

IN THE
Supreme Court of the United States

STATE OF NEW JERSEY,
Plaintiff,

v.

STATE OF DELAWARE,
Defendant.

**COMPREHENSIVE TABLE OF CONTENTS FOR
DELAWARE'S APPENDIX
ON CROSS-MOTIONS FOR SUMMARY JUDGMENT**

VOLUMES 1-9

JOSEPH R. BIDEN III

Attorney General

KEVIN P. MALONEY

Deputy Attorney General

DELAWARE DEPARTMENT
OF JUSTICE

Carvel State Office Building

820 N. French Street

Wilmington, DE 19801

(302) 577-8338

COLLINS J. SEITZ, JR.

MATTHEW F. BOYER

KEVIN F. BRADY

MAX B. WALTON

CONNOLLY BOVE LODGE

& HUTZ LLP

The Nemours Building

1007 N. Orange Street

Wilmington, DE 19801

(302) 658-9141

Special Counsel to the

State of Delaware

DAVID C. FREDERICK

Counsel of Record

SCOTT H. ANGSTREICH

SCOTT K. ATTAWAY

KELLOGG, HUBER, HANSEN,

TODD, EVANS & FIGEL, P.L.L.C.

1615 M Street, N.W., Suite 400

Washington, D.C. 20036

(202) 326-7900

Special Counsel to the

State of Delaware

February 15, 2007

TABLE OF CONTENTS
VOLUME 1

	PAGE
Compact between the State of New Jersey and the State of Delaware (Mar. 21, 1905) (signed manuscript, on file with Delaware Public Archives, Hall of Records).....	1
Act of Jan. 24, 1907, ch. 394, 34 Stat. 858 (1905 New Jersey-Delaware Compact).....	11
<i><u>New Jersey v. Delaware I Pleadings:</u></i>	
Partial Record, <i>New Jersey v. Delaware</i> , No. 1, Original (1877) (printed in 1897 by The John L. Murphy Publishing Co., Trenton, NJ)	15
Plaintiff’s Motion for Writ of Preliminary Injunction, <i>New Jersey v. Delaware</i> , No. 1, Original (U.S. filed Mar. 19, 1877)	77
Points Submitted by the Defendant in Opposition to the Motion of Complainant for a Writ of Preliminary Injunction, <i>New Jersey v. Delaware</i> , No. 1, Original (U.S. filed Mar. 19, 1877)	85
Order of Continuance, <i>New Jersey v. Delaware</i> , No. 1, Original (U.S. Oct. 12, 1897).....	91
Plaintiff’s Notice on Bill for Injunction and Relief, <i>New Jersey v. Delaware</i> , No. 1, Original (U.S. filed Mar. 22, 1901)	93
Defendant’s Answer, <i>New Jersey v. Delaware</i> , No. 1, Original (U.S. filed Oct. 15, 1901).....	95
Notice of Motion, Motion, and Brief for Defendant on Motion for Order of Reference, etc., <i>New Jersey v. Delaware</i> , No. 1, Original (U.S. filed Apr. 30, 1903)	163
Notice of Intention to Call Up Motion, <i>New Jersey v. Delaware</i> , No. 1, Original (U.S. filed May 15, 1903)	169
Joint Stipulation, <i>New Jersey v. Delaware</i> , No. 1, Original (U.S. filed May 28, 1903).....	171
Order of Continuance, <i>New Jersey v. Delaware</i> , No. 1, Original (U.S. Jan. 3, 1905)	175
Letter of Special Master regarding filing of Interlocutory Report, <i>New Jersey v. Delaware</i> , No. 1, Original (Jan. 11, 1906)	177
Materials from <i>New Jersey v. Delaware</i> , No. 1, Original (U.S. filed Feb. 1906) (including Interlocutory Report of Commissioner, Stipulation, Proposed Order, and Joint Statement of Reasons for Suspension of Proceedings).....	181

Plaintiff’s Motion for Directions to Special Master, <i>New Jersey v. Delaware</i> , No. 1, Original (U.S. filed Sept. 14, 1906).....	193
Affidavit of Robert H. McCarter in support of Plaintiff’s Motion, <i>New Jersey v. Delaware</i> , No. 1, Original (U.S. filed Sept. 15, 1906).....	197
<u><i>New Jersey v. Delaware II</i> Pleadings:</u>	
Plaintiff’s Bill of Complaint, <i>New Jersey v. Delaware</i> , No. 19, Original (U.S. filed June 3, 1929).....	199
Defendant’s Answer to Complaint, <i>New Jersey v. Delaware</i> , No. 19, Original (U.S. filed Oct. 9, 1929).....	217
Order granting New Jersey’s Motion for Appointment of Special Master, <i>New Jersey v. Delaware</i> , No. 19, Original (U.S. Jan. 6, 1930)	274
<u>Deposition Transcripts – Delaware Witnesses:</u>	
David P. Blasch (Oct. 26, 2006)	275
Philip J. Cherry (Oct. 20, 2006).....	289
Laura M. Herr (Oct. 18, 2006).....	305
Robert W. Hutchins (Oct. 26, 2006).....	325
William F. Moyer (Oct. 18, 2006)	339
Kurt Reuther (Oct. 5, 2006)	393
William F. Streets (Sept. 26, 2006).....	419
<u>Deposition Transcripts – New Jersey Witnesses:</u>	
Kevin Broderick (Sept. 27, 2006).....	445
Richard G. Castagna (Oct. 24, 2006).....	481
Suzanne Dietrick (Oct. 13, 2006)	539
Ruth E. Ehinger (Oct. 23, 2006)	577
James R. Johnson (Nov. 1, 2006)	619
Martin J. McHugh (Oct. 11, 2006)	651
Beth S. Reddy (Oct. 20, 2006).....	679
David Q. Risilia (Oct. 4, 2006).....	707
Carl W. Wentzell (Oct. 20, 2006).....	751
Steven Whitney (Oct. 10, 2006)	771

TABLE OF CONTENTS
VOLUME 2

	PAGE
Acts, Votes and Proceedings, Correspondence, Reports, Resolutions of the 47th New Jersey General Assembly, Trenton (Nov. 7, 1820 - Apr. 16, 1929).....	811
Letter from Jacob Stout to the Delaware General Assembly (Jan. 5, 1821).....	857
<i>New Jersey v. Delaware</i> , No. 1, Original (Plaintiff's Exhibit No. 37) 1821 N.J. Laws p. 6 (Nov. 21, 1821).....	859
<i>New Jersey v. Delaware</i> , No. 1, Original (Plaintiff's Exhibit No. 38) 1823 N.J. Laws p. 36 (extract) (Nov. 28, 1822)	861
<i>New Jersey v. Delaware</i> , No. 1, Original (Plaintiff's Exhibit No. 162) “Delaware Laws Relating to New Jersey Delaware Boundary Dispute” (1852 - 1927).....	863
Compact between the State of New Jersey and the State of New York, 4 Stat. 708 (1834).....	885
<i>New Jersey v. Delaware</i> , No. 1, Original (Plaintiff's Exhibit No. 39) 1846 N.J. Laws Apr. 10, 1846).....	889
Commissioners of the State of New Jersey, Report on Lands Under Water (1864)	891
Opinion Concerning Riparian Rights, Hon. George M. Robeson, Attorney General of New Jersey (Mar. 15, 1867)	905
An Act for the Protection of Fishermen (Mar. 28, 1871)	913
Third Annual Report of the Commissioners of Fisheries of the State of New Jersey (1872)	917
Correspondence between Joel Parker, Governor of New Jersey and James Ponder, Governor of Delaware (May 1872).....	927
Journal of the Senate of the State of New Jersey, pp. 46-49 (Jan. 14, 1873)	933
Journal of the Senate of the State of New Jersey, pp. 504-07 (Mar. 5, 1873)	937

