suggestions, and approval.

ACTION RECOMMENDED:

By:

ACTION TAKEN:

THE INTERSTATE COMMISSION ON THE DELAWARE RIVER BASIN

FEDERAL PROGRAMS AND LEGISLATION

Incodel Tenth Anniversary Business Meeting
Shawnee-On-Delaware, Pennsylvania
July 10-12, 1946.

There has been much activity during the past year concerning Federal programs and legislation in which Incodel has a great interest. The staff has devoted considerable attention to these subjects.

Of particular significance is the progress which has been made in forwarding the Incodel program for the restoration of the Schuylkill River. As you already have been informed, Congress has given its approval of this project, including it in the Omnibus River and Harbor Bill, H.R. 6407, now awaiting the President's signature. Senator Francis J. Myers of Philadelphia was especially helpful in successfully steering this project through the Budget Director's office and the Rivers and Harbors Committee. The legislation contains other projects in the region, all of which are acceptable and involve no controversial points.

Senator Myers also has been helpful in the joint efforts of Incodel and the Lehigh River Valley Flood Control Council in advancing programs for the control of floods in the Lehigh and Lackawaxen Rivers. Both of these projects have been approved by the Rivers and Harbors Committee and will be, it is understood, included in the Flood Control Bill now before the Congress. These projects are of immense interest to the people in the upper Pennsylvania section of the watershed.

Also as the result of the joint efforts of Incodel and the Lehigh Valley Flood Control Council, Congressional approval has been given to the initiation of surveys by the United States Department of Agriculture relative to up-stream watershed flood control and forest resource inventory. Funds are available for this work and both investigations, it is expected, will be started shortly after the Federal government's new year beginning July 1,1946.

In contrast to the ease in which the watershed and forest resource surveys were approved, a special campaign was required in an effort to secure an appropriation for a watershed management research program in the Delaware watershed. This type of program is carried out by the Forest Service of the Department of Agriculture. Under it may be included long-range investigations of specific problems relative to the development of land in the interest of stream flow regulation and watershed management.

At the request of Incodel, Senator Myers offered an amendment to the Appropriation Bill for the Department of Agriculture on the floor of the Senate, asking that the appropriation for the item for watershed management programs be increased by $75,000 to permit the establishment of an experimental station in the Delaware Basin. He pressed his request at a hearing of the Senate Subcommittee on Appropriations at which your Executive Secretary and Mr. Harrier, Manager of the Lehigh Flood Control Council, presented supporting testimony. The Senate Committee recommended an increase in the watershed management item of $250,000. including the $75,000. for the Delaware Basin station. The Conference Committee, however, refused to go along and funds in the amount requested will not be available this year. Although

disappointed, our efforts were not in vain. The Department has promised to divert a small amount to start work this year, and there seems to be no question that the Delaware Basin Station will head the list of stations for which funds will be provided next year.

FEDERAL REGIONAL AUTHORITY LEGISLATION

The movement to establish additional Federal river authorities, despite the defeat of the Murray Bill for the creation of a Missouri Valley Authority, has been revolving recently around the Mitchell Bill, S-1716, for the organization of a Columbia Valley Authority. This has turned out to be an on-again off-again proposition. Early in the year, its sponsor requested that hearings be held in the field. When his request was denied, he then asked for hearings in Washington. But with the development of a great amount of opposition and possibly because of the pendency of an election, he then withdrew this request. It is understood that the proponents then became angered and criticised the sponsor for not carrying sufficient weight around Capitol Hill. Senator Mitchell then moved again to have the hearings scheduled and, as a Senatorial courtesy, June 25 to June 28 was set for the purpose. Once more opposition to the movement to blanket the country with Federal authorities became visibly active and it was made known that a particularly strong program was being developed for the appearance of witnesses. In this respect arrangements had been made for Incodel to be heard and a statement was being prepared for presentation by its Chairman or Executive Secretary. It looks as if Senator Mitchell became frightened at the apparent strength of the

opposition and to save face requested the Chairman of the Senate Commerce Committee to either extend the time allotted for hearings or to cancel them indefinitely. His letter indicated that he was well aware of the fact that it would be impossible to provide for additional time. As a result Senator Overton, Chairman of the Commerce Committee, has given notice that the hearings on the bill have been indefinitely postponed.

For your interest and information, the announcement of the postponement by Senator Overton and the correspondence between him and Senator Mitchell relative to the circumstances which caused the postponement are appended to this report in a separate statement.

Thus for this session of Congress apparently has come the end of the efforts of proponents to obtain consideration of legislation to create a Columbia Valley Authority. This proposal is now resting peacefully with its companion proposition for the Missouri.

FEDERAL STREAM POLLUTION

The question as to whether Congress should pass Federal stream pollution abatement legislation and, if so, what type is now in the forefront.

You will recall that this question has been in the air for many years and was hotly debated during the last session of Congress. At hearings held at that time, the two schools of philosophy turned out en masse. One of them urged the passage of the so-called Barkley-Spence Bill, H.R. 4070, which authorized the United States Public Health Service to furnish technical assistance to State and interstate agencies in the formulation of stream pollution abatement programs. It also authorized the Federal Security Administration to provide financial assistance in the form of grants-in-aid and loans. Administration was left in the hands of appropriate State health and interstate agencies.

The other group, consisting mainly of representatives of the Isaak Walton League and sportsmen, gave its support to the so-called Mundt Bill, H.R. 519 (to which Senator Myers offered a companion bill in the Senate). This bill provided for the desirable objectives in the Spence Bill but then went on to put the administration and enforcement of stream pollution problems in the hands of Federal agencies. Representatives of the States in which the Delaware Basin is located were at variance on this subject. Beckett, of Delaware, and Holmquist, of New York, offered testimony in support of the Spence Bill, but, as you know, Attorney General Duff had Deputy Attorney General Harrington Adams appear at the hearings in support of the principles of the Mundt Bill. Spokesmen for New Jersey were lined up on both sides of the issue. Incodel took no part in these hearings because of the conflicting points of view.

As the result of the hearings, a new bill incorporating provisions of both the Spence and Mundt bills has been prepared for the Rivers and Harbors Committee and reported by its Chairman, Congressman Mansfield. This is H.R. 6024.

Incodel has analyzed this bill carefully and believes that it is not as good as either of the bills upon which it was based. It not only contains the objectionable features of the Mundt Bill but it also contains many confusing and impractical provisions. Instead of helping advance stream pollution programs, its effect would probably be to set them back. A copy of the new bill and H.R. 4070 is appended hereto.

In an effort to be constructive, the Incodel staff has attempted to rewrite a Federal stream pollution measure which will incorporate provisions permitting the Federal government to participate properly in the field of stream pollution and to provide technical and financial assistance to the States. The effort also has been made to clearly announce that the primary responsibility

for administration and enforcementrests with State and interstate agencies. The Incodel bill, in contrast to both the Mundt Bill and Congressman Mansfield's bill, provides for representation on a proposed Water Pollution Control Advisory Board from State governments, municipalities and industry. The measure attempts to take care of the position of the Isaak Walton League that progress has been too slow and of the problem which concerns Attorney General Duff relative to the upsetting of balance in competitive positions of a State which enforces stream pollution programs as compared with one which is not active in this field. The proposed Incodel version accomplishes these purposes by giving the proper Federal agency authority to put recalcitrant States on notice of their deficiencies. It also gives authority to Federal agencies to take action against such states where they fail to move after ample opportunity has been afforded to them to proceed on their own initiative. A copy of the suggested Incodel legislation is appended to this report.

Your Executive Secretary has visited Washington several times in connection with this subject, and with the assistance of representatives of the Washington office of the Council of State Governments, has made good progress in pointing out our position to representatives of Congress. The schedule for debating and voting on the bill has been deferred several times, and it now appears that the bill will not be passed upon this year.

It will, however, very likely be an item of early business next year. With the Commission's approval, the office will concentrate upon developing a special program designed to secure a united front on the part of agencies interested in the protection of states' responsibilities and the improvement of federal-state relations concerning federal stream pollution activities.

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"POSTPONEMENT OF HEARINGS ON COLUMBIA VALLEY AUTHORITY BILL

(Congressional Record, May 27, 1946)

"MR. OVERTON. Mr. President, hearings were scheduled on Senate bill 1716, the Columbia Valley Authority bill, for Tuesday, June 25, to Friday, June 28. These hearings are indefinitely postponed. I am sending to the desk and asking to have printed as part of my remarks at this point a letter I received from the author of the bill, the Senator from Washington (Mr. Mitchell), and my reply thereto.

"There being no objection, the letters were ordered to be printed in the RECORD, as follows:

"United States Senate,
May 24, 1946.

"Hon. John H. Overton,
Chairman, Commerce Committee,
United States Senate,
Washington, D.C.

Dear Senator Overton: You have kindly agreed to hold hearings on S. 1716, my bill to create a Columbia Valley Authority, and have scheduled them for June 25 through the 28th.

Since the public announcement of the hearing dates, I have had so many requests from people of the Pacific Northwest who desire to be heard on behalf of the proposal that it appears the 4 days assigned to S. 1716 from your heavy schedule will be inadequate.

Because I know how congested is the general Senate committee Calendar and because I recognize how many are the calls upon you for work on both Appropriations and Commerce Committee problems I hesitate in making this request for additional time. However, in fairness to both CVA proponents and opponents, I am forced to request that hearing time be at least doubled, allowing four hearing days to each side. In the event this cannot be done, I believe the hearing should be postponed.

With cordial personal regards,

Sincerely yours,

HUGH B. MITCHELL."

"United States Senate
Washington, D.C., May 27, 1946.

"Hon. Hugh B. Mitchell,
United States Senate,
Washington, D.C.

My dear Senator Mitchell: Receipt is acknowledged of your letter of the 24th instant wherein you, as author of the bill, S. 1716, to create a Columbia Valley Authority, request that I, as acting chairman of the Commerce Committee and chairman of the subcommittee handling the bill referred to, either double the days of hearings or postpone the hearings.

