

Webpage Statement

Operation of the NYC Reservoirs without a Flexible Flow Management Program

The Flexible Flow Management Program (FFMP) expired at midnight on May 31, 2017 without a replacement or extension. Absent the FFMP or a similar agreement, provisions included in the 1954 Supreme Court Decree, the Delaware River Basin Water Code, and Docket D77-20 CP Revised (Rev 1) now guide operations of the New York City (NYC) reservoirs in the headwaters of the Delaware River Basin (Cannonsville, Pepacton, and Neversink). These provisions apply to operations during normal hydrologic conditions and drought, and include special releases for thermal relief and management of the “excess release quantity” (ERQ). There are no provisions for spill mitigation or enhanced habitat protection, other than thermal relief.

The parties to the 1954 Supreme Court Decree are scheduled to meet later in the month and expect to discuss a path to create a framework to better address the management of the reservoirs, the sharing and protection of the water resources of the Delaware River Basin in a fair and equitable manner, and the diverse needs and multiple objectives of the parties, stakeholders, and the public.

Absent the FFMP, the most notable difference in reservoir operations will be in the conservation releases. Under most hydrologic conditions, the conservation releases from the NYC reservoirs will be less than those in the FFMP. There will be limited flexibility to address unique hydrologic conditions or events except for a bank of water for special thermal stress releases to protect the fisheries. During drought conditions, flow targets and out of basin diversions will be reduced in accordance with prevailing hydrologic conditions in the basin, as described in the Delaware River Basin Water Code.

The Decree Party Principals, officials of the Delaware River Basin Commission, and the River Master have reviewed the 1954 Supreme Court Decree, the Delaware River Basin Water Code and Docket D77-20 CP Revised (Rev 1), which will control the operation of the NYC reservoirs in the absence of a signed FFMP. Based on that review and related discussions, the River Master has prepared a general prospective on reservoir operations without an FFMP. The prospective is summarized and posted on the Office of the Delaware River Master webpage [here](#).