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Draft Fracking Regulations Released for Delaware River Watershed
A ban on fracking is proposed throughout the Delaware River Basin but rules allow frack wastewater and water withdrawals

West Trenton, NJ – Today residents and organizations from throughout the Delaware River Watershed and beyond are celebrating and vowing enthusiastic support for the proposed ban on high volume hydraulic fracturing throughout the Delaware River Watershed in all “hydrocarbon bearing rock formations”. The groups will fight for a ban on all related activities (including wastewater processing and discharges from and water withdrawals for drilling and fracking operations) in the Basin in the face of newly issued draft regulations posted by the Delaware River Basin Commission (DRBC) this afternoon.

At 4:20 pm today, November 30, the DRBC posted draft natural gas regulations, as required by a resolution passed by the Commissioners (the Governors of Pennsylvania, New York, New Jersey, and Delaware and the Army Corps of Engineers) at their public meeting in September. See the draft rules here:

http://www.nj.gov/drbc/meetings/proposed/notice_hydraulic-fracturing.html

The public has been advocating for the adoption of a full and permanent ban on natural gas drilling and fracking and all related activities (including wastewater processing and discharges from and water withdrawals for drilling and fracking operations) throughout the Delaware River Watershed in a concerted public campaign.

The proposed ban is testimony to the impact that people and communities can have when pursuing the protections needed to provide clean drinking water, healthy communities and habitats and when insisting no compromises be allowed regarding the

quality and durability of those protections for present and for future generations. The campaign to ban fracking in the Watershed is not complete, however, until all its related activities are banned so the campaign will fully participate in the DRBC's public participation process to achieve the goal of a full and unequivocal ban.

"While we are thrilled that the DRBC finally heard our demands for a ban on fracking, it doesn't feel like progress to those of us who are not sitting atop shale formations and are, therefore, only losing ground with regulations that allow previously prohibited activities," **said Karen Feridun, Founder of Berks Gas Truth.**

"The people have prevailed in our efforts to achieve a ban on fracking throughout the Delaware River Watershed, a monumental victory for the environment and our communities. But we will not rest until all activities related to fracking are banned as well – it makes no sense to ban fracking and allow frack waste to be dumped in the Watershed. We will fight the export of water and import of toxic frack wastewater in these rules and, if reason prevails, the DRBC will institute the only right thing to do – ban all aspects of fracking," **said Maya van Rossum, the Delaware Riverkeeper.**

"A comprehensive ban on fracking in the Delaware River basin means no drilling, no disposal or storage of toxic fracking waste, and no water withdrawals to drilling companies," **said Wenonah Hauter, Executive Director of Food & Water Watch.** "The draft rules released today open the door to waste treatment and water withdrawals for fracking, which is totally unacceptable, and the governors of the DRBC states should expect to hear that message from thousands of constituents over the coming weeks and months."

"Turning the temporary moratorium on actual fracking into a permanent ban is a big deal, but DRBC staff are trying to have it both ways and jeopardizing our water by permitting the transfer of clean water for fracking out of the basin and the discharge of polluted water from fracking into the basin. The Governors now need to clean up staff's dirty work and we are as committed as ever to make that so!" **said David Pringle, NJ Campaign Director of Clean Water Action.**

"A ban on fracking in the Delaware Watershed is historic, but these regs still put drinking water at risk of contamination from the cocktail of chemicals found in wastewater," **said Rob Friedman, Policy Advocate, Natural Resources Defense Council.** "A true fracking ban must not only keep drilling out of the Delaware River Basin, but all of the dangerous and harmful activity that goes with it."