Supplement to An Act for the Protection of Fishermen (Feb. 19, 1873).....	943
Journal of the Senate of the State of New Jersey, pp. 1134-37 (Feb. 27, 1873).....	945
Journal of the Senate of the State of New Jersey, pp. 514-15 (Mar. 5, 1873)	949
Journal of the Senate of the State of New Jersey, pp. 554-55 (Mar. 10, 1873)	951
Journal of the Senate of the State of New Jersey, pp. 590-91 (Mar. 12, 1873)	953
Letter from the Attorney General of New Jersey (Oct. 2, 1873)	955
Delaware Commissioners' Decision on the Fishery Question (July 2, 1874).....	963
Report of the Governor to Legislature, Joseph D. Bedle, Governor of New Jersey (Mar. 2, 1876).....	983
Seventh Annual Report of the Commissioners of Fisheries of the State of New Jersey (1876).....	987
15 Del. Laws chs. 501-04 (1877).....	993
<i>New Jersey v. Delaware</i> , No. 1, Original (Plaintiff's Exhibit No. 40) 1881 N.J. Laws p. 367 (Feb. 7, 1881).....	999
Report on the Dividing Line between the Delaware River and Bay, John P. Stockton (Aug. 12, 1885 - Jan. 3, 1888)	1003
Annual Report of the Commissioners of Fisheries of the State of New Jersey (Dec. 31, 1885)	1011
Annual Report of John P. Stockton, Attorney General of New Jersey (Jan. 3, 1888).....	1017
Final Report of New Jersey State Geologist (1888)	1041
Letter from Suther Hewitt to Geo Bates (Sept. 23, 1898)	1053
Opinion, H. H. Ward, Attorney General of Delaware (Feb. 14, 1901).....	1055
<i>New Jersey-Delaware Boundary Suit</i> , New York Times at 6 (Apr. 9, 1901).....	1063

John Hunn, Governor of Delaware, Message to Delaware General Assembly and Joint Resolution of the Delaware General Assembly (Jan. 31, 1903).....	1065
Letter from Franklin Murphy, Governor of New Jersey, to the New Jersey Legislature (Mar. 3, 1903)	1081
Minutes of the New Jersey General Assembly, pp. 422-25 (Mar. 3, 1903)	1085
Journal of the Senate of the State of New Jersey, pp. 234-35 (Mar. 3, 1903)	1091
Journal of the Senate of the State of New Jersey, pp. 237-38 (Mar. 3, 1903)	1093
<i>To Fix State Boundary Line</i> , Newark Evening News (Mar. 4, 1903).....	1097
<i>Delaware Fishermen Don't Ask Jerseymen to be Kept Off River</i> , The Evening Journal, at 1 (Mar. 4, 1903)	1099
Journal of the Senate of the State of Delaware, pp. 896-903 (Mar. 16, 1903)	1103
Minutes of the New Jersey General Assembly, pp. 549-50 (Mar. 16, 1903)	1109
<i>Delaware and Jersey's Pact</i> , Newark Evening News (Mar. 17, 1903).....	1113
<i>Pages Deliberately Left Blank</i>	1115
Letter from Commissioners of the State of Delaware to Commissioners of the State of New Jersey (Mar. 28, 1903)	1117
Letter from Herbert H. Ward, Attorney General of Delaware, to George H. Bates (Apr. 1903).....	1121
Letter from the Attorney General of New Jersey to George H. Bates (Apr. 2, 1903)	1123
Letter to John Hunn, Governor of Delaware (Apr. 6, 1903).....	1125
Letter from Herbert H. Ward, Attorney General of Delaware, to George H. Bates (May 1903).....	1127
Letter from Herbert H. Ward, Attorney General of Delaware, to George H. Bates (May 1903).....	1129

Letter to Herbert H. Ward, Attorney General of Delaware (June 9, 1903)	1131
Opening Statement on Behalf of Complainant by the Attorney-General of New Jersey, <i>New Jersey v. Delaware</i> , No. 1 Original (Nov. 7, 1903).....	1133
Letter from Herbert H. Ward, Attorney General of Delaware, to Francis Rawle (Apr. 23, 1904).....	1149
Letter from Herbert H. Ward, Attorney General of Delaware, to Robert H. McCarter (Apr. 23, 1904).....	1151
Letter to Judge William C. Spruance (Nov. 23, 1904)	1153
<i>King James Deed Shown Delaware Jersey Dispute</i> , Trenton Times (Feb. 4, 1905).....	1159
Letter from Herbert H. Ward, Attorney General of Delaware, to George H. Bates (Feb. 11, 1905).....	1163
<i>Plan to Settle the Boundary Dispute</i> , Evening Journal (Feb. 11, 1905).....	1165
24 Del. Laws ch. 216 (1905).....	1169
Joint Resolution of the New Jersey Senate and General Assembly Appointing Governor Edward C. Stokes, Attorney General Robert H. McCarter, Franklin Murphy, and Chauncy G. Parker Commissioners of the State of New Jersey (Feb. 14, 1905).....	1171
Compact between the State of New Jersey and the State of Delaware, H.R. Doc. No. 43 (approved by the Delaware Legislature, Mar. 20, 1905)	1173
Letter from Robert H. McCarter, Attorney General of New Jersey, to Edward C. Stokes, Governor of New Jersey (Mar. 8, 1906).....	1177
Compact between the State of New Jersey and the State of Delaware, S. Doc. No. 260 (approved by the New Jersey Legislature, Mar. 21, 1905)	1179
S. 4975, 59th Cong. (1906) (ratified) (Mar. 13, 1906)	1190
Letter from Joseph L. Cahall, Secretary of State, Delaware, to Hiram R. Burton (Dec. 21, 1905)	1197

Letters from John B. Avis, Secretary, New Jersey Commissioners, to W. H. Hayes (Dec.13, 1905 - Dec. 19, 1905).....	1198
Letter from Robert H. McCarter, Attorney General of New Jersey, to Joseph L. Cahall, Secretary of State, Delaware (May 9, 1905).....	1214
Report on New Jersey and Delaware Fisheries of the Commissioners of the State of New Jersey (1905).....	1216
Letter from John B. Avis, Secretary, New Jersey Commission, to Joseph L. Cahall, Secretary of State, Delaware (Aug. 7, 1905)	1219
Letter from William S. Hilles, Secretary, Delaware Commissioners, to Hiram R. Burton, U.S. House of Representatives (Mar. 14, 1906)	1221
Letter from John B. Avis, Secretary, New Jersey Commissioners, to E. C. Stokes, Governor of New Jersey (Dec. 19, 1905)	1223
Resolution of Delaware and New Jersey Commissions (Dec. 15, 1905)	1225
Letter from Robert H. Richards, Attorney General of Delaware, to Hiram Burton, U.S. House of Representatives (Jan. 19, 1907)	1227
Telegram from Congressman Loudenslager to E. C. Stokes, Governor of New Jersey (Mar. 14, 1906)	1229
Notes re: phone call with Congressman Loudenslager (Undated).....	1231
Letter from E. C. Stokes, Governor of New Jersey, to Congressman Loudenslager (Mar. 14, 1906)	1233
Letter from William J. Bradley to Alexander B. Cooper, President Delaware & New Jersey Fisheries Compact Commission (Mar. 19, 1906)	1235
Letters between Geo H. Bates and Robert H. McCarter (Mar. 22, 1906 - Mar. 23, 1906)	1239
Letter to Alexander B. Cooper, Esq. (Mar. 24, 1906)	1242
Letter from Alexander B. Cooper to Walter H. Hayes, Esq. (May 2, 1906)	1246

