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MR. KINNEY:

Thank you. David
Kinney. I am a Mid-Atlantic
policy director for Trout
Unlimited. We represent 23,000
sportsmen in the four Delaware
River Basin states. More than
half are here in Pennsylvania.

As an organization,
Trout Unlimited advocates for
responsible energy development.
We work to encourage policies
and practices that avoid,
minimize and mitigate impacts
on trout habitat, cold water
resources.

And the Delaware River
Basin is a priority for us. We
spent a lot of time and
resources on the projects that
restore and reconnect trout
streams, especially in the
Upper Delaware.

So we're working with
local towns. We're working

1 with local communities, with
2 local partners, local
3 contractors.

4 The benefits of this
5 work are not just better trout
6 habitat, but it's also a boost
7 for the outdoor recreational
8 economy, which is key to the
9 region up there, as well as
10 improve the flood resiliency
11 for local communities.

12 So all of that said,
13 Trout Unlimited supports these
14 regulations that DRBC has put
15 forth. We recognize the
16 authority's authority to
17 regulate natural gas
18 development, given the
19 potentially enormous water
20 impacts. We appreciate that
21 these methods are backed up by
22 sound science and years of
23 study.

24 As others have spoken
25 about, we do have concerns

1 about provisions that would
2 allow the export of source
3 water and the import of
4 wastewater, and I'm going to
5 highlight just a handful of
6 those.

7 The water export section
8 in particular doesn't spell out
9 in any detail how these
10 withdrawals will be regulated,
11 such as requirements for
12 pass-by flows.

13 The basic parties spent
14 an awful lot of time
15 negotiating about flows on the
16 Delaware. These regulations
17 don't deal at all with how
18 withdrawals of potentially
19 millions of gallons of water
20 for hydraulic fracturing would
21 affect overall management of
22 the river's resources. And for
23 an organization like Trout
24 Unlimited, we're very concerned
25 about that wild trout fishery.

1 Second, while we
2 appreciate the stringent
3 proposals dealing with
4 wastewater import and
5 treatment, we're concerned
6 about the list of pollutants of
7 concern. It only includes a
8 fraction of the chemicals the
9 EPA has documented in the
10 fracking fluids and produced
11 water. So we would recommend
12 that the Commission set water
13 quality standards.

14 Finally, we have
15 concerns about how DRBC would
16 enforce and monitor the import
17 and export of water. There's
18 nothing --- this is something
19 that's not detailed at all in
20 these regulations, and that's
21 an oversight that should be
22 dealt with.

23 Just in conclusion, a
24 few years back, T.U.
25 highlighted the Upper Delaware

1 as one of the ten special
2 places in the central
3 Appalachians that deserve
4 protection, including the
5 Satchel River Watershed and
6 George Washington and Jefferson
7 National Forests. A number of
8 those places have since been
9 protected from the impacts of
10 hydraulic fracturing. And we
11 think that with some
12 improvements, that these
13 regulations that the DRBC has
14 set forth will go a long to
15 accomplishing that in the
16 Delaware River Basin. Thank
17 you.

18 HEARING OFFICER:

19 Thank you, sir. The
20 next three speakers will be
21 Sylvia Metzler, Vanessa Baker
22 and Jonathan Lutz. This is Ms.
23 Metzler. Am I right?

24 MS. METZLER:

25 Yes. My name is Sylvia