"Ten years of work to save the Delaware River Basin - very much worth all the effort! Grassroots can win!" **said Barbara Arrindell, Damascus Citizens for Sustainability.**

“The proposal to ban fracking throughout the Watershed provides the essential protection we need for the Delaware River Basin and all those who drink its water. But we will not tolerate the degradation and pollution caused by frack wastewater and we will not allow water to be depleted and to fuel fracking elsewhere – it is inconsistent and illogical to allow such activities. We will work through the DRBC’s public input process for the draft gas regulations to emphatically support the complete ban on fracking that we have fought for and a ban on ALL waste and water related to it and will not rest until we have accomplished this goal,” **said Tracy Carluccio, Deputy Director, Delaware Riverkeeper Network.**

“The Rules are out and the DRBC is proposing to ban fracking in the Basin. We believe this is a good first step in protecting the Delaware Valley but more needs to be done. We are calling on the DRBC to remove the parts of the rules that allow, with conditions, the bringing in of fracking waste water and robbing our Basin waters for fracking out of basin,” **said Jeff Tittel, Director of the New Jersey Sierra Club.** “We want the DRBC to protect the Basin by banning all dangerous fracking activities. Banning fracking but then allowing the dumping of fracking waste undoes the whole purpose of the ban in the first place, which is to protect our water.”

“Communities in the Upper Delaware have had fracking, and its dangerous health and community impacts, hanging over their head for the last ten years. In 2015, thanks to the work of New Yorkers statewide, Governor Cuomo banned fracking in our state--but the threats to the entire Delaware River Basin remained. Today, the Delaware River Basin Commission (DRBC) is ready to put the final nail in fracking's coffin for our entire region. This is a huge win to everyone who lives here, and we applaud the DRBC. But what we've learned over the past ten years is that fracking's impacts are not just at the well pad. Now it's time to roll up our sleeves and make sure the DRBC does the right thing--we have 90 days for a comment period, and the agency needs to realize that wastewater should not be imported into the Basin and withdrawing water from the river should also be banned, **said Wes Gillingham, Associate Director, Catskill Mountainkeeper.**

“You may have heard the expression that ‘we all live downstream’. That’s very meaningful as a saying, but in this case in our state we literally live downstream. We’re thrilled to see DRBC recognize the inherent dangers of fracking—it’s simply not worth the risks to our health and future. It seems odd, though, that they could recognize those dangers of drilling and yet allow for toxic fracking wastewater disposal in our watershed. If it’s not safe to drill here (which it clearly isn’t), it’s not safe to drill anywhere—and it’s certainly not safe to send dangerous frack waste into our water. To allow for water to be taken from here for fracking elsewhere is inherently against the principles of environmental justice,” **said Stephanie Herron, Volunteer and Outreach Coordinator at the Delaware Sierra Club.**

Background:

Since 2010 the DRBC has prohibited natural gas extraction projects in the Delaware River Basin while they study its potential impacts on water resources, a *de-facto* moratorium that does not allow permits to be issued until natural gas regulations are adopted.

A mounting call by the public for transforming the current moratorium on natural gas drilling, fracking and related activities in the Delaware River Watershed into a permanent ban has resulted in the proposed fracking ban but the DRBC also included the allowance of frack wastewater discharges and the withdrawal of fresh water for fracking, as instructed by a resolution passed by the DRBC Commissioners at their September 13 public business meeting. The draft regulations were required to be issued by Nov. 30.

Since 2010, scientific analyses, public health statistics, peer-reviewed studies, and government records show that the impacts of gas and oil development significantly harm the environment including our water, air, habitats and communities' health, despite regulatory controls. The experience of communities where fracking is occurring are the proliferation of adverse health impacts due to gas drilling and fracking operations and its inherent air and water pollution. The overwhelming weight of the evidence shows that shale gas cannot be extracted or developed safely, making this the right time to enact a Watershed ban on all gas development.

The five voting members – the Commissioners - of the DRBC are the Governors of the four states whose tributaries flow to the Delaware - Pennsylvania, New York, New Jersey and Delaware – and the Army Corps of Engineers, representing the federal government. As an autonomous agency formed under federal law to manage the shared waters of the Basin, the Commission members are responsible for protecting the drinking water supplies of 15 to 17 million people, including New York City and Philadelphia, and the federally designated Wild and Scenic Delaware River.

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