Letter from Robert H. Richards, Attorney General of Delaware, to the Chairman of the Judiciary Committee, U.S. House of Representatives (Jan. 19, 1907)	1248
Letter from John B. Avis, New Jersey State Senator, to Walter H. Hayes, Secretary, Delaware Commissioners (June 18, 1906)	1253
Letter from Francis Rawle to Robert H. Richards, Attorney General of Delaware (Jan. 16, 1906).....	1255
Letter from Robert H. Richards, Attorney General of Delaware, to George H. Bates (Jan. 17, 1906).....	1257
Letter from George Bates to Robert H. McCarter, Attorney General of New Jersey (Feb. 22, 1906).....	1259
Letter to Robert H. Richards, Attorney General of Delaware (Feb. 22, 1906).....	1261
Letter from J. C. Sandford, Major, Corps of Engineers, to Brig. Gen. A. Mackenzie, Chief of Engineers, U.S.A. (Mar. 10, 1906).....	1263
Letter and attachment from J. C. Sandford, Major, Corps of Engineers, to Brig. Gen. A. Mackenzie, Chief of Engineers, U.S.A. (Mar. 16, 1906)	1267
Letter from William H. Taft, Secretary of War, to Robert Bacon, U.S. Secretary of State (Mar. 27, 1906)	1273
Letter from Robert Bacon, U.S. Secretary of State, to William H. Taft, Secretary of War, (Mar. 29, 1906)	1275
Letter from Edward C. Stokes, Governor of New Jersey, to Elihu Root, U.S. Secretary of State (Apr. 2, 1906)	1277
Letter from J. C. Sandford, Major, Corps of Engineers, to Edward C. Stokes, Governor of New Jersey (Dec. 20, 1906).....	1279
Letter from C. B. F. Flagler, Major, Corps of Engineers, to Edward C. Stokes, Governor of New Jersey (May 11, 1907).....	1283
Letter from the Secretary to Edward C. Stokes, Governor of New Jersey, to C. B. F. Flagler, Major, Corps of Engineers (May 23, 1907).....	1287

Letter from C. B. F. Flagler, Major, Corps of Engineers to the Secretary to Edward C. Stokes,
Governor of New Jersey (May 25, 1907)1289

Telegram from J. Frank Allee to Walter H. Hayes (Mar. 14, 1906).....1291

Pages 1293-1834: Documents Relating to the Joint Fisheries Commission 1905-1908

Letter from Alexander B. Cooper, President, and William S. Hilles, Delaware Commissioners,
to Robert H. Richards, Attorney General of Delaware (Jan. 19, 1907).....1293

Letter from Robert H. McCarter, Attorney General of New Jersey, to Edward C. Stokes,
Governor of New Jersey (Jan. 9, 1906)1295

Letter from John B. Avis, New Jersey State Senator, to Walter H. Hayes, Secretary, Delaware
Commissioners (Jan. 9, 1907).....1297

Letter from Senator William J. Bradley, New Jersey to Alexander B. Cooper, President,
Delaware Commissioners (Jan. 9, 1907)1299

Letter from John B. Avis, New Jersey State Senator, to Walter H. Hayes, Secretary, Delaware
Commissioners (Jan. 7, 1907).....1301

Report of the Proceedings of the Public Meetings Held by the Commissioners of
the State of Delaware (Delaware-New Jersey Fisheries Compact)1303

TABLE OF CONTENTS
VOLUME 3

	PAGE
Delaware Commissioners Delaware - New Jersey Fisheries Compact Minute Book, 1905 - 1908 (Apr. 1, 1905-1908).....	1525
Letter from Alexander B. Cooper, President, Delaware Commissioners, to Senator William J. Bradley, New Jersey (Jan. 5, 1907)	1733
Letter from Alexander B. Cooper, President, Delaware Commissioners, to Walter H. Hayes, Secretary, Delaware Commissioners (Oct. 2, 1906).....	1735
Letter from Alexander B. Cooper, President, Delaware Commissioners, to Walter H. Hayes, Secretary, Delaware Commissioners (Jan. 8, 1907)	1737
Letter from Alexander B. Cooper, President, Delaware Commissioners, to Walter H. Hayes, Secretary, Delaware Commissioners (Jan. 14, 1907)	1739
Letter from Robert H. McCarter, Attorney General of New Jersey, to R. Wayne Parker, U.S. House of Representatives (Jan. 15, 1907).....	1740
Report of Delaware Commissioners on Delaware and New Jersey Fisheries Compact; Preliminary Report of the Commission for the Investigation of Salt Water Fishing; and Facts Concerning the Menhaden Industry Along the Atlantic Coast (Feb. 2, 1907, Mar. 12, 1906, and Undated)	1741
Letter from Alexander B. Cooper, President, Delaware Commissioners, to Walter H. Hayes, Secretary, Delaware Commissioners (Sept. 26, 1907)	1770
Letter from Alexander B. Cooper, President, Delaware Commissioners, to Walter H. Hayes, Secretary, Delaware Commissioners (May 4, 1908)	1772
Report of Inspector J. H. Avis (Aug. 11, 1908).....	1774
Letter from John B. Avis, New Jersey State Senator, to Walter H. Hayes, Secretary, Delaware Commissioners (July 2, 1907).....	1779
Letter from Percy Warren Green, Attorney General of Delaware, to S. Rusling Leap, New Jersey State Senator (Feb. 20, 1935)	1780

Letter from Clarence A. Southerland to C. Douglass Buck, Governor of Delaware (May 1, 1935).....	1783
Letter from Percy Warren Green, Attorney General of Delaware, to Dr. George H. Ryden, Archives Commission (Oct. 8, 1937).....	1784
Description of Boundary Line in Delaware Bay between Delaware and New Jersey, Proposal B.....	1786
Description of Boundary Line in Delaware Bay between Delaware and New Jersey, Proposal A.....	1787
Discussion of the Boundary Line in Delaware Bay between Delaware and New Jersey.....	1788
Chronological List of Delaware Boundary Commissions	1791
Agreement between Commissioners of the State of Delaware and Commissioners of the State of New Jersey (Oct. 1, 1906).....	1795
Laws of the State of Delaware Relating to Fishing in the Delaware River and Bay (1871 - 1905).....	1799
Letter from John B. Avis, New Jersey State Senator, to Walter H. Hayes, Secretary, Delaware Commissioners (June 4, 1908).....	1816
Letter from John B. Avis, New Jersey State Senator, to Walter H. Hayes, Secretary, Delaware Commissioners (June 27, 1908).....	1818
Letter from John B. Avis, New Jersey State Senator, to Walter H. Hayes, Secretary, Delaware Commissioners (July 8, 1908)	1820
Letter from John B. Avis, New Jersey State Senator, to Walter H. Hayes, Secretary, Delaware Commissioners (July 17, 1908).....	1823
Letter from John B. Avis, New Jersey State Senator, to Walter H. Hayes, Secretary, Delaware Commissioners (July 21, 1908).....	1825
Letter from John B. Avis, New Jersey State Senator, to Walter H. Hayes, Secretary, Delaware Commissioners (Aug. 14, 1908).....	1827

