

Commissioners
Delaware River Basin Commission
West Trenton, NJ

March 19, 2018

Dear Commissioners,

As an elected official I represent Newtown Township in Bucks County PA.

I support action by the Delaware River Basin Commission (DRBC) to enact a complete and permanent ban on natural gas development and hydraulic fracturing and all related activities (including drilling, fracking, wastewater processing, and discharges from and water withdrawals for drilling and fracking operations) throughout the Basin.

As the federal-interstate agency formed under a Compact in 1961¹ to manage the water resources of the Watershed, the DRBC members – the Governors of Pennsylvania, New York, New Jersey, and Delaware, and the federal government – take action to protect the shared waters that provide over 15 million people with drinking water, including New York City and Philadelphia residents. The DRBC actions are based on its powers to establish standards, plans, rules and regulations, and to control, prevent and abate pollution from activities that may have a substantial effect on the water resources of the Basin.² Through these means, the DRBC works to protect public health and preserve basin waters³ to meet “present and future needs.”⁴ I applaud and support the DRBC’s mission, which equally protects all watershed states, and those who live, work, and recreate here now, and those generations yet to come.

There is significant evidence that natural gas development, and its related operations, which include all the phases of the hydraulic fracturing (“fracking”) process, from the first stage of industrial land preparation; to the storage, handling, and use of chemicals and additives for extraction and stimulation; to drilling and fracking; to the withdrawal of and degradation of large volumes of water and its discharge and disposal as waste, has substantial adverse effects on public health, property interests, agriculture, and on our air, water, and land.⁵ The natural gas

¹ United States: Public Law 87-328, Approved September 27, 1961, 75 Statutes at Large 688; Delaware: 53 Delaware Laws, Chapter 71, Approved May 26, 1961; New Jersey: Laws of 1961, Chapter 13, Approved May 1, 1961; New York: Laws of 1961, Chapter 148, Approved March 17, 1961; Pennsylvania: Acts of 1961, Act No. 268, Approved July 7, 1961.

² Delaware River Basin Compact, 1961 <http://www.nj.gov/drbc/library/documents/compact.pdf>.

³ Delaware River Basin Compact, 1961 Section 5.2

⁴ Delaware River Basin Compact, 1961, Section 13.1

⁵ PSE Healthy Energy Library, https://www.zotero.org/groups/pse_study_citation_database/items; See Compendium, <http://concernedhealthny.org/compendium/>, p. 4; Environmental Protection Agency (EPA). 2015. U.S. EPA. Hydraulic Fracturing for Oil and Gas: Impacts from the Hydraulic Fracturing Water Cycle on Drinking Water Resources in the United States (Final Report). U.S. Environmental Protection Agency, Washington, DC, EPA/600/R-16/236F, 2016. Available at: www.epa.gov/hfstudy and <https://cfpub.epa.gov/ncea/hfstudy/recordisplay.cfm?deid=332990>; PADEP, accessed 10.25.2017 at: http://files.dep.state.pa.us/OilGas/BOGM/BOGMPortalFiles/OilGasReports/Determination_Letters/Regional_Determination_Letters.pdf

industry has received unprecedented exemptions from our nation's most important environmental and public health laws, including the Safe Drinking Water Act, Clean Air Act, and the Clean Water Act.⁶

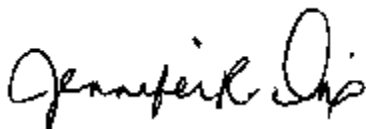
The DRBC currently prohibits permitting for natural gas extraction projects in the Delaware River Basin. The Commissioners enacted a drilling moratorium by Resolution in May 2010.⁷ The current *de facto* moratorium on gas drilling, fracking, and associated activities includes wastewater discharges and water withdrawals. DRBC permits for wastewater discharges since 2010 have been conditioned on the prohibition of wastewater produced by fracking, preventing its import and discharge.

I and those whom I represent highly value and enjoy the Wild and Scenic Delaware River and its outstanding recreational resources. The entire drainage area that flows to the nontidal Delaware River, which extends from Hancock NY to Trenton NJ, is designated as Special Protection Waters and is the longest stretch of anti-degradation waters in the nation. These prized assets provide important economic benefit to all four states whose tributaries flow to the Delaware River.

After exhaustive study, the State of New York prohibited fracking based on environmental and public health analysis. The NY Department of Health concluded that the overall weight of the evidence demonstrated the likelihood that adverse health outcomes and environmental impacts from fracking could not be prevented, leading to the Governor's decision to ban high volume hydraulic fracturing in the state.⁸

I believe the time has come to turn the current DRBC moratorium into a permanent ban on gas drilling and fracking and its related activities throughout the Delaware River Watershed. I oppose the storage, treatment, disposal, and/or discharge of fracking wastewater within the Basin, and the withdrawal of water from the Basin for fracking. I support a complete and permanent ban throughout the Basin and respectfully request that the Commissioners enact this ban now.

Sincerely,



Jennifer Dix, Vice Chairman
Newtown Township Board of Supervisors

⁶ NRDC Policy Basics, 2013. Available at: <http://bit.ly/2yPF7Re>

⁷ DRBC Meeting Minutes of May 10, 2010, accessed at: <http://bit.ly/2yOjPmC>

⁸ http://www.dec.ny.gov/docs/materials_minerals_pdf/findingstatevhf62015.pdf
http://www.health.ny.gov/press/reports/docs/high_volume_hydraulic_fracturing.pdf