



For Immediate Release

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Environmental Community Applauds and Supports NY Attorney General Schneiderman's Lawsuit on Gas Drilling

New York, NY. Environmental leaders applaud the announcement by the New York Attorney General, Eric T. Schneiderman, that today his office has filed legal action to ensure a full Environmental Impact Statement and review is completed before natural gas drilling regulations for the Delaware River Basin are finalized. The Delaware Riverkeeper and the Hudson Riverkeeper, along with their supporting organizations, have vowed to intervene in the litigation to ensure a full hearing in the courts.

"The Delaware River is the largest water supply in the Mid Atlantic region, and is the foundation of our healthy environment and economy. Considering the catastrophes gas drilling is inflicting on the waters, air, fish and wildlife, human communities and jobs across vast areas of our country, it is shocking that the Delaware River Basin Commission and its federal commissioner, the Army Corps of Engineers, would even consider evading and avoiding the laws that mandate a full environmental impact analysis of drilling before drafting regulations that would allow it to occur in our region," says Maya van Rossum, the Delaware Riverkeeper.

"The Commission's preparation of draft rules in the absence of critical information that would have been provided by the required environmental impact assessment places at risk the drinking water of nine million New York City and State residents. Preparation of a full environmental impact statement, in compliance with the National Environmental Policy Act, is

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essential to ensure effective regulations adequate to the task of meeting the DRBC’s mandates and controlling a risky industrial activity that has already caused documented environmental impacts in Pennsylvania and other states,” adds the Hudson Riverkeeper, Paul Gallay.

Thirty-six percent of the Delaware River basin is underlain by the Marcellus geological layer, a shale formation that has become the most recent target for gas drilling using a new process called hydrofracking. The Marcellus Shale underlies Pennsylvania and New York portions of the watershed. Other shales also targeted for hydrofracking by industry can be found elsewhere in the watershed.

According to information on the Delaware Riverkeeper Network website: the Delaware River watershed, which extends through New York, Pennsylvania, New Jersey and Delaware, supplies drinking water to more than 15 million people – over 5 percent of the U.S. population – provides recreational opportunities and pumps millions of dollars into the region’s economy each year, and provides habitat for hundreds of critical wildlife species.

The DRBC is an interstate agency responsible for protecting the water resources of the Delaware River Basin (NY, PA, NJ and DE) with a legal mandate, as per its Special Protection Waters Designation, to protect the high existing water quality from degradation so that there is “no measurable change” except towards natural conditions. The federal government is represented on the DRBC by the U.S. Army Corps of Engineers; but all federal agencies including the Army Corps, the National Park Service, the U.S. Fish and Wildlife Service and the Environmental Protection Agency are represented and involved by this Commission seat.

According to van Rossum, “The Special Protection Waters designation, a protection secured because of petitions filed by the Delaware Riverkeeper Network over the past two decades, requires strict regulation of any activity that would degrade the River’s exceptional quality, including natural gas development that threatens to pollute and diminish the water resources of the Basin and the water supply for over 15 million people.”

Jane Davenport, Senior Attorney for the Delaware Riverkeeper Network, says “The National Environmental Policy Act was enacted to ensure that our regulatory agencies and decisionmakers would take careful stock of the harms they might cause by the decisions they make. That the DRBC and Army Corps would not even be interested in undertaking a full assessment of environmental effects from gas drilling, so much so that they are willing to violate their legal duty to do so, is deeply disturbing considering their charge to protect and serve the public.”

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