

September 16, 2011

Dear Legislator,

Thank you for standing up for New Jersey's residents and acting to protect our drinking water and environment with your overwhelming support for Senate Bill 2576 and A3653, the Frack Ban Bills, which prohibit the use of hydraulic fracturing or "fracking" in natural gas drilling in the State. Your historic vote set national precedent and set in motion a crucial policy discussion about the prevention of pollution, something that benefits every New Jersey resident. We are enclosing an informative video "Drilling and Fracking Impacts", commissioned by Delaware Riverkeeper Network that examines some of the community impacts and pollution issues in Pennsylvania (PA) caused by natural gas development that employs hydraulic fracturing.

As you know, Governor Chris Christie conditionally vetoed your Bill on August 25, asking the Legislature to amend the Bill to a one year moratorium. We are asking you to vote to over-ride that veto. Governor Christie's counter proposal of study and a one year moratorium simply does not provide the protection we in New Jersey need. To recap, the Bill, sponsored by Senator Robert Gordon (District 38, Bergen) and Senator Linda Greenstein (District 14, Mercer and Middlesex), passed by a bi-partisan landslide: Yes, 33; No, 1; Not Voting, 6. Assembly Bill 3653, sponsored by Assemblywoman Connie Wagner (District 38, Bergen), Assemblyman Reed Gusciora (District 15, Mercer), and Assemblywoman Valerie Vainieri Huttle (District 37, Bergen) also passed by a bi-partisan landslide: Yes, 58; No, 11; Not Voting, 2, Abstains 8. This sweeping vote shows that you can accomplish an over-ride.

We are asking you to vote with your colleagues for a full Ban, re-affirming your original vote. The prime sponsors of the Bill, Senator Gordon and Assemblywoman Wagner, have pledged support for an over-ride, stating the evidence is clear that fracking is unsafe and should not be allowed now or in a year in our State.

Fracking is the practice of injecting water and chemicals through a drilled well bore into a rock formation to crack open fractures to release natural gas. Natural gas, primarily methane, trapped in tight geologic formations such as the Marcellus and Utica shales, cannot be accessed without using this practice. There's no question that fracking is causing hazardous pollution where it is occurring, including in neighboring PA; some of these problems are highlighted in our video.

According to PA Department of Environmental Protection records, violations of environmental permits by drillers there has skyrocketed this year to 11 per day from 6 per day last year. Energy companies are looking to expand their gas fields into the Delaware River Watershed, which provides water to more than 15 million people, the largest and cleanest water supply basin in the

DELAWARE RIVERKEEPER NETWORK

925 Canal Street, Suite 3701 Bristol, PA 19007 Office: (215) 369-1188 fax: (215)369-1181 drn@delawareriverkeeper.org www.delawareriverkeeper.org mid-Atlantic region; 3 million of those who rely on Delaware River water live in New Jersey. While Marcellus is not found in our State, Utica and other gas-bearing shales underlie portions of northwestern New Jersey. Utica shale is being explored now in New York and PA and is forecasted by the industry to hold substantial gas reserves, making fracking in New Jersey in the foreseeable future a real likelihood. We know these are the reasons you passed the Frack Ban Bill.

New Jersey is the most crowded state in the nation at 8.8 million people in 8,722 square miles and we use every drop of water we have, and then some, to meet our everyday needs. The State is already too developed to allow such a grossly polluting activity -- just one catastrophic accident would harm untold numbers of people and our irreplaceable water supplies. The human and economic costs that are forced on to taxpayers by water and air pollution is a burden we simply cannot shoulder, especially in these economically difficult times.

While ongoing scientific studies are examining fracking at the national level, there is already ample evidence and technical information at hand that proves fracking pollutes and exposes water and air to irreversible degradation. And these studies will not yield anything that will change New Jersey's essential reality – we are a crowded state already dealing with large environmental and fiscal burdens. We cannot afford any more. And that won't change in the foreseeable future, certainly not within a year. The most reasonable action you can take is to affirm what you have already done — prevent this risk of pollution by banning fracking here. Please, for the sake of our residents and our future, over-ride the Governor's conditional veto with the passage of the Frack Ban Bill as you wrote it.

If you have any questions or would like to discuss these issues, please feel free to contact us.

Sincerely,

Maya K. van Rossum the Delaware Riverkeeper

Tracy Carluccio Deputy Director

Enclosure: Video "Drilling and Fracking Impacts"