Letter from Alexander B. Cooper, President, Delaware Commissioners, to Walter H. Hayes, Secretary, Delaware Commissioners (Aug. 28, 1908).....	1829
Joint Resolution of the New Jersey General Assembly (May 6, 1929)	1831
Brief on Behalf of the Informant-Respondent, by Robert H. McCarter, Attorney General of New Jersey, <i>Hudson County Water Co. v. McCarter</i> , No. 184 (U.S. filed Feb. 25, 1907)	1835
Letter from Alexander B. Cooper, President, Delaware Commissioners, to Walter H. Hayes, Secretary, Delaware Commissioners (Feb. 28, 1907).....	1871
Letter from Alexander B. Cooper, President, Delaware Commissioners, to Walter H. Hayes, Secretary, Delaware Commissioners (Mar. 2, 1907).....	1873
Letter to Walter H. Hayes, Secretary, Delaware Commissioners (Mar. 7, 1907)	1876
24 Del. Laws ch. 146 (1906-07)	1879
 <u>Pages 1891 – 2024: Documents Relating to the Joint Fisheries Commission 1914-1939</u>	
Letter from John W. Wescott, Attorney General of New Jersey, to Herbert H. Ward (July 3, 1914)	1891
House Joint Resolution of the Delaware General Assembly (Feb. 3, 1915)	1896
Legislative History of New Jersey - Delaware Compact	1897
33 Del. Laws ch. 193 (1923)	1901
New Jersey Board of Fish and Game Commissioners, Historical Chronology, July 1, 1922 - June 30, 1931)	1917
Letter from George S. Silzer, Governor of New Jersey, to William D. Denney, Governor of Delaware (Apr. 4, 1924).....	1921
Letter from William D. Denney, Governor of Delaware, to Edward I. Edward, Governor of New Jersey (Mar. 12, 1921).....	1924
Letter from William D. Denney, Governor of Delaware, to George S. Silzer, Governor of New Jersey (Feb. 25, 1924)	1926

Telegram from William D. Denney, Governor of Delaware, to George S. Silzer, Governor of New Jersey (Feb. 25, 1924)	1928
Letter from George S. Silzer, Governor of New Jersey, to William D. Denney, Governor of Delaware (Feb. 26, 1924).....	1930
Letter from William D. Denney, Governor of Delaware, to George S. Silzer, Governor of New Jersey (Mar. 13, 1924).....	1932
Letter from George S. Silzer, Governor of New Jersey, to William A. Logue (Mar. 25, 1924)	1935
Letter from Jere E. Chambers to George S. Silzer, Governor of New Jersey (Mar. 31, 1924)	1937
Letter from J. M. Stratton, Protector, New Jersey Board of Fish and Game Commissioners, to George S. Silzer, Governor of New Jersey (Mar. 31, 1924).....	1939
Act to Amend Chapter 74 of the Revised Code of Delaware (Undated).....	1944
Letter from Harris Samonisky to Robert P. Robinson, Governor of Delaware (Apr. 4, 1927).....	1947
Letter from Harris Samonisky to Robert P. Robinson, Governor of Delaware (Apr. 4, 1927).....	1949
Memorandum Relative to Controversy Respecting Fishing in the Delaware River (May 6, 1938).....	1953
Letter from H. J. Burlington to Mr. Solan (May 24, 1938)	1956
Letter from B. S. Quadling and C. J. Gehring, Fortescue Captains' Association, Inc., to A. Harry Moore, Governor of New Jersey (May 27, 1938)	1959
Letter from Thelma A. Parkinson to A. Harry Moore, Governor of New Jersey (June 1, 1938).....	1961
Editor, <i>Fisherman Complains</i> , Evening News (Undated)	1963
Letter to David T. Wilentz, Attorney General of New Jersey (June 15, 1938)	1965

Appointment of P. Warren Green as a Member of Delaware Commission to Study Uniform Laws Relative to Fishing (June 23, 1938)	1968
Letter from Richard C. McMullen, Governor of Delaware, to P. Warren Green, Attorney General of Delaware (June 17, 1938)	1971
Letter from P. Warren Green, Attorney General of Delaware, to Charles L. Terry, Secretary of State, Delaware (June 28, 1938)	1973
Letter from New Jersey Board of Fish and Game Commissioners, to A. Harry Moore, Governor of New Jersey (June 6, 1938).....	1977
Letter from Richard C. McMullen, Governor of Delaware, to P. Warren Green, Attorney General of Delaware (June 24, 1938)	1979
Letter from A. Harry Moore, Governor of New Jersey, to Richard C. McMullen, Governor of Delaware (June 29, 1938)	1981
Letter from Charles L. Terry, Secretary of State, Delaware, to P. W. Green, Attorney General of Delaware (Aug. 5, 1938).....	1983
Letter from P. W. Green, Attorney General of Delaware, to Charles L. Terry, Secretary of State, Delaware (Aug. 9, 1938).....	1985
Letter from Percy Warren Green, Attorney General of Delaware, to Delaware Game and Fish Commission (Aug. 18, 1938).....	1987
Letter from George C. Warren, New Jersey Board of Fish and Game Commissioners, to A. Harry Moore, Governor of New Jersey (Feb. 14, 1939).....	1992
Final Report of the New Jersey Board of Fish and Game Commissioners (Feb. 14, 1939).....	1997
Letter from John Solan to Chas Besore (Undated)	2001
S. 201, State of New Jersey (introduced, Feb. 27, 1939).....	2003
Letter from Attorney General of Delaware to Delaware Board of Game and Fish Commissioners (Sept. 11, 1940).....	2017
Letter from Walter H. Bacon, Esq. to George S. Silzer, Governor of New Jersey (Dec. 7, 1925)	2025

Walter H. Bacon, New Jersey-Delaware Boundary Line (Dec. 7, 1925)	2026
Letter from George S. Silzer, Governor of New Jersey, to Edward L. Katzenbach, Attorney General of New Jersey (Dec. 30, 1925).....	2045
Letter from Edward L. Katzenbach, Attorney General of New Jersey, to George S. Silzer, Governor of New Jersey (Jan. 4, 1926)	2046
Letter from George S. Silzer, Governor of New Jersey, to Robert P. Robinson, Governor of Delaware (Dec. 29, 1925).....	2047
Third Annual Message of New Jersey Governor George S. Silzer to the Legislature of New Jersey (transcript at 14-15) (Jan. 12, 1926)	2050
Letter from George S. Silzer, Governor of New Jersey, to Robert P. Robinson, Governor of Delaware (Jan. 18, 1926).....	2054
35 Del. Laws ch. 243 (1927)	2055
Journal of the Senate of the State of New Jersey, pp. 812-14 (Mar. 17, 1927)	2057
Letter from Clarence A. Southerland, Attorney General of Delaware, to Robert P. Robinson, Governor of Delaware (Dec. 26, 1928)	2061
Letter from Commissioners of the State of Delaware to C. Douglass Buck, Governor of Delaware (Apr. 29, 1929)	2063
Letter from Robert H. Richards to Walter H. Bacon (Dec. 27, 1928).....	2069
Letter from Robert H. Richards to Robert P. Robinson, Governor of Delaware (Dec. 27, 1928)	2071
Letter from Robert H. Richards to Robert P. Robinson, Governor of Delaware (Dec. 27, 1928)	2073
Letter from Robert P. Robinson, Governor of Delaware, to Capt. Jas. W. Wilcutts (Dec. 28, 1928)	2075
Letter from Robert P. Robinson, Governor of Delaware, to Robert H. Richards (Dec. 28, 1928)	2077

Letter from William A. Stevens, Attorney General of New Jersey, to Morgan F. Larson, Governor of New Jersey (June 21, 1929)	2079
William A. Stevens, Attorney General of New Jersey, Report Concerning Delaware River Diversion Case, Beach Pollution Case, New Jersey-Delaware Boundary Case (June 21, 1929).....	2081
<i>Delaware Gets Wharfage on Jersey Shore</i> , Evening Journal, at 1 (Feb. 6. 1934)	2095
Letter from Duane E. Minard to S. Rusling Leap, New Jersey State Senator (May 2, 1934).....	2098
Letter from Duane E. Minard to S. Rusling Leap, New Jersey State Senator (July 20, 1934)	2101
Letter from Clarence A. Southerland to P. Warren Green, Attorney General of Delaware (Feb. 12, 1935).....	2105
<i>U.S. Supreme Court Finally Fixes Del.-Jersey Boundary</i> , Evening Journal, at 25 (June 4, 1935).....	2108
Letter from Clarence A. Southerland to Percy Warren Green, Attorney General of Delaware (Apr. 18, 1935).....	2111
Letter from Duane E. Minard to Clarence A. Southerland (Apr. 17, 1935)	2112
Letter from Percy Warren Green, Attorney General of Delaware, to Clarence A. Southerland (Apr. 29, 1935).....	2114
Letter from Clarence A. Southerland to Percy Warren Green, Attorney General of Delaware (July 3, 1935)	2116
Letter from Percy Warren Green, Attorney General of Delaware, to Richard C. McMullen, Governor of Delaware (Dec. 27, 1938)	2132
40 Del. Laws ch. 119 (1935)	2137
Letter from Harold G. Hoffman, Governor of New Jersey, to C. Douglass Buck, Governor of Delaware (Apr. 16, 1935)	2141

