



For Immediate Release:

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**Delaware Riverkeeper Network Petitions DRBC on PennEast Pipeline:
*Regulate Entire Project & Prohibit Tree Clearing, Petition Demands***

Bristol, PA– The Delaware Riverkeeper Network submitted a petition to the Delaware River Basin Commission (DRBC) urging the agency to implement full authority on the project, including enforcement against tree clearing without a DRBC docket. Tree felling/clearing is a first construction step that many along the pipeline route are anticipating now that the company has the power of eminent domain and Federal Energy Regulatory Commission (FERC) approval.

“We know the pipeline company playbook: first they get FERC approval, then they get eminent domain, then they cut the trees, and then they tell the other agencies and the judge that the project is too far along to stop or say no to and urge the granting of all permits and denial of all legal challenges. Now that PennEast has secured FERC approval and is advancing at least 179 cases of eminent domain (at least 50 in PA and 129 in NJ) **we are anticipating a request to FERC for approval of tree felling**. It is critical that the states and DRBC prevent this activity. **Allowing tree cutting for a pipeline that is not fully approved and may never happen would be a travesty**, as it would allow devastating and irreparable harm and should be prevented. DRBC has the authority and obligation to say ‘no’ if there is no docket. Our petition makes that clear,” **said Maya van Rossum, the Delaware Riverkeeper and leader of the Delaware Riverkeeper Network**. “In addition the DRBC continues to evade confirming for the public that it will exercise its full authority along the entire length of the pipeline. This petition makes the case why the DRBC is obligated to take that step and urges the DRBC to confirm for all of us that it will.”

The petition submitted on February 16 asks DRBC to exercise its jurisdiction along the entire length of the pipeline route, not to limit its review to hydrostatic testing activities and DRBC designated Comprehensive Plan Areas (see below for list). The petition also urges the DRBC to use its authority to prevent tree felling and/or clearing without the PennEast company first securing a DRBC docket. The petition states:

“...the Delaware Riverkeeper Network petitions the DRBC to:

1. exercise its full jurisdiction across the entire length and breadth of the PennEast Pipeline projects, and appurtenances, located within the boundaries of the Delaware River watershed, and not artificially, or illegally, limit the exercise of its jurisdiction and docket mandate to

- specifically designated Comprehensive Plan areas and hydrostatic testing withdrawal and discharge activities;
2. ensure a sufficient Non-Point Source Pollution Control Plan is submitted as mandated by the SPW program;
 3. enforce the legal obligation that PennEast must secure DRBC review, approval, and a docket “prior to the commencement of any water withdrawal, discharge, or earth disturbance activities”, including tree felling, tree cutting and/or tree clearing on any portion of the project as such activities fall within the definition of earth disturbance or discharges that will have an adverse impact on the water resources of the basin; and that all portions of the pipeline project require DRBC review, approval and a docket.”

Construction of the PennEast Pipeline project will involve significant disturbance of ground cover – the project will impact 1,613.5 acres of land and will cut through 255 waterbodies, the vast majority of which lie within the boundaries of the Delaware River basin. The petition refers to a 2013 letter the DRBC sent to the Delaware Riverkeeper Network which the organization says confirms the DRBC’s obligation to do basin-wide review of a pipeline like PennEast.

The petition also refers to a November 14, 2014 DRBC letter sent to the PennEast Pipeline Company which stated, “DRBC review and approval are required prior to the commencement of any water withdrawal, discharge, or earth disturbance activities.” According to the petition, tree felling should be among the prohibited activities.

DRBC Comprehensive Plan areas crossed by PennEast include: Beltzville State Park, Beltzville Reservoir, Delaware and Raritan Canal State Park, Delaware Canal Trail, F.E. Walter Reservoir, Hickory Run State Park, Lower Delaware River National Wild & Scenic River, Washington Crossing State Park, and Weiser State Forest.

A copy of the petition including the two referenced DRBC letters can be found at:

<http://www.delawariverkeeper.org/sites/default/files/DRN%20Petition%20to%20DRBC%20re%20PennEast%20Docket%20282018-02-15%29.pdf>

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Delaware Riverkeeper Network (DRN) is a nonprofit membership organization working throughout the four 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.