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Lower Delaware Granted Special Protection Waters Designation by the DRBC

West Trenton, NJ. The Commissioners of the Delaware River Basin Commission (DRBC) voted unanimously at their July 16, 2008 meeting to designate the Lower Delaware River from the Water Gap to Trenton as Special Protection Waters.

“While there was a last minute effort by a few dischargers to derail the effort, the outcry of public support and the leadership of the New Jersey Commissioner led the way to designation and the better protections the Lower Delaware needs to stay clean for all to use” said Maya van Rossum, the Delaware Riverkeeper.

In 2000, the 106th Congress designated the Lower Delaware River as Wild and Scenic. The Lower Delaware River Management Plan supporting this designation gives as its number one goal to protect and improve existing water quality in the River.

In April 2001, the Delaware Riverkeeper Network petitioned DRBC to designate the Lower Delaware River and tributary segments that are included in the Wild and Scenic River System as Special Protection Waters. The Special Protection Waters program encourages the use of nondischarge alternatives for point sources of pollution, requires the use of best demonstrable technology for new or expanding pollution discharges that do go to the River, and requires creation of nonpoint source pollution control plans for covered facilities.

The DRBC collected 5 years of water quality data for the Lower Delaware River and tributary streams which documented that the Lower Delaware has exceptional water quality and was therefore eligible for the Special Protection Waters designation. (See “Lower Delaware River Eligibility Determination for DRBC Declaration of Special Protection Waters”, August 2004 and supplemental data, www.state.nj.us/drbc).

The Special Protection Waters program was first created in the early 1990s in response to a petition submitted by the Delaware Riverkeeper Network and efforts by the National Park Service to have the Upper and Middle Delaware River designated as Clean Water Act Outstanding Natural Resource Waters. “This is our region’s version of the Outstanding Natural Resource Waters program and so strong regulations backed by strong implementation are critical, and never to be lost in the milieu of politics and money” stated van Rossum.

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