Letter from S. Rusling Leap, New Jersey State Senator, to Percy Warren Green, Attorney General of Delaware (Feb. 7, 1935).....	2147
Letter from Percy Warren Green, Attorney General of Delaware, to Clarence A. Southerland (Feb. 8, 1935).....	2149
Letter from S. Rusling Leap, New Jersey State Senator, to Percy Warren Green, Attorney General of Delaware (Feb. 11, 1935)	2152
Letter from S. Rusling Leap, New Jersey State Senator, to Percy Warren Green, Attorney General of Delaware (Mar. 1, 1935).....	2154
Letter from S. Rusling Leap, New Jersey State Senator, to Percy Warren Green, Attorney General of Delaware (Apr. 5, 1935)	2155
Letter from Percy Warren Green, Attorney General of Delaware, to S. Rusling Leap, New Jersey State Senator (Apr. 6, 1935).....	2157
40 Del. Laws ch. 179 (1935)	2159
House Substitute for House Bill No. 164 (Del. 1935) (Apr. 12, 1935)	2164
Letter from C. Douglass Buck, Governor of Delaware, to Robert H. Richards (Apr. 24, 1935).....	2167
Letter from S. Rusling Leap, New Jersey State Senator, to Percy Warren Green, Attorney General of Delaware (May 17, 1935).....	2169
Letter from Percy Warren Green, Attorney General of Delaware, to S. Rusling Leap, New Jersey State Senator (May 18, 1935).....	2171
Letter from Percy Warren Green, Attorney General of Delaware, to C. Douglass Buck, Governor of Delaware (June 10, 1935).....	2173
Letter from Clarence A. Southerland to C. Douglass Buck, Governor of Delaware (July 8, 1935)	2175
Letter from Secretary to C. Douglass Buck, Governor of Delaware, to Percy Warren Green, Attorney General of Delaware (July 11, 1935).....	2177

Letter from Clarence A. Southerland to Bella A. Stroud, Secretary to C. Douglass Buck, Governor of Delaware (July 15, 1935)	2179
Letter from Clarence A. Southerland to Percey Warren Green, Attorney General of Delaware (Sept. 23, 1935)	2181
Letter from Percey Warren Green, Attorney General of Delaware, to John C. H. Lee, Lieut. Col., Corps of Engineers, U. S. Engineer Office (Sept. 24, 1935).....	2185
Letter from John C. H. Lee, Lieut. Col., Corps of Engineers, U.S. Engineers Office, to Percey Warren Green, Attorney General of Delaware (Sept. 26, 1935).....	2186
Letter from Percey Warren Green, Attorney General of Delaware, to John C. H. Lee, Lieut. Col., Corps of Engineers, U. S. Engineer Office (Oct. 1, 1935)	2187
Letter from Percey Warren Green, Attorney General of Delaware, to C. Douglass Buck, Governor of Delaware (Oct. 3, 1935)	2188
Letter from Percey Warren Green, Attorney General of Delaware, to Clarence A. Southerland (Oct. 17, 1935)	2189
Letter from T. G. Hilliard to Percey Warren Green, Attorney General of Delaware (Oct. 28, 1935)	2191
Letter from Percey Warren Green, Attorney General of Delaware, to T. G. Hilliard (Nov. 9, 1935).....	2193
Letter from T. G. Hilliard to Percey Warren Green, Attorney General of Delaware (Sept. 24, 1936).....	2195
Letter from T. G. Hilliard to Percey Warren Green, Attorney General of Delaware (Oct. 7, 1936)	2197
Letter from Percey Warren Green, Attorney General of Delaware, to C. R. Mudge (Feb. 11, 1937).....	2199
Letter from Edward W. Cooch, Lieut. Governor of Delaware, to Percey Warren Green, Attorney General of Delaware (Mar. 9, 1937).....	2201
Report of Commissioners, State of Delaware (Mar. 4, 1937)	2202

Reply Brief of Defendant on Exceptions to Report of Special Master, <i>New Jersey v. Delaware</i> , Nos. 13 & 19, Original.....	2207
Stipulated Record Testimony, <i>New Jersey v. Delaware</i> , No. 13, Original.....	2253
Riparian Grant A.....	2261
Riparian Grants B & C.....	2263
Diagram.....	2267
Riparian Grant H.....	2269
Riparian Grants P & Q.....	2273
Riparian Grant V.....	2277
Legislative Grant 1c.....	2279

TABLE OF CONTENTS
VOLUME 4

	PAGE
Coastal Management Plan Documents	
New Jersey Department of Environmental Protection (“NJDEP”), New Jersey Coastal Management Program - Bay and Ocean Shore Segment and Draft Environmental Impact Statement (May 1978) (excerpts)	2281
NJDEP, New Jersey Coastal Management Program - Bay and Ocean Shore Segment and Final Environmental Impact Statement (Aug. 1978) (excerpts)	2307
Delaware Office of Management, Budget & Planning, Discussion Draft of the Delaware Coastal Management Program (Sept. 1978) (excerpts)	2331
NJDEP, Options for New Jersey’s Developed Coast (Mar. 1979)	2383
National Oceanic & Atmospheric Administration, U.S. Department of Commerce (“NOAA”), Delaware Coastal Management Program and Final Environmental Impact Statement (Mar. 1980)	2519
NJDEP, Proposed New Jersey Coastal Management Program and Draft Environmental Impact Statement (May 1980) (excerpts)	2607
NOAA, New Jersey Coastal Management Program and Final Environmental Impact Statement (Aug. 1980)	2627
Letter from John King, NOAA, to Heather Gibbons, Connolly Bove Lodge & Hutz LLP (Nov. 29, 2006)	3171

TABLE OF CONTENTS
VOLUME 5

	PAGE
Memorandum of Agreement Documents	
Draft Memorandum of Agreement between NJDEP and Delaware Department of Natural Resources and Environmental Control (“DNREC”) (Oct. 18, 1993)	3173
Draft Memorandum of Agreement between NJDEP and DNREC (Oct. 28, 1993)	3179
Draft Memorandum of Agreement between NJDEP and DNREC (Nov. 5, 1993)	3187
Draft Memorandum of Agreement between NJDEP and DNREC (June 16, 1994).....	3201
Inter-Office Memorandum and attachments from Lawrence J. Baier to Steven C. Whitney, NJDEP (Oct. 29, 1991)	3207
Inter-Office Memorandum and attachments from Rick Sinding to Management Team, NJDEP (Nov. 1, 1991).....	3229
Inter-Office Memorandum and attachments, from Steven Whitney to Management Team, NJDEP (July 7, 1994)	3237
Handwritten Notes and attached Oct. 28, 1993 Draft Memorandum of Agreement between NJDEP and DNREC (Undated)	3249
Handwritten Notes and attached Oct. 28, 1993 Draft Memorandum of Agreement between NJDEP and DNREC (Undated)	3257
Inter-Office Memorandum and attachment, from Terry Fowler to Steven Whitney NJDEP (Aug. 3, 1993)	3265
Handwritten Note and attachment to Steven Whitney, NJDEP (Oct. 28, 1991)	3277
Email from Ruth Ehinger to Dorina Frizzera (July 18, 1994)	3281
Email from Terry Fowler to Ruth Ehinger (July 19, 1994)	3283
Email from JoAnn Cubberly to Steven Whitney (July 20, 1994).....	3285
Letter from Helen C. P. Grady, NOAA, to Dorina Frizzera, NJDEP (July 17, 1996).....	3287
Handwritten Notes (Undated)	3295
Handwritten Notes (May 26, 1994)	3301

