January 18, 2011

Via Mail and E-mail
Carol Collier, Executive Director, and Commission Members
Delaware River Basin Commission
P.O. Box 7360
West Trenton, NJ 08628

Re: Natural Gas Development Regulations

Dear Director Collier and Commission Members:

The undersigned organizations and community groups urge you to broaden the public input process in response to the Commission’s proposed natural gas development regulations. The regulation of gas extraction and development in the Delaware River Basin will impact the eight million residents of the Delaware River Watershed. It also will affect millions of people living outside of the Basin who rely on the Delaware River for drinking water—the 2.8 million New Jersey residents who get their water from the River and the estimated 8 million people in New York City.

The public has been deeply involved in natural gas development issues in the Delaware River Basin since the prospect of drilling emerged, almost three years ago. Since April 2010, approximately 8,000 letters have been submitted to the Commission expressing concern about the potential impacts of natural gas development. An additional 1,700 comments were submitted to the Commission on the proposed docket for Stone Energy’s water withdrawal for gas well development from the West Branch of the Lackawaxen River, the Commission’s first approved natural gas-related project. The public response to this urgent issue has dwarfed the public’s input on previous Commission projects and illustrates its deep concerns and interest in providing substantive input.

In order for large numbers of people to provide meaningful comment on the Commission’s draft regulations for gas extraction activities in the Delaware River Basin, particularly given the technical and policy issues involved, the public participation process must offer adequate time and diverse opportunities for broad public participation.
We therefore call on the Commission to adopt the following for the Commission’s public participation process with respect to the draft regulations:

- The public comment period should be a minimum of six months in order to facilitate robust public participation and to offer sufficient advance notice for each hearing. Ninety days, as currently proposed, is wholly inadequate, especially considering that the Christmas and New Year holidays occurred in the midst of that period.
- Verbal testimony is key to the input process, and three hearings will not be at all sufficient to allow input from the affected public. In addition, public hearings should be held at geographically accessible and diverse locations. There should be at least one public hearing in each Basin state: Delaware, New Jersey, New York, and Pennsylvania, and at least one public hearing in each of the two largest population centers that rely on the Delaware River for water supplies, New York City and Philadelphia. Since Pennsylvania is such a large state, one hearing should be held in the Upper Delaware region, one in the central Watershed area, and one in the southeastern area.
- While meetings, workshops, and public events which the Commission sponsors or participates in are good ways to educate or stimulate discussion, they cannot substitute for official Public Hearings on such significant proposed regulations.
- All written comments addressed to the Commission, whether submitted by e-mail, fax or mail, must, in a timely fashion, be made accessible to the public in order to keep the rulemaking process transparent.
- Based on input from the initial public comments, and given the technical aspects and significant policy decisions involved, the DRBC should prepare a revised draft of the regulations and conduct a second period of public input before final regulations are adopted.

The undersigned signatory groups, representing over 300,000 people with interests in the Delaware River Basin, thank you for your consideration of our requests regarding the upcoming, and critically important, public participation process. We look forward to the Commission's timely response and respectfully request that it be directed to Barbara Arrindell (at the address indicated below) who will then communicate it to all of the organizations listed.

Sincerely,

B. Arrindell, Director
Damascus Citizens for Sustainability, P. O. Box 147, Milanville, PA 19443 (email: DCS@mailhosts.net)
NY and PA in the Delaware River Basin

Joe Levine, Chair
NYH2O, 561 Broadway #8D, New York, NY 10012
New York City, New York State and the Delaware River Basin

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Delaware River Basin
Iris Marie Bloom, Director  
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Philadelphia, Pennsylvania and the Delaware River watershed

Karen London, Co-founder  
Sullivan Area Citizens for Responsible Energy (SACRED)  
Sullivan County, New York and surrounding area

Tom Au, Conservation Chair  
Sierra Club Pennsylvania Chapter, PO Box 606, Harrisburg, PA  17108  
Pennsylvania

Susan Lawrence, Chair  
Sierra Club Atlantic Chapter, 353 Hamilton Street, Albany, NY 12210  
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George Tillman, founder  
Musicians on a Clean Water Mission  
Philadelphia and the Delaware River Basin

David Sternberg, Chairman  
Philly For Change, 2601 Pennsylvania Ave. (suite 1001)  
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Eric Gervasi, title: Store Manager  
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DCVA Co-Presidents: John and Jan Haigis and First Vice President Jan Marie Rushforth  
Darby Creek Valley Association, P.O. Box 731, Drexel Hill, PA 19026  
Darby Creek watershed encompassing three counties in southeastern Pennsylvania (Montgomery, Delaware and Philadelphia)

I.K. Samways, Chair  
Green Party of Pennsylvania, P. O. Box 11962, Harrisburg, PA  
Pennsylvania
Tina Johnson, founder/member/manager
Chester's Community Grocery Coop
Chester, PA and surrounding neighborhoods

Dave Walczak, Coordinator
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Ashley Schmid, Outreach Coordinator
Tookany/Tacony-Frankford Watershed Partnership, Inc., 1 Awbury Rd, Philadelphia, PA 19138 Tookany/Tacony-Frankford Watershed

Kae Kalwaic, Legislative Liaison
Citizen Access
Delaware County, PA

Melanie Steinberg, Outreach Coordinator
The Committee to Preserve the Finger Lakes, PO Box 505, Penn Yan, NY 14527
Keuka Lake, one of the Finger Lakes, NY

Erika Staaf, Clean Water Advocate
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Croton Watershed Clean Water Coalition, Inc., PO Box 484, Bedford, NY 10560
Croton Watershed, NYC, Westchester and Putnam Counties
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Environmental Justice
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Chester Nehemiah Project, 1005 W. 7th Street, Chester, PA 19013
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Wes Gillingham, Program Director  
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six counties of the Catskill Region, New York State and the Delaware Rivetr Basin

Kate Bartholomew, member of the Leadership Council  
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Middlefield in Otsego county NY

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Asian Americans United, 1023 Callowhill Street, Philadelphia, PA 19123  
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Gas Drilling Awareness for Cortland County  
Cortland County, New York

Iona Conner, Publisher  
Shade Gap, Pennsylvania

Sue Rapp  
Friends of Vestal  
Vestal New York

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Northeast PA, NYC, and National

Peter Comstock, Coordinator  
Lumberland Concerned Citizens  
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Native American Alliance of Bucks County  
Bucks County, PA, and the Delaware River Basin
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Town of Highland, Sullivan County New York  

Bruce Ferguson  
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Delaware River Basin and New York State  

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Sierra Club - Southeast Pennsylvania Group, 2314 Delancey Place, Philadelphia, PA  
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Teresa Stimpfel, Chair  
Central Jersey Group of the Sierra Club  
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