In answer thereto, it is, as I have heretofore explained to you, quite impossible for me to extend the time of the hearings.

It is contemplated that the Congress will adjourn by not later than the middle of July. I have the following hearings scheduled on bills that I have to handle in the Senate:

Beginning May 28, the Navy Department appropriation bill.
Beginning June 10, the river and harbor bill.
Beginning June 17, the McCarran all-American-flag-line bill.
The flood-control bill as soon as possible after it passes the House.

Interspersed with these are other hearings on sundry bills referred to the Senate Commerce Committee, some of which are extremely important.

It is quite impossible, therefore, for me to give approximately 2 weeks hearings on the Columbia Valley Authority bill; and I am directing that the hearings be indefinitely postponed. I shall probably use the time heretofore allotted for the CVA bill to conduct hearings on the flood-control bill, this being about the only time left available for this very important measure that affects the whole Nation.

Sincerely yours,

JOHN H. OVERTON,
United States Senator"

5/17/46

THE INTERSTATE COMMISSION ON THE DELAWARE RIVER BASIN

PRELIMINARY DRAFT

79th CONGRESS
1st Session

H. R. _____

IN THE HOUSE OF REPRESENTATIVES

A BILL

To provide for water-pollution-control activities in the United States Public Health Service, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, that in connection with the exercise of jurisdiction over the water ways of the nation and in consequence of the benefits resulting from the reduction of damage to interstate commerce and navigation by the abatement of stream pollution, it is hereby declared to be the policy of Congress to recongnize, preserve and protect the primary responsibilities and rights of the states in controlling water pollution, and to provide federal technical services and financial aid to state and interstate agencies in the formulation and execution of their stream pollution abatement programs. To this end, the Surgeon General of the Public Health Service, under the supervision and direction of the Federal Security Administrator, shall have the responsibilities and duties relating to water pollution control provided for in this Act.

SEC. 2. The Surgeon General is hereby authorized to make careful investigations in cooperation with other Federal agencies, and with appropriate State health authorities and interstate agencies, for the purpose

of preparing comprehensive programs for eliminating or reducing water pollution and improving the sanitary condition of the surface and underground waters in the nation. In the development of such comprehensive programs due regard shall be given to the improvements which are necessary to conserve such waters and promote their use for public water supplies, propagation of fish and aquatic life, recreational purposes, agricultural, industrial, and other legitimate uses.

SEC. 3. The Surgeon General shall encourage cooperative activities by the States for the prevention and abatement of water pollution; encourage the enactment of uniform State laws relating to water pollution; encourage compacts between States for the prevention and abatement of water pollution; collect and disseminate information; make available to State agencies, municipalities, industries, and individuals the results of such surveys, studies, investigations, and experiments conducted by the Surgeon General and by cooperating agencies, public and private; and furnish such assistance to State agencies as may be authorized by law.

SEC. 4. The consent of the Congress is hereby given to two or more States to negotiate agreements or compacts, not in conflict with any law of the United States, for (1) cooperative effort and mutual assistance for the prevention and abatement of water pollution and the enforcement of their respective laws relating thereto, and (2) the establishment of such agencies, joint or otherwise, as they may deem desirable for making effective such agreements and compacts.

SEC. 5. There is hereby established in the Public Health Service a Water Pollution Advisory Board to be composed of members as follows: The Surgeon General or a sanitary engineer officer designated by him, who shall be chariman of the Board; a representative of the Department of War, a representative of the Department of the Interior, and a representative of the Department of Agriculture, designated by the Secretary of War, the Secretary of the Interior,

and the Secretary of Agriculture, respectively; and eight persons (not officers or employees of the Federal Government) to be appointed annually by the Surgeon General from a list prepared and furnished by the Council of State Governments after consultation with interested technical and engineering societies and with State health authorities and interstate agencies. One of the persons appointed by the Surgeon General shall be an engineer who is expert in sewage and industrial waste treatment problems, one shall be a person who shall have shown an active interest in the field of wildlife conservation, four shall be persons representative of State government and, except as the Surgeon General may determine that the purposes of this Act will be better furthered by different representation, one shall be a person representative of municipal government and one shall be a person representative of affected industry. The members of the Board who are not officers or employees of the United States shall be entitled to receive compensation at a per diem rate to be fixed by the Federal Security Administrator, together with an allowance for actual and necessary traveling and subsistence expenses while engaged on the business of the Board. It shall be the duty of the Board to review the policies and program of the Public Health Service as undertaken under authority to this Act and to make recommendations thereon in reports to the Surgeon General. Such clerical and technical assistance as may be necessary to discharge the duties of the Board shall be provided from the personnel of the Public Health Service authorized under Section 15.

SEC. 6. The Public Health Service, upon request of any State health authority or interstate agency, shall subject to the approval of the Surgeon General, conduct investigations and make surveys of any specific problem of water pollution confronting any State, drainage-basin authority, community, municipality, or industrial plant, with a view to effecting a solution of such problem, and shall make recommendations to the requesting agency for the correction and elimination of the deleterious conditions found to exist.

SEC. 7. The Public Health Service shall prepare and publish, from time to time, reports of surveys, studies, investigations and experiments made under the authority of this Act as the Surgeon General may consider desirable, together with appropriate recommenations with regard to the control of water pollution. Such reports shall be published only after an opportunity for review, not exceeding 90 days, has been afforded State health authorities and interstate agencies affected. In case such affected agencies file statements with the Surgeon General within the 90 day period for review which are at variance with the report and recommendations of the Surgeon General, such statements shall be included in the published reports of the Surgeon General.

SEC. 8. The Federal Security Administrator is authorized to extend Federal aid in the form of grants-in-aid, loans, or both, to any State, municipality, or other public body, for the construction of necessary treatment works to prevent the discharge by such State, municipality, or other public body of untreated or inadequately treated sewage or other waste into the surface or underground waters in or adjacent to any state, and for the preparation (either by its engineering staff or by practicing engineers employed for that purpose) of engineering reports, plans, and specifications in connection therewith. Such loans and grants-in-aid shall be made upon such terms and conditions as the Water Pollution Advisory Board may prescribe, subject to the following limitations: (1) Grants-in-aid or loans shall be made only with respect to projects approved by the appropriate State health authority or interstate agency and by the Surgeon General; (2) no grant-in-aid shall be made in respect of any project of any amount in excess of 33-1/3 per centum of the reasonable cost of such project, as determined by the Surgeon General, excluding the cost of the preparation of reports, plans and specifications in connection therewith; (3) all loans made under this section shall bear interest at the rate prescribed by the Water Pollution Advisory Board.

SEC. 9. The Federal Security Administrator is authorized to extend Federal aid in the form of loans to industrial enterprises for the construction of necessary treatment works and the preparation of engineering reports, plans, and specifications in connection therewith, to prevent the discharge by such enterprises of untreated or inadequately treated sewage or other waste into the surface or underground waters in or adjacent to any State which, in the opinion of the Surgeon General, would substantially impair the quality of such waters. Such loans shall be made upon such terms and conditions as the Water Pollution Advisory Board may prescribe, subject to the following limitations: (1) Loans shall be made only with respect to projects approved by the appropriate State health authority and by the Surgeon General; (2) all loans made under this section shall be fully and adequately secured and shall bear interest at the rate not less than four (4) per centum per annum prescribed by the Water Pollution Advisory Board; (3) each loan may be made for a period not exceeding ten years.

SEC. 10. (a) The Water Pollution Advisory Board shall provide for the review of all reports of examinations, investigations, plans, studies, and surveys made pursuant to the provisions of this Act, and all applications for grants-in-aid or loans under section 8 or 9. In considering the desirability of commencing, continuing, or extending projects for treatment works and of approving grants-in-aid or loans in connection therewith, the Water Pollution Advisory Board shall have in view the benefits to be derived by the construction thereof in accomplishing the purpose of this Act, and the relation of the ultimate cost of such works, both as to the cost of construction and maintenance, to the public interests involved, the public necessity for such works and propriety of construction in part at the expense of the United States, and the adequacy of the provisions made or agreed upon by the applicant for the

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grant-in-aid or loan for assuring proper and efficient operation and maintenance of the works after completion of the construction thereof.

(b) In recommending estimates of appropriations for grants-in-aid and loans under this Act for any fiscal year, the Water Pollution Advisory Board shall set forth the order or sequence of priority for individual projects in accordance with their estimated importance or value in the elimination or reduction of water pollution as determined by consultation with State health authorities or interstate agencies having jurisdiction thereover. In the Budget the President shall set forth his estimate of expenditures and appropriations for such projects both in summary and by individual projects.

SEC. 11. There are authorized to be appropriated annually such sums, not in excess of $100,000,000 for any fiscal year, as may be necessary for grants-in-aid and loans under the provisions of sections 8 and 9 of this Act. Sums so appropriated with respect to any project shall remain available for such project until expended. If the amount appropriated by Congress with respect to any project is in excess of the percentage the actual cost of the project which is to be covered by Federal aid, such excess shall revert to the Treasury.

SEC. 12. (a) There is hereby authorized to be appropriated for each fiscal year, beginning with the fiscal year ending June 30, 1946, the sum of $1,500,000, to be allotted and paid to the States for expenditure by or under the direction of their respective State health authorities, and to interstate agencies for expenditure by them, in the promotion, investigation, surveys, and studies necessary in the prevention and control of water pollution. Sums appropriated pursuant to this subsection shall be allotted, under the supervision of the Surgeon General, in accordance with the recommendations of the Water Pollution Advisory Board and with regulations prescribed by the Federal Security Administrator, and shall be paid prior to audit or settlement by the General Accounting Office. The amount of any allotment to any State or interstate agency for any fiscal year remaining unpaid or unexpended at the end of

such fiscal year shall be available for allotment hereunder for the succeeding fiscal year, in addition to the amount appropriated for such year.

(b) To enable the Surgeon General to assist in the advance planning of treatment works by States, municipalities, or other political subdivisions, any portion of the funds appropriated pursuant to this section may, at his discretion and subject to the provisions of section 8, be allocated to State health authorities and interstate agencies to be used as grants-in-aid for the preparation of engineering reports, plans and specifications.