Email from Terry Fowler to Ruth Ehinger (July 19, 1994)	3303
Handwritten Notes (Jan. 12, 1994)	3305
Email to Steven Whitney (Nov. 5, 1993).....	3307
Memorandum of Agreement between NJDEP and DNREC, Division of Coastal Resources and the New Jersey Pinelands Commission (Feb. 8, 1988).....	3309
Handwritten Notes (Undated).....	3313
Email from Steven Whitney to Ruth Ehinger (May 7, 1993).....	3315
Email from Ruth Ehinger to Dorina Frizzera (July 18, 1994)	3317

Permit-Related Documents

Pipelines

Twenty-year Subaqueous Lands Lease between the State of Delaware and SunOlin Chemical Company (Jan. 11, 1962)	3319
Ten-year Subaqueous Lands Lease between the State of Delaware and Colonial Pipeline Company (Oct. 9, 1963)	3323
Renewal of Subaqueous Lands Lease (SL-0508/81) issued to SunOlin Chemical Company (Nov. 14, 1981)	3331
DNREC Subaqueous Lands Lease (SL-0203/87) issued to Colonial Pipeline Company (1987)	3337
Burlco Engineering Associates Application for a Request For A Coastal Zone Status Decision for Colonial Pipeline Company to DNREC (Jan. 8, 1987).....	3345
Letter from William F. Moyer, DNREC, to T. H. Norris, Colonial Pipeline Co. DNREC (July 21, 1987)	3349
DNREC Subaqueous Lands Lease (SL-0204/87) issued to Columbia Gas Transmission Corporation (July 28, 1987).....	3351
DNREC Subaqueous Lands Lease (SL-0203/87) issued to Colonial Pipeline Company (Aug. 3, 1987)	3357
Memorandum from Charles A. Lesser, DNREC, to Bill Moyer, DNREC (Aug. 11, 1987)	3363
Memorandum from Charles A. Lesser, DNREC, to Bill Moyer, DNREC (Sept. 17, 1987).....	3365

Letter from William F. Moyer, DNREC, to J. R. Arnold, Colonial Pipeline Company (Sept. 24, 1987).....	3367
Letter from William F. Moyer, DNREC, to J. R. Arnold, Colonial Pipeline Company (Mar. 8, 1988)	3369
Renewal of Subaqueous Lands Lease (SL-1203/91) issued to Sun Refining and Marketing Company (Oct. 15, 1991).....	3371
DNREC Subaqueous Lands Lease (SL-1310/94) issued to Colonial Pipeline Company (Oct. 9, 1994)	3375
Letter from James Chaconas, DNREC, to Colonial Pipeline (Dec. 23, 1994)	3381
DNREC amended water allocation permit issued to Logan Generating Company, L.P. (No. 91-0012M2) (Jan. 13, 1995)	3383
Letter from Jennifer Cross, DNREC, to Paul Wagner, P.E., U.S. Generating Company (Jan. 21, 1998)	3387
Renewal of Subaqueous Land Lease (SL-404/01, a renewal of SL-1203/91) to Sunoco Inc. (May 15, 2002)	3389
DuPont	
Letter from B.E. Lane, DNREC, to P.H. Collins, DuPont (Jan. 29, 1971).....	3395
Letter from B.E. Lane, DNREC, to Col. Carroll D. Strider, U.S. Army Corps of Engineers (Jan. 29, 1971)	3397
Letter from John C. Bryson, DNREC, to Laird Stabler, Attorney General of Delaware (Feb. 19, 1971)	3399
Letter from B.E. Lane, DNREC, to James Kelly, U.S. Army Corps of Engineers (Apr. 5, 1971)	3401
Delaware Subaqueous Lands Lease (SL-558/1971) issued to DuPont (Sept. 29, 1971).....	3403
Letter from George Cassidy, DuPont, to James Johnson, NJDEP (July 13, 1977).....	3409
Application Form for Stream Encroachment Permit from DuPont to NJ Div. of Water Resources (Oct. 11, 1977).....	3413
Letter Receipt of Stream Encroachment Permit Application Form from NJDEP to DuPont (Oct. 25, 1977).....	3427

Letter of Authorization from William F. Moyer, DNREC, to Lewis A. Caccese, P.E., S. T. Hudson Engineers, Inc. (Mar. 18, 1982).....	3429
Letter from William F. Moyer, DNREC, to J. Curry, DuPont (Oct. 15, 1982).....	3431
Letter of Authorization from William F. Moyer, DNREC, to William N. Malin, S. T. Hudson Engineers, Inc. (Jan. 5, 1987).....	3433
Letter from William F. Moyer, DNREC to Reinhold Betschel, DuPont (Feb. 9, 1988).....	3435
DNREC Subaqueous Lands Permit (SP-071/01) issued to DuPont (May 4, 2001).....	3439
Technical Briefing Meeting Agenda, Treatment and Disposal of Neutralized VX at DuPont Chambers Works (Mar. 10, 2004).....	3445
Letter from Ruth Ann Minner, Governor of Delaware and James E. McGreevey, Governor of New Jersey, to Les Brownlee, Secretary of the Army (Apr. 7, 2004).....	3447
Letter from John A. Hughes, DNREC to Jesse L. Barber, Colonel, Newport Chemical Stockpile Outreach Office (Apr. 19, 2004).....	3449
Letter from Kevin Donnelly, DNREC, to Bernard Reilly, DuPont (May 19, 2004).....	3453
DNREC Subaqueous Lands Permit issued to DuPont to dredge at the Chamber Works Facility (Mar. 7, 2006).....	3455
Letter from John Hughes, DNREC, to Alan Muller, Green Delaware (Mar. 29, 2006).....	3461
El Paso	
Letter from El Paso Eastern Company to David R. Keifer, Director of Delaware State Planning Commission (Dec. 21, 1971).....	3469
Letter from David Keifer, Director of Delaware State Planning Commission, to W. Laird Stabler, Attorney General of Delaware (Dec. 29, 1971).....	3473
Letter from David Keifer, Director of Delaware State Planning Commission, to Barry Huntsinger, El Paso Eastern Company (Dec. 29, 1971).....	3475
Letter from W. Laird Stabler, Attorney General of Delaware, to David Keifer, Director of Delaware State Planning (Jan. 20, 1972).....	3477
Memo from David Keifer, Director of Delaware State Planning Commission, to Russell Peterson, Governor of Delaware (Feb. 16, 1972).....	3479

