



State of New Jersey

DEPARTMENT OF ENVIRONMENTAL PROTECTION
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TRENTON, NJ 08625-0402

CHRIS CHRISTIE
Governor

KIM GUADAGNO
Lt. Governor

BOB MARTIN
Commissioner

ADMINISTRATIVE ORDER NO. 2016-10

WHEREAS, the State of New Jersey has experienced particularly dry weather conditions over the past several months; and

WHEREAS, during the past six-month period, measured precipitation across northern and central portions of the State ranges from 25 to 50 percent below normal; and

WHEREAS, sources of water supply, both surface and ground, are significantly depleted in these areas; and

WHEREAS, watercourses throughout the northern portions of the State have sustained stream flows as low as ten percent of the long term mean flow; and

WHEREAS, combined reservoir storage in the State's northeastern, central and coastal north regions is below normal (i.e., between 13 – 25 percent below normal), and certain regional reservoirs continue to be depleted more rapidly than others; and

WHEREAS, under the Water Supply Management Act, N.J.S.A. 58:1A-1 *et seq.*, and the Water Supply Allocation Permits rules at N.J.A.C. 7:19, adopted pursuant thereto, the Department is responsible for managing the water resources of the State as public assets held in trust for all citizens and is authorized to manage the water supply and to plan for and respond to water supply emergencies; and

WHEREAS, in accordance with its authority under the Water Supply Management Act and implementing regulations, due to degraded water supply conditions, the New Jersey Department of Environmental Protection (Department) issued a drought watch for the counties of Bergen, Essex, Hunterdon, Hudson, Mercer, Middlesex, Morris, Passaic, Somerset, Sussex, Union, and Warren on July 25, 2016; and

WHEREAS, on October 5, 2016, the drought watch was expanded to include the counties of Burlington, Camden, Gloucester, Monmouth, Ocean, and Salem; and

WHEREAS, the Department has determined that a threat to water supplies and the potential of a developing water shortage exists in portions of the State, and

WHEREAS, without appropriate action and intervention to reduce the possibility of a water emergency, a worsening of the current situation could jeopardize the public health, safety, and welfare of the residents of the State; and

WHEREAS, the full cooperation of every person throughout the State, including every resident, visitor, business, institution, State agency, and political subdivision, is urged in order to avoid a water emergency and the need for more restrictive measures on water usage; and

WHEREAS, pursuant to N.J.A.C. 7:19-13.1(d), the Department may call for action to be taken under its authority to reduce the possibility or lessen the impact of an impending water shortage; and

WHEREAS, due to the foregoing conditions, and in preparation for the possible designation of a Drought Warning condition in affected areas and after public notice, the Department held a public hearing on October 20, 2016 at the Millburn Free Public Library in the Township of Millburn, Essex County, pursuant to N.J.A.C. 7:19-13.1(d).

NOW, THEREFORE, I HEREBY DECLARE, AUTHORIZE, DESIGNATE and DIRECT the following actions to be taken, in accordance with the Water Supply Allocation Permit rules, N.J.A.C. 7:19, and in coordination with affected parties:

1. Drought Warning Designation: The following counties within the State of New Jersey are designated to be in a "Drought Warning" condition: Bergen, Essex, Hudson, Hunterdon, Mercer, Middlesex, Monmouth, Morris, Ocean, Passaic, Somerset, Sussex, Union and Warren. All residents, businesses, and institutions in the counties covered by the drought warning are urged to use water sparingly. (More information on the Drought Warning and affected areas is available at www.njdrought.org).
2. Modifications of regulated stream passing flow requirements and reservoir releases*

Modified passing flow requirements and reservoir releases are designed to increase and preserve storage in affected reservoir systems. These steps are deemed necessary to extend the water supply sources of the State in order to meet existing and future demands for potable water, and to reduce the possibility of a water supply emergency in the future. Modified passing flow requirements and reservoir releases are as follows:

Regulated Reservoir Releases – Reducing required reservoir releases has the effect of preserving water stored in reservoirs

| Location | Current Permitted Passing Flow (MGD/CFS) | Modified (MGD/CFS) | Water Allocation Permit Reference |
|--------------------------------------|--|--------------------|-----------------------------------|
| Wanaque River @ Wanaque | 10/15.5 | 7.8/12 | #5329 |
| Boonton (@ Rockaway R.)† | 7.9/12.2 | 5.2/8 | #5268 |
| Oradell (Hackensack R @ New Milford) | 8.3/12.9 | 3.3/5.1 | #5082X |
| Spruce Run Reservoir | 5/7.7 | 1.7/2.6 | #4007PS |