SEC. 13. (a) To assist in carrying out the purposes of this Act, the appointments authorized by such section 208 (b); but no more than five such additional officers shall hold office at the same time.

(b) The Federal Security Administrator, with the consent of the head of any other agency of the Federal Government may utilize such officers and employees of such agency as may be found necessary to assist in carrying out the purposes of this Act.

(c) The Surgeon General shall have authority to utilize an appropriate agency of the United States designated by the President for the purpose of reviewing the title, location, plans, and specifications for the construction of treatment works, and of supervising and awarding and performance of contracts pursuant to plans approved under the provisions of this Act.

SEC. 14. Whenever it be found through cooperative investigations as provided in this Act that the pollution of waters in or adjacent to any State or States is such that in the opinion of the Water Pollution Advisory Board, based upon reports, surveys, and studies of such waters, either commerce or navigation, or the welfare of citizens of the United States, especially the welfare of citizens residing in States which have adopted and are enforcing effective stream pollution measures, is being jeopardized thereby, the Surgeon General shall give formal notification thereof to the appropriate State

health authority or interstate agency having jurisdiction over such pollution. This notification may outline recommended remedial measures and shall specify a time regarded by the Surgeon General as reasonable for the State Health Authority or interstate agency to start action to secure the abatement of the pollution. If such action to secure the abatement of such pollution is not taken within the time specified, or if such action has proved ineffective, this failure or ineffectiveness shall be brought to the attention of the appropriate State health authority or interstate agency and such agency shall be requested to bring suit forthwith in a court of proper jurisdiction to abate such pollution. If such suit is not initiated within a reasonable time, not to exceed two years, an action to abate such pollution shall then be brought in the name of the United States by any United States attorney when requested to do so by the Surgeon General. The request of the Surgeon General may be made either at the instance of the Water Pollution Advisory Board or at the instance of the proper authorities of the States whose welfare is being jeopardized by the continuance of such pollution. Such action shall be brought as an action inequity, and may be brought in any court of the United States having jurisdiction to hear and determine equity cases.

Sec. 15. If any provision of this Act, or the application thereof to any person or circumstance, is held invalid, the remainder of the Act, and the application of such provision to other persons or circumstances, shall not be affected thereby.

Sec. 16. When used in this Act-

(a) The term "State health authority" means the State health department,

State board of health, or any State agency charged with the duties of enforcing State laws pertaining to public health or to the abatement of pollution of waters.

(b) The term "interstate agency" means an agency of two or more states having powers or duties pertaining to the abatement of pollution of waters;

(c) The term "treatment works" means the various devices used in the treatment of sewage or industrial waste of a liquid nature including the necessary intercepting sewers, outfall sewers, pumping, and power equipment and their appurtenances; and

(d) The term "State includes the District of Columbia and any Territory or possession of the United States.

SEC. 17. This act may be cited as the "Water Pollution Act".

Union Calendar No. 558

79TH CONGRESS
2D SESSION

H. R. 6024

[Report No. 1929]

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IN THE HOUSE OF REPRESENTATIVES

APRIL 5, 1946

Mr. MANSFIELD of Texas (by request) introduced the following bill; which was referred to the Committee on Rivers and Harbors

APRIL 13, 1946

Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

A BILL

Relating to the prevention and control of water pollution, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Surgeon General of the Public Health Service shall, after careful investigation, and in cooperation with other Federal agencies, with State health authorities and interstate agencies, and with the municipalities and industries involved, prepare comprehensive programs for eliminating or reducing the pollution and improving the sanitary condition of the surface and underground waters in or adjacent to any State. In the preparation of such comprehensive programs due regard shall be given to the improvements which are neces-

sary to conserve such waters and promote their use for public water supplies, propagation of fish and aquatic life, recreational purposes, agricultural, industrial, and other legitimate uses. For the purposes of this section the Surgeon General is authorized to make joint investigations with any such agencies of the condition of any waters in any State or States, and of the discharges of any sewage, industrial wastes, or substance which may deleteriously affect such waters.

SEC. 2. The Surgeon General shall encourage cooperative activities by the States for the prevention and abatement of water pollution; encourage the enactment of uniform State laws relating to water pollution; encourage compacts between States for the prevention and abatement of water pollution; collect and disseminate information relating to water pollution; make available to State agencies, municipalities, local governmental agencies, industries, and individuals the results of surveys, studies, investigations, and experiments conducted by the Surgeon General and by cooperating agencies, public and private, relating to water pollution; and furnish such assistance with respect to water pollution to State agencies as may be authorized by law.

SEC. 3. The consent of the Congress is hereby given to two or more States to negotiate agreements or compacts, not in conflict with any law of the United States, for (1) cooperative effort and mutual assistance for the prevention

and abatement of water pollution and the enforcement of their respective laws relating thereto, and (2) the establishment of such agencies, joint or otherwise, as they may deem desirable for making effective such agreements and compacts.

SEC. 4. The Public Health Service, upon request of any State health authority or interstate agency, shall, subject to the approval of the Surgeon General, conduct investigations and make surveys of any specific problem of water pollution confronting any State, drainage-basin authority, community, municipality, local governmental agency, or industrial plant, with a view to effecting a solution of such problem, and shall make recommendations for the correction and elimination of the deleterious conditions found to exist.

SEC. 5. The Public Health Service shall prepare and publish, from time to time, reports of such surveys, studies, investigations, and experiments made under the authority of this Act as the Surgeon General may consider desirable, together with appropriate recommendations with regard to the control of water pollution.

SEC. 6. The Federal Security Administrator is authorized to extend Federal aid in the form of grants-in-aid, loans, or both, to any State, municipality, or other public body, for the construction of necessary treatment works to prevent the discharge by such State, municipality, or other public

body of untreated or inadequately treated sewage or other waste into the surface or underground waters in or adjacent to any State, and for the preparation (either by its engineering staff or by practicing engineers employed for that purpose) of engineering reports, plans, and specifications in connection therewith. Such loans and grants-in-aid shall be made upon such terms and conditions as the President may prescribe, subject to the following limitations: (1) Grants-in-aid or loans shall be made only with respect to projects approved by the appropriate State health authority and by the Surgeon General; (2) no grant-in-aid shall be made in respect of any project of any amount in excess of 33⅓ per centum of the reasonable cost, as determined by the Surgeon General, of such project, excluding the cost of the preparation of reports, plans, and specifications in connection therewith; (3) all loans made under this section shall bear interest at the rate prescribed by the Water Pollution Advisory Board.

SEC. 7. The Federal Security Administrator is authorized to extend Federal aid in the form of loans to industrial enterprises for the construction of necessary treatment works and the preparation of engineering reports, plans, and specifications in connection therewith, to prevent the discharge by such enterprises of untreated or inadequately treated sewage or other waste into the surface or underground waters

in or adjacent to any State, which in the opinion of the Surgeon General would substantially impair the quality of such waters. Such loans shall be made upon such terms and conditions as the President may prescribe, subject to the following limitations: (1) Loans shall be made only with respect to projects approved by the appropriate State health authority and by the Surgeon General; (2) all loans made under this section shall be fully and adequately secured and shall bear interest at a rate not less than 4 per centum per annum prescribed by the Water Pollution Advisory Board; (3) each loan may be made for a period not exceeding ten years.

SEC. 8. There is hereby established in the Public Health Service a Water Pollution Advisory Board, hereinafter referred to as the "Board", to be composed of members as follows: The Surgeon General or a sanitary engineer officer designated by him, who shall be chairman of the Board; a representative of the Department of War, a representative of the Department of the Interior, a representative of the Department of Commerce, and a representative of the Department of Agriculture, designated by the Secretary of War, the Secretary of the Interior, the Secretary of Commerce, and the Secretary of Agriculture, respectively. It shall be the duty of the Board to review the policies and programs of the Public Health Service as undertaken under authority to this

Act and to make recommendations thereon in reports to the Surgeon General. Such clerical and technical assistance as may be necessary to discharge the duties of the Board shall be provided from the personnel of the Public Health Service authorized under section 12.

SEC. 8. (a) The Surgeon General shall provide for the review of all reports of examinations, investigations, plans, studies, and surveys made pursuant to the provisions of this Act, and all applications for grants-in-aid or loans under section 6 or 7. In considering the desirability of commencing, continuing, or extending projects for treatment works and of approving grants-in-aid or loans in connection therewith, the Surgeon General shall have in view the benefits to be derived by the construction thereof in accomplishing the purpose of this Act, and the relation of the ultimate cost of such works, both as to the cost of construction and maintenance, to the public interests involved, the public necessity for such works and propriety of construction in part at the expense of the United States, and the adequacy of the provisions made or agreed upon by the applicant for the grant-in-aid or loan for assuring proper and efficient operation and maintenance of the works after completion of the construction thereof.

(b) In recommending estimates of appropriations for grants-in-aid and loans under this Act for any fiscal year,

the Surgeon General shall set forth the order or sequence of priority for individual projects in accordance with their estimated importance or value in the elimination or reduction of water pollution. In the Budget the President shall set forth his estimate of expenditures and appropriations for such projects both in summary and by individual projects.

SEC. 10. There are authorized to be appropriated annually such sums, not in excess of $100,000,000 for any fiscal year, as may be necessary for grants-in-aid and loans under the provisions of sections 6 and 7 of this Act. Sums so appropriated with respect to any project shall remain available for such project until expended. If the amount appropriated by Congress with respect to any project is in excess of the percentage of the actual cost of the project which is to be covered by Federal aid, such excess shall revert to the Treasury.

SEC. 11. (a) There is hereby authorized to be appropriated for each fiscal year, beginning with the fiscal year ending June 30, 1947, the sum of $1,500,000, to be allotted and paid to the States for expenditure by or under the direction of their respective State health authorities, and to interstate agencies for expenditure by them, in the promotion, investigation, surveys, and studies necessary in the prevention and control of water pollution. Sums appropriated pursuant to this subsection shall be allotted, under the supervision of

the Surgeon General, in accordance with regulations prescribed by the Federal Security Administrator, and shall be paid prior to audit or settlement by the General Accounting Office. The amount of any allotment to any State or interstate agency for any fiscal year remaining unpaid or unexpended at the end of such fiscal year shall be available for allotment hereunder for the succeeding fiscal year, in addition to the amount appropriated for such year.

