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SUMMARY OF MAJOR PROVISIONS OF DELAWARE BASIN COMPACT

- I. Parties to the Compact: Signatory parties are the Federal Government, the States of Delaware, New Jersey and New York and the Commonwealth of Pennsylvania. The Federal Government is a full party to the compact as distinguished from a solely interstate compact where the Federal Government merely gives consent.
- II. Principal Purpose of the Compact: To create a regional federal-interstate administrative agency which shall act for and be responsible to the five signatory parties in the planning, development and control of the water resources of the Delaware River Basin.
- III. Territorial Jurisdiction of the Compact Agency: The agency is to discharge its responsibilities within the limits of the 12,750 square mile land area drained by the Delaware River and its tributaries. It may, however, act outside the basin whenever such action is necessary or convenient to carry out its duties within the Basin, and it may sell or dispose of water resources either within or without the basin. The commission shall exercise such power outside the basin only upon the consent of the state in which it proposes to act.
- V. Governing Body: Governed by a five-member commission composed of the governors of the four states and one person appointed by the President of the United States. Each member appoints an alternate with full power to act in the absence of the member. Each member has one vote.
- 7. Life of Compact: The duration of the compact and all of its provisions is limited to 100 years, but the compact automatically renews itself for additional periods of 100 years unless not later than twenty years nor sooner than twenty-five years prior to the termination of the initial period or any succeeding period one or more of the signatory states, by authority of an act of its legislature, gives notice of intention to terminate at the end of that 100-year period. The compact reaffirms the right of Congress to with-

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draw the Federal Government from the compact at any time.

VI. Principal Duties and Powers of the Commission:

- A. Formulate, adopt, and keep current, a comprehensive plan for the development of the water resources of the Basin and insure that all new projects or facilities having a substantial effect upon the waters of the Basin are carried out in conformance with the comprehensive plan.
- B. By working with and through existing federal, state and local agencies - or directly when necessary - plan, construct, operate and maintain dams, reservoirs and other facilities and conduct other programs, for the purposes of:
- 1) flood damage reduction
 - 2) water quality improvement
 - 3) municipal, industrial and agricultural water supply
 - 4) recreation and fish and wildlife improvement
 - 5) hydroelectric power generation
 - 6) soil conservation, forestation and watershed management
- C. Make future allocations of the waters of the basin among the four states and their political subdivisions in accordance with the Supreme Court doctrine of equitable apportionment which takes into account alternative sources, relative needs, and changing uses. (No allocation by the commission is perpetual, nor may it be deemed to constitute a prior appropriation of the water of the basin. The compact does not change present law relating to riparian rights. Also, no action may be taken by any signatory state or by the commission without unanimous consent of the parties to the U.S. Supreme Court decree in New Jersey v. New York 347 U.S. 995 (1954), or by unanimous action of the commission in an emergency, that would in any way interfere with the diversions and compensating releases authorized by the Court in its 1954 decree.)
- D. Regulate the volume of withdrawals or diversions in areas where serious