



**For Immediate Release:** July 3, 2018

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**Press Statement from Delaware Riverkeeper Network**  
**Re Decision in: *Wayne Land Mineral Group V. DRBC & Delaware Riverkeeper Network***  
U.S. Court of Appeals for Third Circuit, Issued July 3, 2018

**Finding of the Court, overturning U.S. District Court Dismissal of the Case:**

“Because we conclude that the meaning of the word “project” as used in the [DRBC] compact is ambiguous, we will vacate the order of dismissal and remand the case for fact-finding on the intent of the compact’s drafters.”

**Statement from Maya van Rossum, the Delaware Riverkeeper, leader of the Delaware Riverkeeper Network, Parties to the Case:**

“The Delaware River Basin Commission has broad and irreplaceable authority to protect the water resources of the Delaware River watershed. DRBC is obliged to protect the water resources of the watershed for the benefit of all watershed users and communities, and for preserving water resources to protect both present and future needs. Science, facts and experience demonstrate that drilling and fracking for shale gas has significant, substantial, consumptive and devastating impacts on water resources and that the substantial, devastating and irreparable harms inflicted are not preventable by regulation, they are an inherent and unavoidable result of this highly industrial extractive process. Science and experience also demonstrate that allowing drilling and fracking for shale gas prevents safe and sustainable use of water resources for present and future uses and generations. Drilling and fracking for shale gas is a major threat that is properly the subject of a DRBC prohibition. We are confident that the District Court and the Court of Appeals for the Third Circuit will, in the final analysis, both defend the DRBC’s right and responsibility to address the threat of drilling and fracking for shale gas in the Delaware River watershed, including by placing a complete and permanent ban on all aspects of drilling and fracking for shale gas within the watershed.”

**Statement from Jordan Yeager, lead counsel for the Delaware Riverkeeper Network:**

The Court of Appeals recognized the importance of these issues and is giving the parties the opportunity to establish a full record on remand to the District Court. We are confident that when a full record is established that the courts will conclude that the DRBC has, not only the authority to regulate fracking and related infrastructure, but the absolute duty to do so.

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[Delaware Riverkeeper Network \(DRN\)](#) is a nonprofit membership organization working throughout the 4 states of the Delaware River Watershed including Pennsylvania, New Jersey, Delaware and New York. DRN provides effective environmental advocacy, volunteer monitoring programs, stream restoration projects, public education, and legal enforcement of environmental protection laws.