(b) There is authorized to be appropriated for each fiscal year, beginning with the fiscal year ending June 30, 1947, such sum not in excess of $1,500,000 as may be necessary to administer the provisions of this Act.

SEC. 12. (a) To assist in carrying out the purposes of this Act, the appointment of engineer and scientist officers may be made under the provisions of section 208 (b) of the Public Health Service Act, in addition to the appointments authorized by such section 208 (b); but no more than five such additional officers shall hold office at the same time.

(b) The Federal Security Administrator, with the consent of the head of any other agency of the Federal Government may utilize such officers and employees of such agency as may be found necessary to assist in carrying out the purposes of this Act.

(c) The Surgeon General shall have authority to utilize

an appropriate agency of the United States designated by the President for the purpose of reviewing the title, location, plans, and specifications for the construction of treatment works, and of supervising the awarding and performance of contracts pursuant to plans approved under the provisions of this Act.

SEC. 13. (a) The Surgeon General shall classify the navigable waters of the United States into districts to be known as sanitary water districts. The Surgeon General shall fix and define the boundaries of each such district and may from time to time alter such boundaries. The areas of such districts shall, insofar as practicable, conform to the areas of watersheds irrespective of State boundary lines.

(b) The Surgeon General shall prescribe regulations for each sanitary water district establishing reasonable standards of cleanliness for the navigable waters thereof and reasonable minimum requirements as to the treatment before discharge or deposit, directly or indirectly, into such waters of any waste or other substance which is or may be injurious to human health or to any form of life or which would impair in any manner the utility of such waters for navigation purposes. Such regulations shall specify the wastes or other substances which the Surgeon General has determined (1) to be injurious to human health or to any form of life or (2) would

impair in any manner the utility of such waters for navigation purposes.

SEC. 14. Pursuant to the powers of the United States to regulate interstate commerce and navigation; to extend, change, and amend the admiralty and maritime law; to give due effect to the migratory bird treaties; and to protect the fisheries, Congress hereby declares the discharge or deposit, directly or indirectly, of any waste or other substance (whether in a solid, gaseous, or liquid state) which is or may be injurious to human health or to any form of life, including aquatic life, or to migratory birds as defined in the Migratory Bird Treaties of August 16, 1916, and of March 15, 1937, or impairs in any manner the utility of such waters for navigation purposes, except the normal discharge of sewage from toilets or galley sink drains of boats or of oil from the exhaust pipes of motorboats, into any of the navigable waters of the United States in violation of regulations prescribed by the Surgeon General under section 13 (b), to be against the public policy of the United States and to be a public and common nuisance. An action to prevent or abate any such nuisance shall be brought in the name of the United States by any United States attorney when requested to do so by the Surgeon General. Such action may be brought only upon request of the Surgeon General, shall be brought as an action in equity, and may

be brought in any court of the United States having jurisdiction to hear and determine equity cases.

SEC. 15. (a) It is the policy of this Act that the Public Health Service shall encourage interstate agencies, States, municipalities, and other public bodies to exercise their powers and authority to prevent and abate water pollution.

(b) The Surgeon General shall request any United States attorney to bring an action under this Act to prevent or abate the discharge or deposit, directly or indirectly, of any waste or other substance into any of the navigable waters of the United States only after interstate, State, and local authorities have been afforded an opportunity to prevent or abate such nuisance and have failed to do so within six months after receipt of written notice from the Surgeon General stating that if the nuisance is continued beyond a date specified in the notice an action will be brought in the name of the United States to prevent or abate such nuisance.

SEC. 16. No action shall be brought under this Act within two years after the date of its enactment to prevent or abate the continued discharge or deposit, directly or indirectly, of any waste or other substance into the navigable waters of the United States by any mine, plant, structure, or other facility, or by any municipality or other public body, which discharged or deposited such waste or other substance into such waters prior to the date of the enactment of this Act.

SEC. 17. Notwithstanding the provisions of section 14, if, after public hearing, the Board finds that it is impossible or impracticable for any industry or any municipality or other public body to comply with the regulations prescribed under section 13 (b) establishing minimum requirements as to treatment of any waste or substance either because no adequate or practical method of disposal or treatment is known or, in the case of municipalities or other public bodies, because of financial inability (due to statutory restrictions on borrowing power or otherwise) to construct the necessary treatment works or provide other adequate means of disposal, the Surgeon General shall not cause an action to be brought to prevent or abate the discharge or deposit of such waste or other substance into the navigable waters of the United States by such industry or municipality or other public body during such period of time not in excess of five years as the Board determines is necessary in order to provide means for the disposal or treatment of such waste or other substance so as to comply with such regulations. Extensions of time beyond such five-year or shorter period may be granted by the Board, after public hearing, if the industry or municipality or other public body involved shows to the satisfaction of the Board that it has diligently tried to comply with such regulations.

SEC. 18. If any provision of this Act, or the application thereof to any person or circumstance, is held invalid, the remainder of the Act, and the application of such provision to other persons or circumstances, shall not be affected thereby.

SEC. 19. When used in this Act—

(a) The term "State health authority" means the State health department, State board of health, or any State agency charged with the duties of enforcing State laws pertaining to public health or to the abatement of pollution of waters;

(b) The term "interstate agency" means an agency of two or more States having powers or duties pertaining to the abatement of pollution of waters;

(c) The term "local governmental agency" means a county, or a district, or other political subdivision created by State law, and having jurisdiction within its boundaries over matters pertaining to disposal of sewage, industrial wastes, or other wastes.

(d) The term "treatment works" means the various devices used in the treatment of sewage or industrial waste of a liquid nature, including the necessary intercepting sewers, outfall sewers, pumping and power equipment, and their appurtenances; and

(e) The term "State" includes the District of Columbia and any Territory or possession of the United States.

SEC. 20. This Act may be cited as the "Water Pollution Control Act".

Union Calendar No. 558

79TH CONGRESS
2D SESSION

H. R. 6024

[Report No. 1929]

A BILL

Relating to the prevention and control of water pollution, and for other purposes.

By Mr. MANSFIELD of Texas

APRIL 5, 1946
Referred to the Committee on Rivers and Harbors

APRIL 13, 1946
Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

79TH CONGRESS
1ST SESSION

H. R. 4070

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 14, 1945

Mr. SPENCE introduced the following bill; which was referred to the Committee on Rivers and Harbors

A BILL

To provide for water-pollution-control activities in the United States Public Health Service, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Surgeon General of the Public Health Service, under the supervision and direction of the Federal Security Administrator, shall have the responsibilities and duties relating to water-pollution control provided for in this Act.

SEC. 2. (a) The Surgeon General shall, after careful investigation, and in cooperation with other Federal agencies, with State health authorities and interstate agencies, and with the municipalities and industries involved, prepare comprehensive programs for eliminating or reducing the

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pollution and improving the sanitary condition of the surface and underground waters in or adjacent to any State. In the development of such comprehensive programs due regard shall be given to the improvements which are necessary to conserve such waters and promote their use for public water supplies, propagation of fish and aquatic life, recreational purposes, agricultural, industrial, and other legitimate uses, and for this purpose the Surgeon General is authorized to make joint investigations with any such agencies of the condition of any waters in any State or States, and of the discharges of any sewage, industrial wastes, or substance which may deleteriously affect such waters.

(b) The Surgeon General shall encourage cooperative activities by the States for the prevention and abatement of water pollution; encourage the enactment of uniform State laws relating to water pollution; encourage compacts between States for the prevention and abatement of water pollution; collect and disseminate information; make available to State agencies, municipalities, industries, and individuals the results of such surveys, studies, investigations, and experiments conducted by the Surgeon General and by cooperating agencies, public and private; and furnish such assistance to State agencies as may be authorized by law.

(c) The consent of the Congress is hereby given to two or more States to negotiate agreements or compacts, not in

conflict with any law of the United States, for (1) cooperative effort and mutual assistance for the prevention and abatement of water pollution and the enforcement of their respective laws relating thereto, and (2) the establishment of such agencies, joint or otherwise, as they may deem desirable for making effective such agreements and compacts.

(d) Whenever it be found that the pollution of waters in or adjacent to any State or States is such that in the opinion of the Surgeon General, based upon reports, surveys, and studies of such waters, the health or welfare of citizens of the United States is being jeopardized thereby, the Surgeon General may give formal notification thereof to the appropriate State health authority or interstate agency. This notification may outline recommended remedial measures and shall specify a time regarded by the Surgeon General as reasonable to secure the abatement of the pollution. If action to abate such pollution is not taken within the time specified, this failure shall again be brought to the attention of the appropriate State health authority or interstate agency and may be accompanied by a recommendation that suit to abate the pollution be initiated forthwith by such State health authority or interstate agency in a court of proper jurisdiction.

SEC. 3. The Public Health Service, upon request of any State health authority or interstate agency, shall, sub-

ject to the approval of the Surgeon General, conduct investigations and make surveys of any specific problem of water pollution confronting any State, drainage-basin authority, community, municipality, or industrial plant, with a view to effecting a solution of such problem, and shall make recommendations for the correction and elimination of the deleterious conditions found to exist.

SEC. 4. The Public Health Service shall prepare and publish, from time to time, reports of such surveys, studies, investigations, and experiments made under the authority of this Act as the Surgeon General may consider desirable, together with appropriate recommendations with regard to the control of water pollution.

