

Carol R. Collier
Executive Director
Delaware River Basin Commission
25 State Police Drive
West Trenton, NJ 08628-0360

February 25, 2010

Re: Public Comment-Stone Energy Dockets

Dear Ms. Collier,

This letter is in response to calls for public comments on the above dockets under review by the Commission.

I am submitting this on behalf of the Board of Directors and members of the Northeast PA Audubon Society in accordance with our mission, which requires that we speak, among other things, for those who cannot speak for themselves: the flora and fauna and resources upon which we all depend.

The Commission staff has done a thorough job of reviewing the applications and we are pleased to see that our concerns about non-domestic backflow have been addressed. Stone will use steel storage tanks and recycle the fracking fluids. We remain concerned about the open drill pits as they pose a hazard to unwary wildlife, particularly waterfowl. The "Conditions" are clear, strong and reasonable but we take issue with the self-monitoring responsibility of water withdrawals and the 48-72 hour window for reporting violations of the operations plan or other docket conditions. This is based on recent incidents in Dimock and others areas in Centre and Clearfield counties. We are not confident that the industry is vigilant enough in monitoring and addressing drilling site problems. The DEP is certainly not able to address site problems and has been negligent by approving well pads in flood plains (even though the Oil and Gas Act allows this activity within 100 feet of a floodplain). Two wells were permitted, one operated by Stone Energy along Wyalusing Creek in Rush township in Susquehanna County and the other in Lycoming County along Muncy Creek operated by XTO. Both are experiencing flooding conditions. The Chesapeake Bay Foundation and Trout Unlimited are asking that they be shut down. We agree that no common sense was used when those permits were issued and the wells should be shut down.

The Lackawaxen River is classified by the PADEP as a high quality (HQ)-Cold Water Fishery stream within the Special Protections Water of the Delaware River watershed. It was, also, designated River of the Year by the Department of Conservation and Natural Resources. The withdrawal of 700,000 gallons of water per day from the West Branch is an enormous amount over the life (3 years) of this docket, if approved. Can the River sustain the pressures of future proposed wells by other energy companies? We are not confident that it can. We are, also, not confident that over the life of gas exploration in the Delaware River watershed major adverse effects to surface and ground water will not

occur. Carl Roe, Executive Director for the Game Commission has reported incidents of “environmental degradation” at two wells on state game lands. Fracking fluid caused contamination of water at a fish hatchery, and a collection pipe placed in a streambed ruptured and leaked into the stream at the other site.

We are asking the Commission to delay approval of these dockets and conduct an environmental impact study within the Delaware River Basin. Much of the evidence has already been documented in the public record. We remind you of a statement that you made in 2006 “ The Delaware River system is sensitive and can change quickly. We need to base our decisions on the range of conditions, not averages. We do not know all the answers. A strong base of science is needed to support good decision making”. We agree and encourage further study before the first withdrawals are approved. Along with changes made by the DEP to Chapter 95 regarding TDS in wastewater and proposed changes to the Oil and Gas Act of 1985, this study could provide a solid foundation for future Commission actions.

The rush to extract gas has put the environment and water supply at great risk. We trust that the monetary gains already realized by lease signers should make the process of “getting it right” much easier for them to accept a drilling delay. The gas has been there for millions of years and the potential is so lucrative, that the time required to conduct a full environmental impact study will, in the end, benefit all residents and the flora and fauna who risk being displaced.

Please take these comments under consideration when reviewing this matter.

Sincerely,

Barbara Leo
Conservation Chair
Northeast PA Audubon Society