



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.

Damascus Citizens for Sustainability, Inc. P.O. Box 147 • Milanville, PA 18443

www.DamascusCitizens.org

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 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 Delaware River Basin

Tracy Carluccio, Deputy Director

Delaware Riverkeeper Network, 300 Pond Street, 2nd Floor, Bristol, PA 19007

Delaware River Basin

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www.DamascusCitizens.org

Iris Marie Bloom, Director
Protecting Our Waters, 4808 Windsor Avenue Philadelphia, PA 19143
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
New York State

Jeff Tittel, Director
Sierra Club New Jersey Chapter,, 145 W Hanover St, Trenton, NJ 08618
New Jersey

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)
Philadelphia, PA

Eric Gervasi, title: Store Manager
Mariposa Food Coop, 4726 Baltimore Ave Phila, PA 19143
Philadelphia and the foodshed

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

Damascus Citizens for Sustainability, Inc. P.O. Box 147 • Milanville, PA 18443

www.DamascusCitizens.org

Tina Johnson, founder/member/manager
Chester's Community Grocery Coop
Chester, PA and surrounding neighborhoods

Dave Walczak, Coordinator
Citizens for Healthy Communities 19 Allen Street, Bath, NY 14810
Bath, NY

Jed Dodd, General Chairman
Pennsylvania Federation BMWED Teamsters, 421 North Seventh Street, Suite 299
Philadelphia, PA 19123

Bill Deckhart, Coordinator
BuxMont Coalition for Peace Action
Bucks, Northeast Philadelphia and Montgomery

Beverly Maisey, Initiating Team Member
Transition Cheltenham
Cheltenham TWP, PA

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
PennEnvironment, 1420 Walnut St., Suite 650, Philadelphia, PA 19102
Pennsylvania

Fay Muir, President
Croton Watershed Clean Water Coalition, Inc., PO Box 484, Bedford, NY 10560
Croton Watershed, NYC, Westchester and Putnam Counties

Clarissa B. Tillery, Executive Director
Chester Environmental Partnership, 1007 W. 7th Street, Chester, PA 19013
Environmental Justice
Chester, PA

Dr. Horace W. Strand, President
Chester Nehemiah Project, 1005 W. 7th Street, Chester, PA 19013
Christian community development
Chester, PA

Mary Smith
Church Women United of New York State, 3512 Michigan Ave, Elmira NY 14903-1107
New York State

Jade Walker and Johanna Rosen, Co-Directors
Mill Creek Urban Farm, 3451 Walnut Street , Franklin Building Annex Suite P-117A
Philadelphia, PA

Doug Couchon, Board of Directors
People for a Healthy Environment, Inc., 722 Latta Brook Road, Elmira, NY
New York State

Michael Colgan, Chapter President
Widener University Chapter of Strategies for Ecology Education, Diversity, and Sustainability
Chester, PA

David F. Slottje, Esq.
Community Environmental Defense Council, Inc, PO Box 898, Ithaca NY 14851
New York State

Jane Penrose
Concerned Citizens of Ulysses in Tompkins County, NY, 24 Elm St., Trumansburg, NY ,4886
Town of Ulysses in New York

Rich Giordano
Roxborough Greenspace Project, 635 Summit Ave., Philadelphia, PA 19127
Philadelphia, PA

Ralph Kisberg, Board of Directors President
Responsible Drilling Alliance, P.O. Box 501, Williamsport, PA 17701
central Pennsylvania

Damascus Citizens for Sustainability, Inc. P.O. Box 147 • Milanville, PA 18443

www.DamascusCitizens.org

Wes Gillingham, Program Director
Catskill MountainKeeper, P. O. Box 381, Youngsville, NY, 12791
six counties of the Catskill Region, New York State and the Delaware Rivetr Basin

Kate Bartholomew, member of the Leadership Council
Coalition to Protect New York
New York State

Sarah White
Middlefield Neighbors
Middlefield in Otsego county NY

Ellen Somekawa, Executive Director
Asian Americans United, 1023 Callowhill Street, Philadelphia, PA 19123
Philadelphia, PA

Sheila Cohen
Gas Drilling Awareness for Cortland County
Cortland County, New York

Iona Conner, Publisher
"The Order of the Earth: News, Views and Musings" and the Grassroots Coalition for Environmental and
Economic Justice, 21431 Marlin Circle, Shade Gap, Pennsylvania 17255
Shade Gap, Pennsylvania

Sue Rapp
Friends of Vestal
Vestal New York

Josh Fox, Director, Board Member
GasLand and Shale Test
Northeast PA , NYC, and National

Peter Comstock, Coordinator
Lumberland Concerned Citizens
Glen Spey NY

Nokomis, Director
Native American Alliance of Bucks County
Bucks County, PA, and the Delaware River Basin

Carol Roig
Highland Concerned Citizens,
Town of Highland, Sullivan County New York

Bruce Ferguson
Catskill Citizens for Safe Energy, PO BOX 103 Fremont Center, NY 12736
Delaware River Basin and New York State

Marguerite Woelfel., Pres.
Residents Against the Sugarloaf Quarry (RASQ), P.O. Box 111, Conyngham, PA 18219
Luzerne County, PA

Francine A. Cohen, Executive Director
Philagreen Hospitality Assn., 241 S. 6th St., #2109, Phila., PA 19106
Philadelphia, PA

Dennis R. Winters, Conservation Chair
Sierra Club - Southeast Pennsylvania Group, 2314 Delancey Place, Philadelphia, PA
the five-county Philadelphia area.

Teresa Stimpfel, Chair
Central Jersey Group of the Sierra Club
Central New Jersey

Vera Scroggins
Citizens for Clean Water, 7481 Laurel Lake Road, Brackney, Pa. 18812
Susquehanna County

Mitch Troutman
Pennsylvania from Below, 1652 Ridge Ave, Box 1, Philadelphia, PA 19130
Pennsylvania

Susan Chew, incorporator
NEW YORKERS FOR CLEAN WATER INC.
New York State

Ron Urban, NLC (National Leadership Committee)
NY Trout Unlimited, PO Box 815, Port Ewen, NY 12466
New York State

David Braun, Organizer
United for Action
NYC

Myron Arnowitt, Pennsylvania State Director
Clean Water Action
Pennsylvania

Craig Michaels, Watershed Program Director
Hudson Riverkeeper, 78 North Broadway, E-House, White Plains, NY 10603
New York

Kate Sinding, Senior Attorney
Natural Resources Defense Council, 40 W. 20th St., New York, NY 10011
National

Dan Plummer, Chairman
Friends of the Upper Delaware River, Inc., 1645 Bump Rd., East Branch, NY 13756
Upper Delaware River Basin

Nadia Steinzor, Marcellus Regional Organizer
EARTHWORKS Oil & Gas Accountability Project, PO Box 171, Willow, NY 12495
NY, PA, WV, OH and national

Rick Axt, Chair
NJ State Council of Trout Unlimited
New Jersey