



For Immediate Release:
January 12, 2021

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Press Statement

Delaware Riverkeeper Network Rebuke of PA GOP Senators Suit Against Delaware River Basin Commission

Attempt to overturn fracking moratorium condemned

U.S. District Court for the Eastern District of Pennsylvania - The Delaware Riverkeeper Network condemns the lawsuit that has been filed in federal court yesterday against the Delaware River Basin Commission by State Senators Gene Yaw and Lisa Baker and the Pennsylvania Senate Republican Caucus to overturn the current *de facto* moratorium on gas drilling, fracking, and related operations in the Delaware River Watershed.

The Delaware Riverkeeper Network does not consider the Pennsylvania GOP attack on the Delaware River Basin Commission to be based on fact, on law, or on any environmental or sound economic grounds.

"The plaintiffs are doing nothing to protect the environment, the economy, or the people of Pennsylvania with this specious attack. The use of the Environmental Rights Amendment (ERA) to advance their cause is a clear misappropriation of Constitutional language. In fact, by fronting for the industry and using the ERA as an excuse, they are betraying their oath of office. The DRBC is carrying out its duties based on the Compact by which they are governed, which has equal representation into all decisions from each voting member of the Commission – the Governors of the four states that are part of the Delaware River Watershed, which of course includes Governor Wolf, and the Army Corps of Engineers representing the federal government. The Pennsylvania Legislature supports the DRBC's Compact through their joining the Commission upon its founding. This lawsuit is simply these legislators carrying the water of the industry, fronting for those working for their own self-benefits," said **Maya van Rossum, the Delaware Riverkeeper and leader of the Delaware Riverkeeper Network.**

"We will not allow this attack by the Pennsylvania Republican Caucus to define the future of the Delaware River Watershed. Delaware Riverkeeper Network is looking at all our options legally and we will be actively engaged in defending the absolute rights and responsibilities of the DRBC to defend our Watershed. DRBC by the Compact's mandate and by adopted regulations protects the drinking water for 17 million people, including New York City and the Greater Philadelphia region, upholds Congress's designation of the Delaware as a Wild

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and Scenic River, defends the river's exceptional values including high water quality, healthy flows and habitats through its Water Code, and works to support the economic importance of the river and its watershed. Fracking and the ruinous activities of gas development in all its damaging phases in Pennsylvania has been championed by legislators who are supposed to be standing up for Pennsylvanians but instead are pushing the agenda of special interests. As a result, public health and the environment have paid a heavy, unjust price. Now these legislators are trying to expand this into the Delaware River Watershed. People deserve and require the protection of the DRBC, with decisions made on a watershed basis, guided by the collaboration of the Commissioners. We, our fellow organizations and members of the public who have fought so long and hard to keep fracking out of the watershed will not let this selfish unfounded attempt by a special few upend the protections the river and its watershed require," said **Tracy Carluccio, Deputy Director, Delaware Riverkeeper Network**.

Background:

There has been a *de facto* moratorium on gas drilling, fracking, water withdrawals, and wastewater discharges throughout the Delaware River Watershed since 2010. The moratorium was put in place by a unanimous vote of all four Governors (PA, NJ, NY, and DE) and the federal representative from the Army Corps of Engineers. The support for a drilling moratorium in 2010 by then-Governor Ed Rendell has been carried forward over the last decade by the vote of Governor Tom Wolf in 2017 for a resolution to adopt by regulation a permanent ban on fracking throughout the Delaware River Watershed. The final vote on a full ban on fracking and its activities is pending.

The lawsuit can be read here: <https://bit.ly/3ny4cG0>

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