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**Public blasts DRBC for shutting public out while approving an unjustified permit extension for deeply opposed Gibbstown LNG Export Terminal**

*West Trenton, NJ* – Today the Delaware River Basin Commission (DRBC) voted to approve the extension of the permit to Delaware River Partners (DRP) for the proposed Gibbstown Liquefied Natural Gas (LNG) Export Project on the Delaware River ([Docket No. D-2017-009-2](#)), located in Gloucester County NJ (the “Dock 2 Project”). The approval had been given covertly and unilaterally in June by the Executive Director Steve Tambini and was ratified publicly today by a majority vote of the DRBC Commissioners.

Previously undisclosed, Mr. Tambini’s approval was discovered by Delaware Riverkeeper Network through its Freedom of Information Act request. The revelation set off a series of letters and submissions from representatives of the Delaware River LNG Coalition demanding the approval be rescinded, that there be full public disclosure, that a public hearing be held, and that any final determination be voted on by the DRBC Commissioners.

The Commission took up the matter under the General Counsel Ken Warren’s report at their September 8 Business Meeting, approving a resolution that rubberstamped Mr. Tambini’s approval. Ken Kosinski, acting for New York State Governor Kathy Hochul, proposed a resolution to delay the vote until after a duly noticed public process but the motion died for lack of a second. New York also stated they have deep concerns about the LNG export terminal for environmental and climate reasons and asked fellow Commissioners to consider these serious issues. There was no opportunity for public comment before the vote and the resolution was not made public prior to the meeting (DRBC says it will be posted on their website by tomorrow).

The motion to approve was made by the federal Commissioner from the Army Corps of Engineers, representing President Biden, and was seconded by the representative for New Jersey Governor Phil Murphy. New York abstained; all others voted to approve. Inexplicably, Governor Murphy stated publicly after the vote to approve the LNG Dock in 2020 that said he would do all he could to “[prevent the use](#) of this dock for LNG transport” yet his representative seconded the motion and voted for approval.

After the DRBC Business Meeting was adjourned, a customary 1-hour public comment session was held. Commenters blasted the Commission and expressed deep disappointment in the approval of the permit extension and the shutting out of the public from the highly consequential and much-opposed decision, both due to an unfair process and because many stated the extension was unjustified and did not meet the requirements in DRBC's rules for allowing a permit to be extended. The Dock 2 project has not been constructed yet and the amount invested by owners DRP is only 1.9% of the total cost of the project, not a "substantial" amount, as the rules require.

**QUOTES from members of the public and representatives of organizations regarding the Gibbstown Dock 2 permit extension approval:**

"The DRBC's quiet approval of the Gibbstown LNG permit extension behind closed doors not only violates public trust and governmental transparency, it also goes against the guidelines laid out in New York State's Climate Leadership and Community Protection Act by supporting the fossil fuel industry's behind-the-scenes dealings in toxic oil and gas," **said Ivo Kennedy, Catskill Mountainkeeper.**

"I wish the DRBC would measure substantial environmental damage and climate impact on the same yardstick they measure substantial expenditure," **said Karen Feridun, Founder, Berks Gas Truth.**

"The Commissioners' vote to grant more time for New Fortress' dangerous and unnecessary polluting scheme is both disappointing and undemocratic. This is a moment when our global climate crisis requires a swift transition away from a fossil fuels economy and investment in clean energy, not deeper entrenchment in it. To add insult to injury, the commissioners refused to grant an additional public hearing to discuss this permit – one more gift to a company that has tried its best to shield its intentions from public scrutiny," **said Noa Gordon-Guterman, Food and Water Watch.**

"The serious environmental and community impacts associated with the Gibbstown Logistics Center warrant a public hearing and analysis of the developers' request for the Dock 2 extension—one that is fully open to the public, not just to environmental groups who were able to object only because we happened to learn of this request through the Freedom of Information Act. I thank the Alternate Commissioner for New York for recognizing the concerns associated with this project, but this result is extremely disappointing," **said Sahana Rao, Natural Resources Defense Council.**

