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BASIN COMMISSION

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Dear Delaware River Basin Commissioners and Executive Director Collier:

The release of Draft Natural Gas Drilling Regulations is premature and is not founded upon a full understanding of the cumulative impacts of drilling thousands of wells in the Delaware River Basin. As a Trout Unlimited (TU) member, I strongly urge the Delaware River Basin Commission (DRBC) and Executive Director Collier to postpone the adoption of final gas drilling regulations and the issuance of any gas drilling permits, until a full analysis is conducted that evaluates the cumulative impacts of gas drilling on the Delaware River system, its communities, and its fish and wildlife.

Gas drilling in the Marcellus Shale presents an unprecedented threat to the water resources of the Delaware River basin. The Marcellus Shale geologic formation underlies approximately 36% of the Basin, comprising mostly of the sparsely populated, headwater stream areas that are designated as Special Protection Waters. To access Marcellus Shale gas deposits, a combination of horizontal drilling and hydraulic fracturing is employed. Each well uses between three to eight million gallons of water for the hydraulic fracturing process. Water withdrawals from surface and groundwater sources may decrease stream flows and the assimilative capacities of water bodies and aquifers, thereby impacting water quality and threatening the survival of fish and other aquatic life. Land disturbances associated with the siting and operation of gas well pads in the Basin may have substantial impact on the water resources. In addition, drilling processes generate a high volume of wastewater that must be stored, transported and treated, which creates an opportunity for spills, leaks and illegal discharges. Each of these potential impacts needs to be considered collectively to determine how to best protect the water quality and quantity of the Basin, prior to the development of gas drilling regulations and the issuance of permits.

I commend the DRBC for taking a step in the draft regulations toward protecting sensitive resources, such as the 500 foot setback requirement from water bodies, wetlands and water supply reservoirs, and the prohibition of siting well pads within the 100-year floodplain. However, without a basic fundamental understanding of how the individual impacts

will collectively and cumulatively impact water resources, these protections could prove ineffective and meaningless.

In two separate Determinations, dated May 19, 2009 and June 14, 2010, respectively, DRBC Executive Director Collier recognized that there is a potential for water withdrawals, wastewater disposal and other activities associated with Marcellus Shale gas drilling to have a cumulative impact on water quality of Special Protection Waters within the Basin. Additionally, in Section 7.4 (b) of the draft regulations, the DRBC acknowledges that gas drilling and the massive water withdrawals required may have a substantial effect, either individually or cumulatively, on the surface water and groundwater resources of the basin. Despite these acknowledgements, the DRBC has rushed to release draft gas drilling regulations without the basic fundamental understanding of cumulative impacts that is necessary to properly manage gas drilling and to protect water resources.

Any rulemaking process must consider the impact of a comprehensive build-out of all wells, water withdrawals and wastewater discharges. Only when those impacts have been determined, will the Commission be in the position to develop regulations that adequately protect the Delaware River and its communities, fish and wildlife.

Again, I strongly urge the DRBC and Executive Director Collier to postpone the adoption of final natural gas drilling regulations and the issuance of gas drilling permits, until a full comprehensive cumulative impact study has been conducted to ensure protection of the prized natural resources of the Delaware Basin. Thank you for your time and consideration.

Sincerely,


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