SEC. 5. The Federal Security Administrator is authorized to extend Federal aid in the form of grants-in-aid, loans, or both, to any State, municipality, or other public body, for the construction of necessary treatment works to prevent the discharge by such State, municipality, or other public body of untreated or inadequately treated sewage or other waste into the surface or underground waters in or adjacent to any State, and for the preparation (either by its engineering staff or by practicing engineers employed for that purpose) of engineering reports, plans, and specifications in connection therewith. Such loans and grants-in-aid shall be made upon such terms and conditions as the President may

prescribe, subject to the following limitations: (1) Grants-in-aid or loans shall be made only with respect to projects approved by the appropriate State health authority and by the Surgeon General; (2) no grant-in-aid shall be made in respect of any project of any amount in excess of 50 per centum of the reasonable cost, as determined by the Surgeon General, of such project, including preparation of plans and the carrying of same into execution; (3) all loans made under this section shall bear interest at the rate prescribed by the President.

SEC. 6. The Federal Security Administrator is authorized to extend Federal aid in the form of loans to industrial enterprises for the construction of necessary treatment works and the preparation of engineering reports, plans, and specifications in connection therewith, to prevent the discharge by such enterprises of untreated or inadequately treated sewage or other waste into the surface or underground waters in or adjacent to any State, which in the opinion of the Surgeon General would substantially impair the quality of such waters. Such loans shall be made upon such terms and conditions as the President may prescribe, subject to the following limitations: (1) Loans shall be made only with respect to projects approved by the appropriate State health authority and by the Surgeon General; (2) all loans made

under this section shall be fully and adequately secured and shall bear interest at the rate prescribed by the President; (3) each loan may be made for a period not exceeding ten years.

SEC. 7. (a) The Surgeon General shall provide for the review of all reports of examinations, investigations, plans, studies, and surveys made pursuant to the provisions of this Act, and all applications for grants-in-aid or loans under section 5 or 6. In considering the desirability of commencing, continuing, or extending projects for treatment works and of approving grants-in-aid or loans in connection therewith, the Surgeon General shall have in view the benefits to be derived by the construction thereof in accomplishing the purpose of this Act, and the relation of the ultimate cost of such works, both as to the cost of construction and maintenance, to the public interests involved, the public necessity for such works and propriety of construction in part at the expense of the United States, and the adequacy of the provisions made or agreed upon by the applicant for the grant-in-aid or loan for assuring proper and efficient operation and maintenance of the works after completion of the construction thereof.

(b) In recommending estimates of appropriations for grants-in-aid and loans under this Act for any fiscal year, the Surgeon General shall set forth the order or sequence

of priority for individual projects in accordance with their estimated importance or value in the elimination or reduction of water pollution. In the Budget the President shall set forth his estimate of expenditures and appropriations for such projects both in summary and by individual projects.

(c) There is hereby established in the Public Health Service a Water Pollution Control Advisory Board to be composed of members as follows: The Surgeon General or a sanitary engineer officer designated by him, who shall be chairman of the Board; a representative of the Department of War, a representative of the Department of the Interior, and a representative of the Department of Agriculture, designated by the Secretary of War, the Secretary of the Interior, and the Secretary of Agriculture, respectively; and four persons (not officers or employees of the Federal Government) to be appointed annually by the Surgeon General. One of the persons appointed by the Surgeon General shall be an engineer who is expert in sewage and industrial waste disposal, one shall be a person who shall have shown an active interest in the field of wildlife conservation, and, except as the Surgeon General may determine that the purposes of this Act will be better furthered by different representation, one shall be a person representative of municipal government and one shall be a person representative of affected industry. The members of the Board who are not officers or employees

of the United States shall be entitled to receive compensation at a per diem rate to be fixed by the Federal Security Administrator, together with an allowance for actual and necessary traveling and subsistence expenses while engaged on the business of the Board. It shall be the duty of the Board to review the policies and program of the Public Health Service as undertaken under authority to this Act and to make recommendations thereon in reports to the Surgeon General. Such clerical and technical assistance as may be necessary to discharge the duties of the Board shall be provided from the personnel of the Public Health Service authorized under section 10.

(d) There are authorized to be appropriated annually such sums, not in excess of $100,000,000 for any fiscal year, as may be necessary for grants-in-aid and loans under the provisions of sections 5 and 6 of this Act. Sums so appropriated with respect to any project shall remain available for such project until expended. If the amount appropriated by Congress with respect to any project is in excess of the percentage the actual cost of the project which is to be covered by Federal aid, such excess shall revert to the Treasury.

SEC. 8. (a) There is hereby authorized to be appropriated for each fiscal year, beginning with the fiscal year ending June 30, 1946, the sum of $1,500,000, to be allotted

and paid to the States for expenditure by or under the direction of their respective State health authorities, and to interstate agencies for expenditure by them, in the promotion, investigation, surveys, and studies necessary in the prevention and control of water pollution. Sums appropriated pursuant to this subsection shall be allotted, under the supervision of the Surgeon General, in accordance with regulations prescribed by the Federal Security Administrator, and shall be paid prior to audit or settlement by the General Accounting Office. The amount of any allotment to any State or interstate agency for any fiscal year remaining unpaid or unexpended at the end of such fiscal year shall be available for allotment hereunder for the succeeding fiscal year, in addition to the amount appropriated for such year.

(b) To enable the Surgeon General to assist in the advance planning of treatment works by States, municipalities, or other political subdivisions, any portion of the funds appropriated pursuant to this section may, at his discretion and subject to the provisions of section 5, be allocated to State health authorities and interstate agencies to be used as grants-in-aid for the preparation of engineering reports, plans, and specifications.

SEC. 9. (a) To assist in carrying out the purposes of this Act, the appointment of engineer and scientist officers may be made under the provisions of section 208 (b) of

the Public Health Service Act, in addition to the appointments authorized by such section 208 (b); but no more than five such additional officers shall hold office at the same time.

(b) The Federal Security Administrator, with the consent of the head of any other agency of the Federal Government may utilize such officers and employees of such agency as may be found necessary to assist in carrying out the purposes of this Act.

(c) The Surgeon General shall have authority to utilize an appropriate agency of the United States designated by the President for the purpose of reviewing the title, location, plans, and specifications for the construction of treatment works, and of supervising and awarding and performance of contracts pursuant to plans approved under the provisions of this Act.

SEC. 10. When used in this Act—

(a) The term "State health authority" means the State health department, State board of health, or any State agency charged with the duties of enforcing State laws pertaining to public health or to the abatement of pollution of waters;

(b) The term "interstate agency" means an agency of two or more States having powers or duties pertaining to the abatement of pollution of waters;

(c) The term "treatment works" means the various

devices used in the treatment of sewage or industrial waste of a liquid nature including the necessary intercepting sewers, outfall sewers, pumping, and power equipment and their appurtenances; and

(d) The term "State" includes the District of Columbia and any Territory or possession of the United States.

SEC. 11. This Act may be cited as the "Water Pollution Act".

79TH CONGRESS
1ST SESSION

H. R. 4070

A BILL

To provide for water-pollution-control activities in the United States Public Health Service, and for other purposes.

By Mr. SPENCE

SEPTEMBER 14, 1945
Referred to the Committee on Rivers and Harbors

Incodel Calendar
Business Meeting

NUMBER IX: Shad Survey

STATEMENT: See attached copy.

ACTION REQUIRED: Review, discussion, suggestions, and approval.

ACTION RECOMMENDED:

By:

ACTION TAKEN:

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THE INTERSTATE COMMISSION ON THE DELAWARE RIVER BASIN

SHAD SURVEY

Incodel Tenth Anniversary Business Meeting
Shawnee-On-Delaware, Pennsylvania
July 10-12, 1946.

You will recall that at the suggestion of the Atlantic States Marine Fisheries Commission, a survey of the shad fishery situation in the Delaware River was inaugurated two years ago. This work has been prosecuted by the Fish and Wild Life Service, United States Department of the Interior.

In response to the request of your Executive Secretary, Mr. Wayne D. Heydecker, Secretary-Treasurer of the Atlantic States Marine Fisheries Commission, has asked that the appended report on progress of the shad survey, consisting of letter to Mr. Heydecker from Mr. Elmer Higgins, Chief of the Division of Fishing Biology, be considered at this meeting. Parts of Mr. Heydecker's reply to Mr. Higgins have also been reproduced for your information and guidance.

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C O P Y

United States Department of the Interior
Fish and Wildlife Service
Washington, D. C.

June 19, 1946.

Mr. Wayne D. Heydecker
Secretary Treasurer, Atlantic States Marine Fisheries Commission
415 Lexington Avenue, New York 17, New York

Dear Mr. Heydecker:

In the absence of Mr. James I am replying to your letter of June 13 regarding the shad investigation in the Delaware River.

This is to confirm my conversation with you in New York on June 13 advising you that Dr. Ellis and his staff had completed a series of comparative pollution studies in the Hudson and Delaware Rivers which bear most importantly on the possibilities of rehabilitating the shad in the Delaware.

On June 10, Dr. Ellis visited Washington and conferred at length with me and with Miss Cable on the shad problem, reporting in considerable detail the studies he had made in both river systems. Contrary to our expectation, he found that conditions of chemical waste pollution which might prevent the passage of shad are no worse in the Delaware River than they are in the Hudson where shad fisheries have prospered. He therefore concluded that this possible source of pollution in the Delaware is not responsible for preventing migration of shad. On the other hand, the outstanding difference between the Delaware and Hudson is the deficiency of oxygen. In the section of the river from Trenton to below Pennsville, the front of low oxygen water advancing or retreating a considerable distance according to tidal conditions, the oxygen level was so low as to present an almost unsuperable barrier to the migration of shad during the spring months.

The deficiency of oxygen in the Delaware has long been recognized but the important contribution of Dr. Ellis' studies lies in identification of the cause of the oxygen deficiency. The first cause, and one which presumably can be corrected, is the great quantities of oil discharged from ships and shore establishments contrary to law. The presence of oil aggravates the oxygen demand from the heavy load of organic wastes in the Delaware and particularly in the Schuylkill River in which stream the oxygen content was practically zero during May. It is obvious that the first point of attack is to encourage the Corps of Engineers to enforce the Federal Oil Pollution Act, and the second step,

to encourage the states, perhaps through the agency of Incodel, to provide more comprehensive and more efficient sewage treatment plants to reduce the organic load.