"DRBC in voting to block public input with a behind the scenes extension of the expansion of Dock 2 is not what should be. The PUBLIC can be a 'bother' but we are why DRBC exists - for maintenance of our health and welfare!" **said B. Arrindell, Director, Damascus Citizens for Sustainability**

“Today’s approval by the DRBC of the permit extension for the Gibbstown LNG export dock was unjustified on the merits and a disgraceful throwback to the shameful days when decisions were not made by substantive and public review but behind closed doors where the facts are not shared transparently and secret backroom deals are simply given an obligatory nod to legitimate them. New York proposed a public process but not one other Commissioner supported it, so the approval of the 3-year extension ended up being a rubberstamp of an approval by Executive Director Tambini, which no one would have known about if Delaware Riverkeeper Network hadn’t filed a FOIA. This is no way to run a public agency!” **said Tracy Carluccio, Deputy Director, Delaware Riverkeeper Network.**

“DRBC’s decision to extend the approval for DRP’s Dock 2 Gibbstown permit – and skip a public hearing – ignores both the intense public interest in this project and twists DRBC’s own rules to allow a controversial fossil fuel project not to face renewed public scrutiny. We thank New York’s call for a public hearing and we are disappointed with the vote by DRBC Commissioners, including NJ’s representative, to block public input on this huge issue facing the Delaware River watershed,” **said Doug O’Malley, Director, Environment New Jersey.**

“It’s madness to extend the dangerous Gibbstown LNG project in the middle of a climate crisis and undemocratic without a public hearing. This vote proves all the talk by Governor Murphy and the DRBC about climate change is just more Hot Air,” **said Environmental Activist Jeff Tittel, retired NJ Sierra Club director.**

“Save for NY who stood up for the people, the commission knows what it did today was nothing short of a backdoor deal and grave injustice of the simple principal of public process that the public gets a say in what affects them,” **said Anneke van Rossum, Delaware Riverkeeper Network.**

“The level of greenhouse gases already in the atmosphere locks us into a rise in sea-level that is extremely detrimental to communities and businesses on our coastal lands and river banks. It is indefensible for the DRBC to facilitate projects that can involve major leakage of methane into the air, because methane is the most powerful greenhouse gas emitted from fossil fuel use and it will contribute to sea-level rise for centuries to come,” **said Coralie Pryde, League of Women Voters of Delaware.**

“In conflict of climate, water quality, and public engagement concerns, the decision to extend the permit for the Gibbstown LNG Dock 2 is appalling. The public comment session at today’s business meeting after the vote was cast only adds insult to injury,” **said Eric Benson, Clean Water Action.**

*Background:*

The DRBC original approval of the highly controversial “Dock 2” project at the Gibbstown Logistics Center included dredging of the river and the building of a 2-berth dock in the Delaware River that would be used by enormous tanker ships for the export of LNG by Delaware River Partners, an affiliate of New Fortress Energy.

The approval was the subject of a closely [watched appeal brought by Delaware Riverkeeper Network](#) in 2019 that concluded in December 2020 after a Hearing and a vote by the DRBC Commissioners to allow the LNG export terminal to move ahead. Public opposition raged during this decisionmaking process with tens of thousands of people and many local governments expressing opposition. DRN [appealed the approval](#) and the case is currently in federal court.

The Dock has not been built and is currently on hold because of a permit requirement that no dredging, construction or other disturbance can occur in the water at the site to protect the federally endangered Atlantic sturgeon found in the Delaware. The prohibition of river disturbance runs from March 15 to September 15, when, if all approvals from other entities are in place, construction could potentially begin.

For copies of the letters, DRBC records, and submissions related to this issue go to “Supporting Documents” here: <https://bit.ly/3g0lfOB>

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