Letter from David Keifer, Director of Delaware State Planning Commission, to Richard Sullivan, Commissioner of NJDEP (Feb. 17, 1972).....	3481
Letter from David Keifer, Director of Delaware State Planning Commission, to Barry Huntsinger, El Paso Eastern Company (Feb. 23, 1972)	3483
Letter from Richard Sullivan, Commissioner, NJDEP, to David Keifer, Director of Delaware State Planning Commission (Mar. 2, 1972)	3485
Letter from Barry Hunsaker, El Paso Eastern Company, to David Keifer, Director of Delaware State Planning Commission (Mar. 3, 1972)	3487
Letter from David Keifer, Director of Delaware State Planning Commission, to Barry Hunsaker, El Paso Eastern Company (Mar. 17, 1972)	3489
Report on Coastal Zone Act Administration, June 28, 1971 - June 30, 1977, DE State Coastal Zone Industrial Control Board (Nov. 1977)	3491
 Keystone	
Letter from John A. Hughes, DNREC to George Franklin, Sun Refining and Marketing Co. (Undated).....	3503
Letter from Edward H. Clark, DNREC, to Richard V. Ciliberti, Keystone Cogeneration Systems, Inc. (Nov. 19, 1990).....	3505
DNREC Coastal Zone Status Decision, CZA Project No. 2375D (Nov. 19, 1990)	3507
Letter from Steven Whitney, NJDEP, to Anthony P. Pratt, DNREC (Mar. 14, 1991).....	3511
Letter from James Johnson, NJDEP, to Richard Long, S. T. Hudson Engineers, Inc. (Aug. 1, 1991).....	3513
NJDEP Memorandum from Robert Tudor to James Johnson (Aug. 28, 1991).....	3515
NJDEP Summary Analysis of Keystone waterfront development permit application (Sept. 24, 1991).....	3517
NJDEP permit to Keystone for waterfront development (Sept. 24, 1991)	3549
DNREC Subaqueous Lands Lease and attached application form issued to Keystone Cogeneration Systems, Inc. (Sept. 30, 1991).....	3557
Application Form of Keystone Cogeneration Systems, Inc. for Subaqueous Lands Permit (Sept. 30, 1991)	3563

Letter from Tracy Skrabal, DNREC, to Keystone Cogeneration Systems (Oct. 7, 1991).....	3601
DNREC Industrial Water Allocation Permit issued to Keystone Cogeneration Systems, Inc. (No. 91-0012) (Oct. 17, 1991)	3603
DNREC Coastal Zone Permit issued to Keystone Cogeneration Systems, Inc. (Dec. 13, 1991)	3607
DNREC Supplemental Lease Approval granted to Keystone Energy Service Company, L.P. (Apr. 6, 1992).....	3609
DNREC Supplemental Lease Approval granted to Keystone Energy Service Company, L.P. (May 28, 1993).....	3611
Letter from Robert J. Taggert, DNREC, to R. V. Ciliberti, Keystone Energy Service Company (Sept. 2, 1994)	3613
DNREC Notice of Authorization issued to Keystone Energy Service Company, L.P. (Sept. 30, 1994).....	3615
DNREC Supplemental Lease Approval granted to Keystone Energy Service Company, L.P. (Jan. 6, 1995).....	3617
Letter from James T. Chaconas and William F. Moyer, DNREC, to Janine Kelly, Logan Generating Company, L.P. (Mar. 15, 1995)	3619
Letter from William F. Moyer and Laura M. Herr, DNREC, to Logan Generating Company, L.P. (Keystone) (Nov. 12, 1997).....	3621
DNREC Subaqueous Lands Lease and attached application form issued to Logan Generating Company, L.P. (Nov. 9, 2001).....	3623
Letter from Sarah W. Cooksey, DNREC, to Thomas W. Fromm, PG&E National Energy Group (Mar. 14, 2002).....	3629

Fort Mott

NJDEP Division of Parks and Forestry Land Use Regulation Program Application JDEP for Fort Mott Pier renovation (Sept. 19, 1995).....	3631
Map of proposed Fort Mott Pier renovation (Sept. 13, 1995)	3649
DNREC Subaqueous Lands Lease Application and Letter of Authorization Request to NJDEP for Fort Mott Pier Rehabilitation Project (Sept. 20, 1995)	3651
Letter from Faye L. Stocum, DNREC, to Frank J. Cianfrani, U.S. Army Corps of Engineers	

(Nov. 14, 1995).....	3709
Letter from Sarah W. Cooksey, DNREC, to Lawrence R. Horan, S. T. Hudson Engineers, Inc. (Dec. 15, 1995)	3711
Letter from William F. Moyer, DNREC, to NJDEP, Dept. of Parks and Forestry (Jan. 4, 1996).....	3713
DNREC Subaqueous Lands Lease (SL-1110/95) issued to the State of New Jersey Department of Environmental Protection Division of Parks and Forestry (Feb. 7, 1996).....	3715
NJDEP Permit issued to NJDEP Div. of Parks and Forestry (Jan. 24, 1996)	3723
Letter from Mark R. Chura, DNREC, to Carl Nordstrom, NJDEP (Apr. 4, 1996)	3727
Letter from Carl Nordstrom, NJDEP Division of Parks and Forestry, to David Hazelton, Delaware River & Bay Authority (Mar. 6, 1997)	3729
New Jersey State Park Service Subaqueous Lands Lease Renewal Application (Aug. 16, 2006).....	3731
DNREC Memorandum from Wetlands and Subaqueous Lands Section to DNREC Distribution List (Dec. 13, 2006).....	3735
Delmarva Power	
Letter from William Moyer, DNREC, to Moira Donoghue, Delmarva Power & Light Co. (Apr. 6, 1987).....	3739
Joint application of Delmarva Power & Light Co. to DNREC for subaqueous lands, wetlands, and marina projects (May 17, 1997).....	3741
DNREC Subaqueous Lands Lease (SL-0109/97) issued to Delmarva Power & Light Co. (Dec. 9, 1997)	3755
Letter from Sarah W. Cooksey, DNREC, to Juan S. Crofton, Crofton Diving Corp. (Feb. 24, 1998)	3761
DNREC Supplemental Lease Approval granted to Conectiv Communications, Inc. (Mar. 11, 2002)	3763
Salem River	
Letter from William Moyer, DNREC, to Roy Denmark, U.S. Army Corps of Engineers (Apr. 12, 1991).....	3765

Letter from William Moyer and Tracy Skrabal, DNREC, to H. Ronald Kreh, U.S. Army Corps of Engineers (Apr. 7, 1992).....	3767
Letter from William Moyer to H. Ronald Kreh, U.S. Army Corps of Engineers (Apr. 27, 1992).....	3769
Letter from Robert Callegari, U.S. Army Corps of Engineers, to David Carter, DNREC (Mar. 10, 1994)	3771
Letter from William Moyer, DNREC, to U.S. Army Corp of Engineers (Dec. 15, 1994).....	3773
Letter from William Moyer and James Chaconas, DNREC, to U.S. Army Corps of Engineers (Dec. 15, 1994)	3775
Letter from Sarah Cooksey, DNREC, to U.S. Army Corps of Engineers (Jan. 10, 1995)	3777
Marcus Hook	
Letter from Sarah Cooksey, DNREC, to Thomas McVeigh, Roy F. Weston, Inc. (Mar. 7, 2001)	3779
Letter from Sarah Cooksey, DNREC, to Thomas McVeigh, Roy F. Weston, Inc. (Mar, 7, 2001)	3781
Letter from Sarah Cooksey, DNREC, to Sonny Rutkowski, Weston Solutions, Inc. (July 30, 2003)	3783

TABLE OF CONTENTS
VOLUME 6

	PAGE
BP Crown Landing	
Permit Application Letter from Golder Associates, Inc. to DNREC (Sept. 27, 2004).....	3785
Letter from Laura Herr, DNREC, to Lauren Segal, BP Crown Landing LLC (Oct. 29, 2004)	3789
Letter from Robert Stetkar, P.E., Golder Associates, to DNREC (Nov. 4, 2004).....	3791
Letter from David Swayze, Parkowski, Guerke, & Swayze, to John Hughes, Secretary, DNREC (Dec. 7, 2004).....	3793
Letter from John Hughes, Secretary, DNREC, to Lauren Segal, Crown Landing LLC (Feb. 3, 2005).....	3811
Decision and Order, <i>In re Coastal Zone Status Decision on the Application of Crown Landing LLC</i> , No. CZ 2005-01 (Coastal Zone Industrial Control Board of the State of Delaware Apr.14, 2005)	3813
Sandia National Laboratories, <i>Guidance on Risk Analysis and Safety Implication of a Large Liquefied Natural Gas (LNG) Spill Over Water</i> (Dec. 2004) (excerpts)	3831
DNREC Subaqueous Lands Lease (SL-312/04) issued to Fenwick Commons, LLC (May 10, 2005).....	3839
FERC, Final Environmental Impact Statement – Crown Landing LNG and Logan Lateral Projects, Docket Nos. CP04-411-000 & CP04-416-000 (Apr. 2006) (excerpts).....	3845
Letter from David S. Swayze, Parkowski, Guerke & Swayze, to Hon. John A. Hughes, Secretary, DNREC (Dec. 7, 2004).....	3863
BP Request to DNREC for a Coastal Zone Status Decision (Nov. 30, 2004) (excerpts).....	3865
Del. Op. Att’y Gen. 78-018 (1978).....	3881
Photographs of Structures in the Delaware River.....	3885
Aerial photographs referenced in New Jersey’s Castagna Expert Report (Nov. 9, 2006).....	3979
Map of Fire Company Districts	3997

