

Agreement of the Parties to the 1954 U.S. Supreme Court Decree

*Temporary Thermal Releases Program
For Habitat Protection
July 2016*

High forecasted nighttime air temperatures in the upper Delaware River Basin during July 23-25, 2016 are expected to increase the water temperature in the main stem of the upper Delaware River downstream of the New York City Delaware Basin reservoirs.

The Pennsylvania Department of Environmental Protection and the New York State Department of Environmental Conservation jointly requested the unanimous approval of the Delaware River Decree Parties to implement a temporary program of release augmentation on July 21, 2016 in response to the stress conditions these high water temperatures may cause to the cold-water fishery. These augmented releases will be made from Cannonsville Reservoir to partially mitigate the negative effects that may be caused by high water temperatures on the aquatic habitat of the main stem of the upper Delaware River.

On July 22, 2016, the Decree Parties unanimously agreed that during the period July 23 - 25, 2016, augmented releases would be made from Cannonsville Reservoir as follows:

Release an additional 250 cubic feet per second from Cannonsville Reservoir starting at 4:00 PM EDT July 23 and continue the additional release through 4:00 PM EDT July 25, 2016. Begin ramping down at 4:00 PM EDT on July 25, 2016, according to established operational procedures, down to the release rate prescribed under the currently applicable FFMP-OST release table.

The weather forecast for the Delaware River Region includes a potential for thunderstorms which could produce precipitation in the Upper Delaware Basin and naturally increase streamflows. Because the increased runoff would both reduce the need for thermal mitigation and reduce the effectiveness of the increased cold water release, no augmented releases shall be made to cause the Lordville flow to be greater than 1800 cfs.

The Interim Excess Release Quantity shall provide the water required for this temporary releases program.

State of Delaware Date

State of New Jersey
Date

State of New York Date

Commonwealth of Pennsylvania Date

City of New York Date