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I am writing to oppose the Rulemaking changes that are being proposed. While the new rules might streamline administration, they will also keep the public from having input and even accessing information on the Delaware River and its watershed.

It is vital to maintain public input on decision making. Please do not give the Executive Director too much authority over many crucial decisions without public feedback and without a vote by the DRBC Commissioners. These decision areas include: the power to decide whether or not a change to a project is "material" (if it is "materials" it would open up for more robust review); and decisions about the submission of applications for projects, what is required in an application and when an application is complete; the extension for some permits for as many as 5 additional years.

Permits must not be given without public input and Commissioners must review and approve extensions. Please do not legitimize the behind-the-scenes decision making that undermines government accountability and public trust.

It is important to set a high bar for the extension of Existing Projects that haven't been built. \$1M is set as a "minimum" amount expended to decide if a project has been sufficiently invested in, and even that value can be disregarded under certain circumstances. No foundation is provided for this amount and no substantive explanation of what "substantial funds in relation to a project" really means. And, the Executive Director has the power to decide if the amount expended is substantial. This must be changed.

The public must retain the right to litigate a project. Do not allow the sponsors of a project to claim that litigation by opposing parties is an excuse that can be used to explain why they haven't built or spent sufficient funds on a project that they want extended.

Please ensure that all wording is explicit and clear in any new rules. The subjective and value-loaded term "Material Change" and "Materially" are used throughout the proposed rulemaking – yet no clear definition is available, only a bureaucratic explanation. This terminology is not easily understandable and clouds objectivity in decision-making. It allows for varying interpretations for different projects, which is unfair, including unjust for the public who must live every day with the decisions that are made.

The Public must retain the right to Freedom to Information. DRBC is removing all references to the federal Freedom of Information Act from its rules and is setting up an alternative DRBC-centric system that leaves many aspects unaddressed or in the hands of the Executive Director, such as forms, reason for denial, and how costs will be assessed fairly, including if a waiver of fees can be requested like other agencies allow. The DRBC must provide a prescribed public access system that is clear, user-friendly, and affordable to assure public access to public records. The public needs something concrete to rely on. And it's proposed that the Executive Director determines whether or not to disclose requested information, deciding unilaterally if a disclosure is in the public interest! This invests unfair control over the information in an administrator who may not even be qualified to make such legally important decisions. The public needs to take part in DRBC decisions but without access to information, we can't do that effectively. Information is power and we have a

right to it!

Thank you.