I shall have from Dr. Ellis very shortly, a brief summary of his findings and within a period of about six weeks, the manuscript on his complete findings. I shall forward the summary as soon as received and we shall process the scientific report for public distribution as soon as possible. Until the conditions described in Dr. Ellis's report are corrected, it seems obvious that any attempt to rehabilitate the shad fishery in the Delaware will fail.

Very truly yours,

Elmer Higgins, Chief
Division of Fishery Biology

C O P Y
(With Deletions)

ATLANTIC STATES MARINE FISHERIES COMMISSION

June 24, 1946.

Hon. Elmer Higgins, Chief
Division of Fishery Biology
U. S. Fish and Wildlife Service
Department of the Interior
Washington 25, D.C.

Dear Mr. Higgins:

Thank you very much for your letter of June 19 with respect to the shad study in the Delaware River. I shall appreciate as soon as possible Dr. Ellis' findings with respect to the minimum amount of oxygen content which would create conditions that the shad could tolerate. This seems to me to be the crux of the matter.

As you know the minimum standards of purity in the Delaware River have been set by statutes concurrently adopted by the four states. In Zone two, that part of the Delaware River from the head of tidewater at Trenton and Morrisville to the mouth of Pennypack Creek in Philadelphia and the corresponding point on the Jersey shore, the standards provide, among other things, for

> "a reduction of organic substance of at least 85% as measured by the biochemical oxygen demand and further that no effluent entering therein shall exceed a biochemical oxygen demand of 100 parts per million....."

The standards for Zone 3 from Pennypack Creek south to the Pennsylvania boundary line among other things require that the effluent discharged into this zone shall show a reduction of organic substance of at least 55% of total suspended solids and a reduction of not less than 35% of the biochemical oxygen demand. It is the intent of this requirement to restore the dissolved oxygen content of the water in this zone to at least 50% saturation. To accomplish this it may be necessary in the case of certain wastes to obtain reductions greater than those required under this item.

How much, if any, will these minimum standards have to be increased to provide a body of water in the river which the shad will tolerate and through which they can pass safely?.....This is the decision that we seek through the technical studies of the Service, for upon their determination the four states, through their joint sanitation agency, the Interstate Commission on the Delaware River Basin and this Commission must determine whether or not they can successfully raise such standards as are already incorporated in the concurrent statutes, if such step should be required. This decision must be reached this fall in time to present the conclusions of the four states to the legislatures next January.....

Please accept my thanks for your interim report and please keep in mind the urgency of our need and request your associates to give us the answers which we seek with the utmost speed, because after they are received much time will be required for their consideration by the representatives of the four states directly affected both on this Commission and Incodel.

Cordially yours

Wayne D. Heydecker
Secretary Treasurer

WDH:mg

Incodel Calendar
Business Meeting

NUMBER X: Public Relations.

STATEMENT: See attached copy.

ACTION REQUIRED: Review, discussion, suggestions, and approval.

ACTION RECOMMENDED:

By:

ACTION TAKEN:

THE INTERSTATE COMMISSION ON THE DELAWARE RIVER BASIN

PUBLIC RELATIONS

Incodel Tenth Anniversary Business Meeting
Shawnee-On-Delaware, Pennsylvania
July 10-12, 1946.

In the development of its programs Incodel recently has been working closely on an informal basis with other organizations interested in promoting conservation in the Delaware watershed. Among those with which friendly working relations exist are:

The Schuylkill River Valley Restoration Association

The Lehigh River Valley Flood Control Council

The Delaware River Protective Association

The Brandywine Conservation Association

The Friends of the Land.

On a national basis, we have ties with the Council of State Governments, the Water Conservation Conference, and other agencies; and our contacts with interstate cooperation commissions are close, of course. Due to our present activities, we are promoting good will and a better understanding with organizations, public and private, whose activities are centered upon soil and forest conservation. A few years back we did some special work in advancing regional planning proposals in the Upper Delaware Valley. Throughout our existence we have given much assistance to the City of Philadelphia in advancing its water supply and sewage and industrial waste collection and treatment projects. We are being called upon for reports regarding our programs by industrial and private business agencies.

All of these and other relationships of similar kind should be strengthened

and cemented, where possible. One way in which it can be done is by continuing to provide intimate services to such agencies. The Friends of the Land has recently elected Mr. Powell of the staff to serve as that Association's Secretary for the ensuing year. It is believed that it would be desirable to have a representative of Incodel serve in some capacity on as many of the other agencies as is reasonably possible.

Consideration also should be given to the advisability of arranging to hold regional meetings with the groups whose aims and objectives are in harmony with ours. Perhaps a joint conference with several groups would be desirable. It is recommended that more attention be devoted to the scheduling of programs of this nature in the future.

****

Incodel Calendar
Business Meeting

NUMBER XI: Election of Officers.

STATEMENT: See attached copy.

ACTION REQUIRED: Review, discussion, suggestions, and approval.

ACTION RECOMMENDED:

By:

ACTION TAKEN:

THE INTERSTATE COMMISSION ON THE DELAWARE RIVER BASIN

ELECTION OF INCODEL OFFICERS FOR 1946-1947

Incodel Tenth Anniversary Business Meeting
Shawnee-On-Delaware, Pennsylvania
July 10-12, 1946.

The Incodel Articles of Organization, Article II, Section A, provide that the Commission at its annual meeting shall select a Chairman and Vice Chairman from its membership. They also provide, Article II, Section C, for the election of a Treasurer. Article I, Section B, provides that a member-at-large from each state shall be elected at its annual meeting.

Accordingly, it is in order to arrange to proceed with the election of the above named officers and members of the Commission.

****

Incodel Calendar
Business Meeting

NUMBER XII. Finances

STATEMENT: See attached copy.

ACTION REQUIRED: Review, discussion, suggestions, and approval.

ACTION RECOMMENDED:

By:

ACTION TAKEN:

THE INTERSTATE COMMISSION ON THE DELAWARE RIVER BASIN

FINANCES

Incodel Tenth Anniversary Business Meeting
Shawnee-On-Delaware, Pennsylvania
July 10-12, 1946.

The Commission's financial status as of June 30, 1946, the end of the past fiscal year, is given in detail in the auditor's report which is submitted under separate cover for your consideration and action.

Before the Commission reviews the auditor's report, it is necessary for it to approve accounts paid during the month of June. Such approval should be made retroactive to June 30, 1946, as the audit, at the request of the treasurer, has been based upon such action in order that the report will properly reflect conditions as of the close of business on June 30, 1946.

The Commission also is asked to confirm the Executive Committee's action in approving bills paid for the months of January, 1946 through May, 1946, inclusive.

The reports on finances also include the office's usual summary of the financial position of the Commission.

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THE INTERSTATE COMMISSION ON THE DELAWARE RIVER BASIN

FINANCIAL STATUS AS OF

JUNE 30, 1946

JULY 1945 to JUNE 1946 BUDGET

Budget Classification	Allocation	Expenditures	Balance
Salaries	$23,500.00	$17,927.65	$5,572.35
Rent	3,000.00	1,930.00	1,070.00
Equipment	500.00	330.11	169.89
Supplies	700.00	547.34	152.66
Printing	1,200.00	1,372.47	- 172.47
Telephone & Telegraph	700.00	720.00	- 20.00
Postage & Express	300.00	243.00	57.00
Travel	2,500.00	1,378.98	1,121.02
Conferences	2,000.00	1,693.59	306.41
Miscellaneous	800.00	536.39	263.61
Financial Audits	300.00	265.00	35.00
Consulting Service	1,000.00	300.00	700.00
	$36,500.00	$27,244.53	$9,255.47
Budget Interim Operating Reserve			2,161.60
Accounts Payable			135.20
			$11,552.27

1945-1946 APPROPRIATIONS

	Total	Received	Balance
Delaware	$2,500.00	$ 2,400.00	$ 100.00
New Jersey	8,750.00	8,750.00	0.00
New York	8,750.00	5,875.00	2,875.00
Pennsylvania	15,000.00	15,000.00	0.00
			$2,975.00
BANK BALANCE			
Account No. 1			627.31
Account No. 2			7,828.29
ACCOUNTS RECEIVABLE			121.67 *
			$11,552.27

* Unpaid Balance of State of Delaware 1944-45 Appropriation.

January 1946

INCODEL ACCOUNTS

CURRENT AND PAYABLE
(Except where noted)

CLASSIFIED IN BUDGET FORM

I. Personal Services

1.	Chief Engineer	$500.00*
2.	Engineer	333.34*
3.	Engineer	220.00*
4.	Field Representative	250.00*
5.	Office Secretary (7th to 31st)	120.00*
6.	Stenographer	150.00*
7.	Stenographer	110.00*
		$1,683.34*

*These amounts include income taxes totaling $157.30 which were withheld.

II. Other Expenses

1.	Rent (Due Jan. 1)	$ 170.00
2.	Equipment	
3.	Supplies	
	Danzig & Bowers	3.50
	A. Pomerantz & Co.	27.55
	Dictaphone Corp.	6.95
4.	Printing	
	The Drake Press	71.00
5.	Postage & Express	
	James H. Allen	33.00
	Henry A. Rowan	10.00
6.	Telephone & Telegraph	
	Ellwood J. Turner	18.35
	The Bell Telephone Co.	41.79
	The Western Union Telegraph Co.	11.38
7.	Travel	
	James H. Allen	
	Jan. 4, New York, N.Y.	15.27
	Jan. 8, Trenton, N.J.	8.68
8.	Conferences	
	Bellevue-Stratford Hotel	1,332.50
	Franklin H. Lichtenwalter	
	Jan. 25-26, Incodel Meeting	12.50
	Joseph C. Paul	
	Jan. 25-26, Incodel Meeting	8.25

INCODEL ACCOUNTS (Cont'd)

8.	Conferences (Cont'd)	
	William T. Vanderlipp	
	Jan. 25-26, Incodel Meeting	$ 6.19
	John Boardman	
	Jan. 25-26, Incodel Meeting	16.75
	Jan. 28, Lehigh Valley Flood Control Council	1.80
9.	Miscellaneous and Contingent	
	James H. Allen (Colliers, magazines & pictures)	33.00
	John Boardman (Collier's, Bulletin Alamanacs & Electric Cord)	4.75
	Peerless-Union Linen Service	1.30
TOTAL:	Incodel Accounts Current and Payable	$3,517.85
	Receipts from Dinner of January 25th credited to "Conferences"	1,165.00
NET TOTAL:	Charged to Budget Items	$2,352.85

February 1946.