Regulated Stream/River Passing Flows/Pumped-Storage Reservoirs – Reduced passing flows allow more water to be withdrawn from streams for reservoir storage and drinking water purposes

| Location | Current Permitted Passing Flow (MGD/CFS) | Modified (MGD/CFS) | Water Allocation Permit Reference |
|------------------------------|--|--------------------|-----------------------------------|
| Ramapo River @ Pompton Lakes | 40/61.9 | 10/15.5 | # 5274 |

| | | | |
|-----------------------------------|------------|-----------|-----------------|
| Pompton River @ Pompton Plains | 88/126 | 68/105 | #5099X |
| Passaic River @ Chatham† | 75/116 | 55/85.1 | #5008X |
| Passaic River @ Two Bridges | 92.6/143.3 | 80/124 | #5094X |
| Passaic River @ Little Falls | 17.6/27.2 | 13.6/21.1 | #5099X |
| Saddle River @ Upper Saddle River | 1.5/2.32 | 0.8/1.2 | 5082X |
| Saddle River @ Ho-Ho-Kus Brook | 9/13.9 | 6.5/10 | #5082X |
| Rahway River @ Rahway | 5.1/7.9 | 2.6/4 | #5339 |
| Raritan River @ Stanton | 40/62 | 21.5/33.3 | #4007PS #4008PS |
| Raritan River @ Manville | 70/108.3 | 50/77.5 | |
| Raritan River @ Bound Brook | 90/139.5 | 70/108.3 | |
| Manasquan River @ WSA Intake | 7.8/12.1 | 6/9.3 | #4034PSX |
| Shark River @ Neptune City | 1.2/1.9 | 0.8/1.2 | #5018X |
| Jumping Brook @ Neptune City | 0.8/1.2 | 0.5/0.8 | |
| NB Metedeconk River near Lakewood | 9/14 | 7/10.8 | #5172 |

MGD = million gallons per day

CFS = cubic feet per second

*These reductions to reservoir releases and passing flows and any further modification thereto are subject to evaluation of downstream conditions, and maintenance of associated passing flows and water quality.

†Noted passing flow modifications shall be coordinated with both the North Jersey District Water Supply Commission and Passaic Valley Water Commission, and shall, based upon the threat of downstream water volume or quality impairments caused thereby, immediately be discontinued upon notification by either of the aforementioned agencies.

3. Water System Transfers and Service Substitutions:

The following actions are intended to ameliorate existing depletion in reservoirs owned and operated by the North Jersey District Water Supply Commission (NJDWSC) and SUEZ-New Jersey Water. Accordingly, water purveyors in the affected counties shall utilize, to the fullest extent practicable, alternate sources of supply (including their own), to the extent not in conflict with applicable permit conditions and/or as modified by this or any future drought-related order or directive:

- (a) The following water transfers and service substitutions, if not already underway, shall be commenced as soon as practicable and upon the completion of the assessment noted at (c) below:

| Sending Water System | Receiving Water System | Volume (MGD) | Source Preserved |
|---------------------------------|------------------------|--------------|----------------------------------|
| New Jersey American-Central | City of Newark | 10-15 | North Jersey District Reservoirs |
| City of Newark | Bloomfield | 7.5 | North Jersey District Reservoirs |
| Passaic Valley Water Commission | SUEZ Water-New Jersey | 10 | North Jersey District and |

| | | | |
|-------------------------|-----------------|-----|----------------------------------|
| | | | Suez Water Reservoirs |
| Jersey City MUA/SUEZ-JC | City of Bayonne | 10 | North Jersey District Reservoirs |
| Jersey City MUA/SUEZ-JC | Kearney | 4-5 | North Jersey District Reservoirs |

- (b) Suez-NJ Water's draft from the North Jersey District Water Supply Commission shall not exceed 42 MGD in any 24-hour period.
- (c) The City of Newark's provision of service to Bloomfield shall result in a net reduction of Newark's average daily draft from NJDWSC by 7.5 MGD.
- (d) Prior to the commencement of any ordered water transfers or service transfers, including those listed at (a) above, the Director of the Division of Water Supply & Geoscience (Director) shall coordinate with relevant Department programs, other State, county, and local agencies, and affected water purveyors, as appropriate, to assess the potential for water quality issues associated with any transfers of water ordered hereby.


I HEREBY AUTHORIZE the Assistant Commissioner for Water Resources Management to take such actions as are necessary, in accordance with the Water Supply Allocation Permit rules (N.J.A.C. 7:19-1), to have water purveyors implement their leak detection and repair programs to the fullest extent possible.

I HEREBY DESIGNATE the Assistant Commissioner for Water Resources Management to act on my behalf in the implementation and modification of drought warning requirements, as provided under N.J.A.C. 7:19, during the pendency of the drought warning in the designated areas.

I ALSO DIRECT water purveyors in the affected counties to immediately identify, exercise and, if necessary, repair critical water supply interconnections to ensure their proper functioning in order to facilitate ordered water transfers.

This order shall take effect immediately.

10/21/2016
Date



Bob Martin, Commissioner

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