



December 20, 2010

Carol Collier
Executive Director
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,

As you begin the rulemaking process for the Commission's proposed natural gas development regulations, we urge you to broaden the public input process. The regulation of gas extraction and development in the Delaware River Basin will impact, in one way or another, every one of the 8+ million residents of the Delaware River Watershed and all of those outside of the Basin who rely on the Delaware River for drinking water, which includes a large percentage of the 2.8 million New Jersey residents who get their water from the River and at least an additional 7 million people in New York City.

The public has been deeply involved in natural gas development issues in the Basin since the prospect of drilling here emerged, almost three years ago. Since April 2010 alone, approximately 8000 letters have been submitted to the Commission expressing concern about the potential impacts of natural gas development. An additional 1700 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. These numbers have dwarfed the scale of public input on previous Commission projects and illustrate the public's deep interest in this issue.

This high level of public input also shows the desire of people to actively participate in the regulatory decision making in a substantive way. In order for large numbers of people to take part and to promote meaningful comment on the myriad of technical and policy issues involved, the public participation process needs to offer enough time and it needs to allow for broad participation through a variety of means.

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We suggest the following for the Commission's public participation process:

- ✓ The public comment period should be a minimum of six months in order to allow for robust public participation; 90 days is wholly inadequate, especially considering that holidays occurred in the midst of the period.
- ✓ Verbal testimony is key to the input process, and three hearings will not be at all sufficient to allow sufficient input from the affected public. Public hearings should be held at geographically accessible 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 the two largest population centers that rely on Delaware River water supply, 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.

As a start, the electronic comment process you have arranged through the National Park Service appears to allow for written comment to be easily submitted by email. We will also be promoting the submission of written comment through other means. Also, while meetings, workshops, and public events in which the Commission participates or sponsors are good ways to inspire discussion and thought, they do not substitute for official Public Hearings on the proposed regulations.

Thank you for your consideration of our input to the public participation process regarding the Commission's proposed natural gas development regulations.

Sincerely,

Maya K. van Rossum
the Delaware Riverkeeper

Tracy Carluccio
Deputy Director