INCODEL ACCOUNTS

CURRENT AND PAYABLE
(Except where noted)

CLASSIFIED IN BUDGET FORM

I. Personal Services

1.	Chief Engineer	$500.00*
2.	Engineer	333.54*
3.	Engineer	220.00*
4.	Field Representative	250.00*
5.	Office Secretary	150.00*
6.	Stenographer	150.00*
7.	Stenographer	110.00*
		$1,713.34*

*These amounts include income taxes totaling $160.80 which were withheld

II. Other Expenses

1.	Rent (Due Feb. 1)	170.00
2.	Equipment	
3.	Supplies	
	Standard Duplicator & Carbon Crafters, Inc.	24.39
	W. T. Peck & Co.	4.75
	The Drake Press	35.25
4.	Printing	
	The Drake Press.	195.00
5.	Postage & Express	
	Henry A. Rowan	10.00
6.	Telephone & Telegraph	
7.	Travel	
	James H. Allen	
	Jan. 17-21, Boston, Mass.	65.39
	Jan. 28, Local	1.20
	Jan. 31- Feb. 1, Harrisburg	19.91
8.	Conferences	
	Bellevue-Stratford Hotel	29.74
	Pennock, Florist	6.00
	Ellwood J. Turner	
	Jan. 17-19, Cosgo Conf., Boston, Mass.	42.51
	James H. Allen	
	Jan. 25-26, Incodel Meeting.	16.86
	Feb. 2, Incodel Conf. Luncheon	3.20
	Duane E. Minard, Jr.	
	Jan. 25-26, Incodel Meeting	10.38
	R. C. Beckett	
	Jan. 25-26, Incodel Meeting	34.71

INCODEL ACCOUNTS (Cont'd)

9.	Miscellaneous & Contingent	
	James H. Allen	$ 5.56
	Peerless-Union Linen Service	1.30
	The Crowell-Collier Publishing Co.	1.20
	Penna. Roadside Council, Inc. (Annual Dues).	10.00
	Universal Reference Library.	6.50
10.	Consulting Service	
	Duane E. Minard, Sr.	300.00

TOTAL: Incodel Accounts Current and Payable $2,707.19

March 1946.

INCODEL ACCOUNTS

CURRENT AND PAYABLE
(except where noted)

Classified in Budget Form

I. Personal Services:

1.	Chief Engineer	$ 550.00*
2.	Engineer	333.34*
3.	Engineer	220.00*
4.	Field Representative	250.00*
5.	Office Secretary	150.00*
6.	Stenographer	150.00*
7.	Stenographer	110.00*
		$ 1,763.34*

* These amounts include Income Taxes, totaling $168.40, which were withheld.

II. Other Expenses:

1.	Rent:	
	For one month from March 1	170.00
	For increase second half of December, 1945	10.00
2.	Equipment:	
	Dubin Company (shelves and bookcase)	141.40
3.	Supplies:	
	J. R. Howarth Paper Company.	24.33
	A. B. Dick Company	14.70
	A. Pomerantz and Company	9.95
4.	Printing:	
5.	Postage and Express:	
	Henry A. Rowan	10.00
6.	Telephone and Telegraph:	
	Ellwood J. Turner.	9.20
	The Bell Telephone Company of Pennsylvania	81.92
	The Western Union Telegraph Company.	64.49
7.	Travel:	
	James H. Allen:	
	February 4, Washington, D.C. . . . . (Cosgo Conference)	1.02
	February 6-7, Harrisburg.	20.71
	February 20, Harrisburg	12.91
	February 27-28, Harrisburg.	21.26
	March 1, Trenton.	6.38
	March 4, Local	2.00
	March 6, New York City.	13.92
	March 7, Washington, D. C.	25.08
	March 15, Trenton	7.31
	March 18, Washington, D. C.	43.18
	March 21, Trenton	4.79

7.	Travel (continued)	
	John Boardman:	
	January 31, Reading	$ 5.50
	February 7, Local	.50
	February 16, Local.	.85
	February 18, Trenton.	14.85
	February 20, Harrisburg	12.29
	February 27, Wilmington	8.80
	March 8, Trenton.	3.75
	March 15, Trenton	3.15
	March 21, Trenton	6.35
	Amos L. Powell:	
	February 11-13, Lancaster	15.20
	February 14-16, Allentown	15.05
	March 5-7, State College, Pa.	33.80
	March 14, Moorestown, N.J.	5.95
	March 21, Camden.	1.50
8.	Conferences:	
	Hotel Stacy-Trent.	87.16
	Franklin H. Lichtenwalter:	
	March 15, Executive Committee Meeting	7.20
	James H. Allen:	
	February 26, National Association of Manufacturers.	5.00
	March 12, with H.T. Critchlow re Philadelphia Water Supply	3.90
9.	Miscellaneous and Contingent:	
	James H. Allen	10.07
	John Boardman.	1.59
	Peerless-Union Linen Service	1.30
	Engineering News-Record.	10.00
	The Empire Statesman	3.00
	The Treasurer of the United States (Maps).	14.00
	Friends of the Land.	1.00
	American Chemical Society.	.80
	Public Utilities Reports, Inc.	.75
	Regional Plan Association, Inc.	.50
	Public Works	.35
TOTAL:	Incodel Accounts Current and Payable	$ 2,732.05
	Received from Duane E. Minard, Jr. for personal expenses, incurred at Cosgo Conference in Boston which had been paid by Incodel (credited to Conferences)	9.90
NET TOTAL:	Charged to Budget Items	$ 2,722.15

April 1946

INCODEL ACCOUNTS

CURRENT AND PAYABLE
(Except where noted)

Classified in Budget Form

I. Personal Services:

1.	Chief Engineer	$ 550.00*
2.	Engineer	333.34*
3.	Engineer	220.00*
4.	Field Representative	250.00*
5.	Office Secretary	150.00*
6.	Stenographer	150.00*
7.	Stenographer	110.00*
		$ 1,763.34*

* These amounts include Income Taxes, totaling $168.40, which were withheld.

II. Other Expenses:

1.	Rent (Due April 1)	170.00
2.	Equipment:	
	Renninger & Graves (Reading Glass)	2.70
3.	Supplies:	
	A. Pomerantz & Company	23.60
4.	Printing:	
	Renninger & Graves	7.11
5.	Postage and Express:	
	Henry A. Rowan	20.00
6.	Telephone and Telegraph:	
	The Bell Telephone Company of Pennsylvania	31.86
	The Western Union Telegraph Company	5.18
7.	Travel:	
	James H. Allen:	
	April 4, Harrisburg	12.24
	April 6, Local	.90
	April 10, Washington, D. C.	15.91
	April 11, Philadelphia Conference - Regional Development Association	2.50
	April 13, Schuylkill Project Inspection	3.55
	April 16, Harrisburg	15.14
	April 23, Norristown, Phoenixville, Reading	9.85
	John Boardman:	
	April 4, New York	12.18
	April 19, Norristown, Phoenixville, Royersford, Reading	9.20
	April 23, Reading	2.85

8.	Conferences:	
	Bellevue-Stratford Hotel	$ 41.32
	Leon W. Benjamin:	
	April 5, Incodel Soil and Forest Meeting. . . .	30.93
	James H. Allen:	
	April 17 to 19, Annual Meeting, A.S.C.E., Philadelphia.	19.25
	April 22, with Secretary Kell and Batley. . . .	3.80
	John Boardman:	
	April 5, Incodel Soil and Forest Meeting. . . .	4.80
	April 10, with U.S. Army Engineers.	4.35
	April 25, with Secretary Kell and Batley. . . .	3.80
	April 24, with U.S. Army Engineers.	3.95
9.	Miscellaneous and Contingent:	
	James H. Allen	10.00
	Amos L. Powell	2.49
	William A. Walker.	5.00
	Peerless-Union Linen Service	1.30
	A. B. Dick Company	13.00
	Superintendent of Documents	1.05
	Newark Evening News.	12.50
	American Planning and Civic Association.	5.00
	State Service Bureau, Inc.	1.50
	Bureau of Municipal Research	.50
	The New York Times	12.00
	New York Election and Law Bureau	2.10
TOTAL:	Incodel Accounts Current and Payable.	$ 2,286.75

May, 1946

INCODEL ACCOUNTS

CURRENT AND PAYABLE
(except where noted)

Classified in Budget Form

I. Personal Services:

1.	Chief Engineer	$ 550.00 *
2.	Engineer	220.00 *
3.	Field Representative	250.00 *
4.	Office Secretary	150.00 *
5.	Stenographer	150.00 *
6.	Stenographer	110.00 *
		$ 1,430.00 *

* These amounts include Income Taxes, totaling $135.20, which were withheld.