Emergency Response Reports Showing Transferred Calls	3999
Summary of Delaware River Emergency Response Calls Received by Department of Public Safety, Emergency Communications Division, New Castle County, Delaware (July 3, 1994 – Sept. 18, 2006).....	4003
DNREC Air and Waste Management Complaint Files (Aug. 18, 2006).....	4015
Delaware Water and Air Resources Commission, Regulations Governing the Use of Water Resources and Public Subaqueous Lands, Regulation IV (adopted July 14, 1969)	4023
DNREC, Regulations Governing the Use of Subaqueous Lands (adopted May 8, 1991, amended Sept. 2, 1992)	4025
Joint Agreement between the State of New Jersey and the State of Delaware (Aug. 29, 2001).....	4049
Amendment Replacing Exhibit C of the 2001 Joint Agreement between the State of New Jersey and the State of Delaware (Feb. 22, 2005)	4055
Expert Report of Carol E. Hoffecker, Ph.D. (Nov. 9, 2006)	4059
Expert Report of Professor Joseph L. Sax (Nov. 7, 2006).....	4123
New Jersey’s Responses to Delaware’s First Requests for Admissions (Sept. 8, 2006).....	4147
<i>State v. Mick</i> , Crim. Nos. 83-05-0092 (Del. Super. Ct. May 2, 1984).....	4189
<i>Webster’s International Dictionary</i> (1898) (excerpts)	4193
Letter and attachment from David R. Keifer, Director of Delaware State Planning Commission, to Barry Huntsinger, El Paso Eastern Company (Feb. 23, 1972).....	4201
Aerial photographs with boundary lines	4207

TABLE OF CONTENTS
VOLUME 7

	PAGE
Expert Reports and Affidavits	
Expert Report of Carol E. Hoffecker, Ph.D. (Nov. 9, 2006)	4213
Expert Report of Professor Joseph L. Sax (Nov. 7, 2006).....	4279
Affidavit of Philip Cherry	4303
Affidavit of Sarah Cooksey	4311
Affidavit of R. Peder Hansen.....	4319
Affidavit of Laura M. Herr	4323
Affidavit of Robert Hutchins	4339
Affidavit of Ali Mirzakhali.....	4345
Affidavit of William Moyer.....	4349
Affidavit of Kurt Reuther.....	4359
Affidavit of William S. Schenck.....	4371
Affidavit of David M. Small.....	4375
Affidavit of William Streets.....	4381

TABLE OF CONTENTS
VOLUME 8

	Page
<u>Interstate Compact Documents:</u>	
N.J.S.A. §§ 52:28-23 to -28 (Compact between the State of New Jersey and the State of Pennsylvania (Apr. 26, 1783))	4401
Reply Brief of the State of New Jersey in Opposition to the Exceptions of the State of New York, <i>New Jersey v. New York</i> , No. 120, Original (U.S. filed Aug. 29, 1997).....	4407
N.J.S.A. 32:11E-1 (Delaware-New Jersey Compact of 1961, as amended)	4433
<u><i>New Jersey v. Delaware II</i> Pleadings:</u>	
Stipulated Record, Testimony, Volume I, <i>New Jersey v. Delaware</i> , No. 18, Original (U.S.) (excerpts)	4447
Stipulated Record, Descriptive List of Exhibits, Volume II, <i>New Jersey v. Delaware</i> , No. 18, Original (U.S.) (excerpts).....	4455
Plaintiff’s Brief Before the Special Master, <i>New Jersey v. Delaware</i> , No. 19, Original (U.S. filed Aug. 15, 1932) (excerpts)	4513
Reply Brief of Defendant Before the Special Master, <i>New Jersey v. Delaware</i> , No. 19, Original (U.S.) (excerpts).....	4529
Stenographer’s Record, Oral Argument Before the Special Master, <i>New Jersey v. Delaware</i> , No. 19, Original (U.S. Sept. 12, 1932)	4539
<u>Coastal Management Plan Documents:</u>	
Busemann, <i>Energy Facility Siting Issues in New Jersey’s Coastal Zone: A Staff Working Paper</i> , New Jersey Department of Environmental Protection (“NJDEP”), Division of Marine Services, Office of Coastal Zone Management (December 1977).....	4599
NJDEP, New Jersey Coastal Management Program - Bay and Ocean Shore Segment and Draft Environmental Impact Statement (May 1978) (excerpts).....	4619
NJDEP, New Jersey Coastal Management Program - Bay and Ocean Shore Segment and Final Environmental Impact Statement (Aug. 1978) (excerpts)	4627
NJDEP, Proposed New Jersey Coastal Management Program and Draft Environmental Impact Statement (May 1980) (excerpts).....	4635

Crown Landing Documents:

Letter from David Q. Risilia, NJDEP Office of Dredging & Sediment Technology, to David Blaha, Environmental Resources Management (Feb. 4, 2005).....4641

Letter from Kenneth Koschek, NJDEP Office of Permit Coordination & Environmental Review, to Magalie R. Salas, Federal Energy Regulatory Commission (Apr. 19, 2005)4673

Letter from Joseph J. Seebode, Assistant Commissioner, NJDEP to David Blaha, Environmental Resources Management (May 24, 2005)4683

Discovery Documents:

BP, plc., Privilege Log: Common Interest Communications, (April 25, 2006) (Exhibit A to Declaration of Stuart A. Raphael).....4685

Responses of Plaintiff State of New Jersey to First Set of Interrogatories from Defendant State of Delaware, *New Jersey v. Delaware*, No. 134, Original (July 14, 2006)4713

TABLE OF CONTENTS
VOLUME 9

	Page
Henry Campbell Black, M.A., <i>A Dictionary of Law Containing Definitions of the Terms and Phrases of American and English Jurisprudence, Ancient and Modern</i> (St. Paul, MN, West Publishing Co. 1891).....	4747
<i>Fish Lines Cause a Stir</i> , Daily State Gazette (Trenton, NJ) Mar. 17, 1903	4749
<i>Case Runs 30 Years</i> , The Washington Post, Feb. 26, 1906	4751
Henry C. Conrad, <i>History of the State of Delaware</i> (1908) (excerpts).....	4755
Letter from Joseph D. Craven, Delaware Attorney General, to Hugh R. Sharp, Delaware State Highway Department (May 31, 1955)	4777
<i>Findings of Robert W. Knecht, Assistant Administrator for Coastal Zone Management, National Oceanic and Atmospheric Administration: Approval of the Delaware Coastal Management Program</i> (Aug. 21, 1979)	4785
<i>Granting the Consent of Congress to Amendments to the Delaware-New Jersey Compact: Hearing on H.R.J. Res. 657 Before the Subcomm. on Administrative Law and Governmental Relations of the H. Comm. on the Judiciary, 101st Cong., 2d Sess. (1990)</i> (statement of Hon. William J. Hughes, A Representative in Congress from the State of New Jersey)	4833
County tax record for Parcel #0699999027 (Owner: Keystone Energy Services Co. LP) New Castle County, DE (June 22, 2006).....	4881