

January 29, 2016

Jo-Ellen Darcy  
Assistant Secretary of the Army of Civil Works  
108 Army Pentagon  
Washington, DC 20310-0108

Dear Secretary Darcy:

We, the Parties to the Delaware River Decree (the Parties), are writing to ask for your support and to highlight the importance of our previous request that the U.S. Army Corps of Engineers (USACE) re-open and update earlier investigations of reservoir improvements that consider repurposing F.E. Walter Dam for an additional primary use for low flow augmentation up to elevation 1392 feet pursuant to authority under the Water Supply Act of 1958, as amended. We ask for your support in expeditiously commencing an F.E. Walter Feasibility Study, utilizing all available resources. This allocation of additional storage capacity, for low flow augmentation during drought, without significant reductions in flood protection and with several other flow management program modifications the Parties are seeking, offers the Delaware River Basin states the opportunity for improved coordination and utilization of all basin resources aimed at long-term salinity repulsion planning and improved drought management.

Water use in the Delaware River Basin is managed by the states of Delaware, New York, New Jersey, Pennsylvania, and the City of New York in accordance with the 1954 Supreme Court

Decree, the Water Code of the Delaware River Basin Commission (DRBC), and the USACE. The Parties, in cooperation with DRBC are currently in negotiations to develop a new long-term water management plan intended to address future challenges in the basin. The re-purposing is a critical component in achieving our goals for the new plan that will require optimum use of all the basin and its interconnected resources. The Parties will be facing two key challenges: overall drought management and in particular salinity repulsion. Optimization of storage capacity at the F.E. Walter Dam will greatly contribute to the Parties' efforts to maintain the present-day level of protection against salinity intrusion for the City of Philadelphia and the Delaware River Estuary and to help maintain drought protection and to better support the ecological and other growing needs of the basin in the future.

Historically, the USACE has approved storing water to elevation 1392' at the F.E. Walter Dam for DRBC during drought emergencies. Lower basin reservoirs are used to compliment drought operations for the Montague Flow Objective by prioritizing flow at Trenton. The Trenton Flow Objective is designed to protect the lower basin states'

drinking water, industrial manufacturing, and power generation supplies from salt water intrusion during severe drought. The Parties look forward to working with the USACE with the goal of using drought triggered increased storage at F.E. Walter Dam to help support the Trenton Flow Objective during drought conditions, while preserving the dam's flood control and recreation purposes.

We are aware of the USACE requirements that the F.E. Walter Feasibility Study be completed within three years and that total funding be limited to \$3 million with non-Federal funding required for half, which could be achieved through in-kind services. After signing a Feasibility Cost Sharing Agreement, the Parties are prepared to provide the \$25,000 required to support the study scoping effort. Potentially, the study could be done under the USACE's General Investigations Program with the Federal funds provided in the President's 2017 Budget or through the Army Corps work plans for FY16 or FY17.

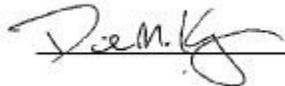
The potential benefit the F.E. Walter Dam offers here cannot be overstated. The USACE is a critical partner in the basin, and we are asking for its continued support and assistance to continue to build on our shared successes into the future.

Sincerely,

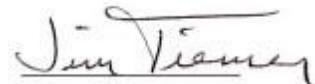
Delaware River Decree Party Principals



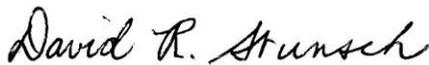
Paul V. Rush, P.E.  
Deputy Commissioner  
City of New York  
P.O. Box 358  
Grahamsville, NY 12740



Dan Kennedy  
Assistant Commissioner  
State of New Jersey  
P.O. Box 420  
Trenton, NJ 08625



Jim Tierney  
Assistant Commissioner  
State of New York  
625 Broadway, 4<sup>th</sup> FL  
Albany, NY 12233



David Wunsch, Ph.D.  
State Geologist & Director  
State of Delaware  
257 Academy St.  
Newark, DE 19716



Kelly Heffner  
Special Deputy Secretary  
State of Pennsylvania  
400 Market Street, 16<sup>th</sup> FL  
Harrisburg, PA 21710