II. Other Expenses:

1.	Rent (Due May 1)	$ 170.00
2.	Equipment	
3.	Supplies:	
	Williams, Brown & Earle	2.88
	Danzig & Bowers	4.05
4.	Printing:	
	W.T. Peck & Company	142.60
	Renninger & Graves	1.50
5.	Postage & Express:	
	Henry A. Rowan	10.00
6.	Telephone & Telegraph:	
	Ellwood J. Turner	2.50
	The Bell Telephone Company of Penna.	59.15
	The Western Union Telegraph Company	.86
7.	Travel:	
	James H. Allen:	
	April 25, Trenton & Sussex County, N.J.	7.35
	April 30, Harrisburg	12.54
	May 2, Trenton	13.78
	May 3, New York.	9.89
	May 7, Washington, D.C.	16.91
	May 9, Phoenixville, Trappe, etc.	4.65
	May 10, Newark	5.50
	May 20, Washington, D.C.	19.19
	May 21, Chester	.56
	May 23, Washington, D.C.	17.06

Travel (continued)

John Boardman:		
April 29, Royersford	$	4.30
April 30, Harrisburg		11.74
May 28, Wayne		.89
Amos L. Powell:		
April 29, Bethlehem		8.20
April 30, 69th Street		.43
May 3, Reading		5.00
May 9, Spring City		.60
May 10, Reading		6.15
May 14, Reading and Vicinity		7.55
May 22, 69th Street.		.43
May 23, Reading		6.00
May 28, Spring City		.30
8. Conferences:		
James H. Allen:		
May 17, Quality Committee Meeting		7.35
9. Miscellaneous & Contingent:		
James H. Allen		.40
Amos L. Powell		1.66
Peerless-Union Linen Service.		5.95
The Pennsylvania Book Service		1.25
Dictaphone Corporation.		2.50
The Photo-Illustrators.		9.00
Pennsylvania Friends of the Land.		5.00
TOTAL: Incodel Accounts Current & Payable.	$	2,015.67
Received from sale of typewriter - credited to "Equipment"		15.00
Received from Brandywine Valley Association Inc., for 1,000 copies of "Clean-up on the Delaware" - credited to "Printing"		75.00
NET TOTAL: Charged to Budget Items	$	1,925.67

June 1946

INCODEL ACCOUNTS

CURRENT AND PAYABLE
(except where noted)

Classified in Budget Form

I. Personal Services:

1.	Chief Engineer	$ 550.00 *
2.	Engineer	220.00 *
3.	Field Representative	250.00 *
4.	Office Secretary	150.00 *
5.	Stenographer	150.00 *
6.	Stenographer	110.00 *
		$ 1,430.00

* These amounts include Income Taxes, totaling $135.20, which were withheld.

II. Other Expenses:

1.	Rent (Due June 1)	$ 170.00
2.	Equipment:	
	Royal Typewriter Company, Inc. (Typewriter)	137.01
3.	Supplies:	
	Fitch Carbon & Ribbon Company	27.76
	A. Pomerantz & Company	23.56
	A. B. Dick Company	44.37
	Danzig & Bowers	11.50
	J.R. Howarth Paper Company	16.00
4.	Printing:	
	The Inter-Borough Press	65.00
	Renninger & Graves	0.35
5.	Postage & Express:	
	Henry A. Rowan	25.00
6.	Telephone & Telegraph:	
	The Bell Telephone Company of Pennsylvania	66.50
7.	Travel:	
	James H. Allen:	
	June 3, Harrisburg	10.59
	June 4, Trenton	3.13
	June 5, Wilmington	6.05
	Amos L. Powell:	
	June 1, Topton, Pa.	8.05
	June 12, Mauch Chunk, Pa.	10.70

8. Conferences:

James H. Allen:
June 7-8, Executive Committee Meeting, Trenton $ 144.10

9. Miscellaneous & Contingent:

A. L. Padula	25.00
Remington Rand, Inc.	8.65
Peerless Union Linen Service	1.30
Amos L. Powell	.88
F. W. Finch.	15.00
Royal Typewriter Company, Inc.	1.75

Total: Incodel Accounts Current and Payable $2,252.25

Incodel Calendar
Business Meeting

NUMBER XIII. Annual Audit.

STATEMENT: See attached copy.

ACTION REQUIRED: Review, discussion, suggestions, and approval.

ACTION RECOMMENDED:

By:

ACTION TAKEN:

Incodel Calendar
Business Meeting

NUMBER XIV: Proposed 1946-1947 Program and Budget

STATEMENT: See attached copy.

ACTION REQUIRED: Review, discussion, suggestions, and approval.

ACTION RECOMMENDED:

By:

ACTION TAKEN:

THE INTERSTATE COMMISSION ON THE DELAWARE RIVER BASIN

PROPOSED 1946-1947 PROGRAM AND BUDGET

Incodel Tenth Anniversary Business Meeting
Shawnee-On-Delaware, Pennsylvania
July 10-12, 1946.

The Commission is requested to give careful attention to its program and its budget requirements for 1946-1947 fiscal year. Among possible others, it is suggested that the program should include the following items:

1. STREAM POLLUTION ABATEMENT

   Further advancement of construction projects for the abatement of stream pollution with particular attention to those in Philadelphia, Camden and Port Jervis.

2. WATER SUPPLY DIVERSION

   (a) Consummation of program for petitioning U.S. Supreme Court that it substitute Incodel formulae for the technical terms of its decree concerning operation of water supply diversion projects. Also, if possible, determination of the Court's interpretation of its intent regarding retention of jurisdiction over questions concerning diversion projects.

   (b) Final approval, as required or desirable under Supreme Court's ruling, of Incodel reciprocal legislation concerning water supply diversion projects.

3. SOIL AND FOREST CONSERVATION

   Prosecution of a vigorous program throughout the entire Delaware River Basin for the conservation of soil, forests and other natural resources.

4. SURFACE AND GROUND WATER SUPPLIES

To participate cooperatively in the United States Geological Surveys investigation of surface and ground water resources of the Basin.

5. PUBLIC RELATIONS

Prosecution of a special program devoted to the continuance of effective public relations with public and private agencies organized for the promotion of conservation of natural resources.

6. FEDERAL-STATE RELATIONSHIPS

(a) Continuance of the Commission's activities to coordinate programs of Federal and State governments.

(b) Continuance of the Commission's activities to secure a desirable balance in the relationships among the Federal, State and local governments in the development of river watershed regions.

(c) Continuance of the Commission's efforts to press the Commonwealth of Pennsylvania and the Federal Government to prosecute and complete the Schuylkill River desilting project.

7. STATE-LOCAL RELATIONS

Continuance of the services of the Commission to state and local municipal governments in the development of public works programs in the Delaware River watershed.

8. GENERAL AND MISCELLANEOUS ACTIVITIES

The undertaking of any task concerning the Commission's fundamental objective of fostering the wise and effective utilization and conservation of the resources of the Delaware River Basin in accordance with the democratic and constitutional procedures which have made this country great.

The Commission, no doubt, will wish to discuss each of these items in detail and to make specific recommendations to carry them out. It also probably may wish to include additional tasks.

BUDGET REQUIREMENTS

In order to carry out the above program, or such final program as may be adopted, it may be desirable to engage the services of an additional person before the end of the present year. Such person should have qualifications in the field of public relations and publicity. The year 1947 is a legislative year in all four of the basin states. This will involve considerable work, particularly in reference to water supply diversion problems and programs.

Your Executive Secretary is convinced that the Commonwealth of Pennsylvania will continue to need Incodel's assistance in pushing the Schuylkill River project and other conservation programs in the Pennsylvania section of the basin. He is further convinced that Incodel should give such aid, if possible. Otherwise he believes the programs will lag. If these conclusions are correct, a request should be made of the Pennsylvania Legislature to increase its appropriation to Incodel in the year beginning July 1, 1947. It is believed that such increase should amount to $5,000 a year. Unfortunately, there does not appear to be any way in which that sum can be secured for the current year,

although the Pennsylvania members of the Commission are going to make the effort.

Appended hereto is a table showing the proposed budget items for 1946-1947 as compared with the current year.

The budget item for Salaries contains an allowance of $1,580 for recommended salary adjustments for the staff allocated in the manner shown on the accompanying table. It is further recommended that an additional $300 be earmarked to reimburse Chairman Turner for payment of stenographic and office services on Incodel work carried on at his office in Chester. This leaves a balance of $4,100 available for the employment of an additional person on the staff, if and when it becomes advisable.

ANTICIPATED APPROPRIATIONS

It is proposed to meet the estimated budget requirements from the anticipated appropriations from each of the states in the amounts made available the past year totaling $35,000, as listed below:

Delaware	$ 2,500
New Jersey	8,750
New York	8,750
Pennsylvania	15,000
TOTAL	$35,000

The $5,000 difference between 1946-1947 appropriations and budget will be required to be taken from the Commission's existing unexpended balance of $11,552.

It is understood that all of the appropriations have been provided.

THE INTERSTATE COMMISSION ON THE DELAWARE RIVER BASIN

PROPOSED 1946 - 1947 BUDGET

Budget Classification	1945-46 Budget	Disbursements 1945-1946 (June estimated)	Proposed 1946-1947 Budget
Salaries	$23,500.00	$17,930.00	$27,200.00 *
Rent	3,000.00	1,930.00	3,000.00
Equipment	500.00	200.00	750.00
Supplies	700.00	475.00	750.00
Printing	1,200.00	1,400.00	1,800.00
Telephone & Telegraph	700.00	700.00	700.00
Postage & Express	300.00	250.00	300.00
Travel	2,500.00	1,640.00	2,200.00
Conferences	2,000.00	1,950.00	2,500.00
Miscallaneous	800.00	600.00	500.00
Financial Audits	300.00	265.00	300.00
Consulting Service	1,000.00	300.00	
TOTAL	$36,500.00	$27,640.00	$40,000.00

* Includes an allowance of $5,980 above present requirements for salaries.

THE INTERSTATE COMMISSION ON THE DELAWARE RIVER BASIN

Recommended Salaries for Incodel Staff
1946-1947 Fiscal Year

Name and Position	Present Salary	Proposed Salary	Proposed Increase
James H. Allen, Executive Secretary	$6,600	$ 6,900	$ 300
John Boardman, Engineer *	4,000	4,300	300
Amos Powell, Agronomist	3,000	3,300	300
Henry Rowan, Technician	2,700	2,940	240
Reba B. Tropp, Office Secretary	1,800	2,040	240
Norma N. Moore, Ass't. Office Secretary	1,800	1,920	120
Catherine Flynn, Secretary	1,320	1,400	80
TOTALS	$21,220	$22,800	$1,580

* At present, on loan to, and payroll of, Water and Power Resources Board, Commonwealth of Pennsylvania, on Schuylkill River Desilting Project