



June 11, 2018

***VIA EMAIL***

Hon. Daryl D. Metcalfe, Chair  
State Government Committee  
144 Main Capitol Building  
PO Box 202012  
Harrisburg, PA 17120-2012

Hon. Matthew D. Bradford, Democratic Chair State Government Committee  
325 Main Capitol Building  
PO Box 202070  
Harrisburg, PA 17120-2070

Dear Chairman Metcalfe and Democratic Chair Bradford,

I am writing as Principal of East Latitude, LLC, a hydrogeologic and water resource consulting firm representing water utilities, electric generation utilities, and commercial and industrial water users in the Delaware River Basin. This correspondence is intended to provide you with testimony with respect to today's planned hearing on those entities regulated by the Delaware River Basin Commission (DRBC) regarding your effort to investigate concerns of the impact of DRBC policies and actions on business growth and economic vitality in the basin and the rights of property owners within the basin.

Based upon my extensive experience dealing directly with the DRBC for almost 20 years, I find that the agency is both fair and responsive, and while the Compact gives DRBC broad regulating powers, I note that DRBC typically applies a very practical and efficient discretion of those powers in the regulation of specific projects and dockets for water withdrawals and discharges. I note also that certain specific functions of DRBC, which are critical to protection and management of the River and the surrounding water resources are unique to the Commission. An example is the position DRBC occupies in the overall flow management of the basin – by working as the central body to direct releases from Reservoirs, coordinate with the basin States and regulated water users in the basin – addressing the essential conservation of regional reservoir storage for purposes of water supply and flow augmentation for the Delaware River as well as releasing water to repel the salt front in the Delaware Estuary.

Recently, in an effort to better organize and coordinate water storage for consumptive offset, the DRBC proposed a Resolution which intended to clarify the actual rules under drought conditions and was an effort to organize and specifically call out storage requirements and responsibilities for the power generation industry. While new or more rigorous regulation is generally not well received by industry, DRBC approached this effort in a transparent and practical way. DRBC was receptive throughout the formation of this Resolution, listened closely to industry comments and adjusted language, definitions and obligations in a way that still suited the intent and provided for the protection of the basin, while also accommodating industries concerns. The final result is a more streamlined plan for releases and obligations of industry in the next drought; this is a sensible and commendable effort since DRBC will be better prepared with an actual inventory of water storage to plan releases, and industry will have a clearer understanding of what their obligations are for their planning and compliance purposes.

This is just one example of an action taken by an agency that firmly holds their mission of protection of the basin, while being responsive to industry. I have directly experienced numerous other examples with respect to public water utilities, golf course owners, and other commercial entities. I sincerely believe that the overall impact of DRBC does not serve to adversely impact business growth or economic vitality, and that conversely the economic gains from the protection of the River and surrounding water resources, and the wise management, planning and programs afforded by the agency in fact result in a significant positive impact to the economic vitality of the region.

Very truly yours,  
East Latitude, LLC

A handwritten signature in black ink that reads "Anthony J. Bonasera". The signature is written in a cursive style with a horizontal line extending to the right.

Anthony J. Bonasera, P.G., P.HG.

cc. Pennsylvania State House Committee