

December 5, 2022

The Honorable Tom Wolf
Chair of the Delaware River Basin Commission
Office of the Governor of Pennsylvania
508 Main Capitol Building
Harrisburg, PA 17120

Governor Phillip D. Murphy
Vice Chair of the Delaware River Basin Commission
Office of the Governor
PO Box 001
Trenton, NJ 08625

The Honorable Kathy Hochul
Second Vice Chair of the Delaware River Basin Commission
Governor of New York State
NYS State Capitol Building
Albany, NY 12224

Colonel John P. Lloyd
Member of the Delaware River Basin Commission
Commander and Division Engineer
North Atlantic Division
302 General Lee Avenue
Brooklyn, NY 11252-6700

Governor John Carney
Member of the Delaware River Basin Commission
Office of the Governor
Tatnall Building
150 Martin Luther King Jr Blvd South
Dover, DE 19901

Re: Attached letter signed by 175 Organizations, including the Delaware River Frack Ban Coalition, and 6,751 individuals calling for a FULL Ban on the import into the Delaware River Watershed of wastewater produced by fracking and the export of water for use in fracking operations outside the Basin

Dear Commissioners,

You adopted a permanent ban on fracking throughout the Delaware River Watershed last year, a historic and righteous decision by the DRBC. The public has been clamoring since then for you to complete the job and prohibit the pollution and depletion caused by fracking taking place elsewhere by revising the pending fracking regulations and voting for a full ban.

This will protect both the Watershed's communities – human and nonhuman – and its irreplaceable water supplies for up to 17 million people by prohibiting the fracking industry's effort to dump its toxic and radioactive wastewater in the Basin and preventing their use of Delaware River water for water-intensive, wasteful and destructive fracking processes. In 2018, the fracking industry produced 2.9 billion gallons of wastewater¹ in Pennsylvania alone, and the longer well bores being drilled since 2018 mean even higher volumes of both water use and resulting toxic wastewater.² The industry is searching for new places to exploit, which is why they are knocking on the Delaware River Basin's door.

A full ban will also ensure that the DRBC's regulations do not enable the industry to emit considerable greenhouse gasses by continuing to frack without restraint. DRBC must do its part to restrain the polluting fracking industry and the spewing of methane, the most powerful of greenhouse gasses on the all-important 10- and 20-year time scale.³ In other words, we need to reduce greenhouse gas emissions today! And this is part of DRBC's mission.

The climate crisis appears unrelenting as we face record-breaking heat waves, storms, fires, droughts and flooding, nationwide and globally. People are demanding an all-out offensive by leaders and all branches of government to fight climate change. To reach goals that scientists say we need - like 50% reduction of GHG by 2030 – decisive action at the regional and state level is more important than ever to move us away from polluting fossil fuels and towards clean renewables.

This is where you come in, Commissioners. The DRBC has recognized that climate change is directly affecting its water resources program.⁴ Climate change impacts on the basin's water resources include changes in precipitation and runoff that increase

¹ <https://www.fracktracker.org/2019/10/want-not-waste-not-fracking-wastewater/>

² The supersized gas wells being drilled today in the Marcellus and Utica shale formations use 10-20 million gallons of water per well. According to FracFocus data, the average well in Pennsylvania's Marcellus Shale used 11.4 million gallons in 2017, up from 4.3 million gallons reported by agencies in 2011. This means not only more water is needed to fracture the extended horizontal well bores but also means there are greater volumes of wastewater produced by these wells - between 1-1.5 million gallons of wastewater (for 10 M gallons of water used in fracking a well), increasing the volumes many times over the amount typically produced previously in Pennsylvania. FracTracker Alliance Issue Paper, "Potential Impacts of Unconventional Oil and Gas on the Delaware River Basin", March 20, 2018. Main Author: Matt Kelso. <https://www.delawareriverkeeper.org/sites/default/files/FT-WhitePaper-DRB-2018%20%28003%29.pdf>

³ Natural gas is primarily methane, a greenhouse gas 86 times more efficient at warming the atmosphere than carbon over a 20-year time frame (Intergovernmental Panel on Climate Change (IPCC). 2013. *Climate Change 2013: The Physical Science Basis. Contribution of Working Group I to the Fifth Assessment Report of the Intergovernmental Panel on Climate Change*) and its effects persist for hundreds of years (<http://www.pnas.org/content/early/2017/01/03/1612066114.full>) The well documented vented and fugitive losses from natural gas systems contribute to atmospheric warming; current technology and practices have not controlled these releases.

⁴ https://www.nj.gov/drbc/library/documents/Res2019-08_EstablishesACCC.pdf

flooding and drought, impairment of habitats and water quality (including salt water intrusion to Delaware Estuary water supplies) and sea level rise.⁵

Reports covering the specific impacts of climate change on the Delaware River, Estuary and Bay back up this conclusion. A 2019 report from Rhodium Group ranks Salem and Cape May counties among the 3 NJ counties that are expected to experience the highest increase in average annual damage costs due to changes in sea level and hurricane activity since the 1980s.⁶ A Delaware Valley Regional Planning Commission report found that sea level rise would result in rising water levels in the Delaware Estuary, causing permanent change to the landscape and new flooding.⁷ In an earlier DVRPC report, the study concluded that sea level rise over the next 100 years will inundate almost all of Pennsylvania's 1,500 acres of tidal wetlands along the Delaware, the salt line in the Delaware River will migrate further upstream (threatening Philadelphia and South Jersey's drinking water supplies), and pollutants in contaminated sites could be released into estuary waters.⁸

Will DRBC allow the fracking industry to take advantage of the Delaware River watershed to get rid of its polluting wastewater and deplete our water by fracking, all the while emitting climate-killing methane? Or will DRBC do the right thing by prohibiting this abuse?

Here in the Delaware River Watershed, our future hangs in the balance as you decide on final regulations regarding fracking wastewater and water operations in the Basin. We, the undersigned, ask you, the voting members of the DRBC, to revise the draft regulations to completely ban imports of fracking wastewater and exports of water for fracking, to protect the public, water supplies, the watershed's ecosystems, and to help alleviate the climate crisis.

Respectfully submitted by:

Delaware River Frack Ban Coalition Organizations (in alphabetical order)

1. Berks Gas Truth
2. Catskill Mountainkeeper
3. Clean Water Action

⁵ <https://www.epa.gov/climate-impacts/climate-impacts-water-resources>

⁶ RHODIUM GROUP, "NEW JERSEY'S RISING COASTAL RISK", October 2019. p. 2

https://rhg.com/wp-content/uploads/2019/10/Rhodium_NJCoastalRisk_Oct2019final.pdf

⁷ DVRPC, Coastal Effects of Climate Change in Southeastern PA, Introduction and Project Background, November 5, 2019.

<https://www.arcgis.com/apps/MapSeries/index.html?appid=8080c91a101d460a9a0246b90d4b4610>

⁸ DVRPC, "Sea Level Rise Impacts in the Delaware Estuary of Pennsylvania", Product No.: 04037, 6/2004, Abstract. <https://www.dvrpc.org/Products/04037/>

4. Damascus Citizens for Sustainability
5. Delaware Riverkeeper Network
6. Food & Water Watch
7. National Resources Defense Council
8. New Jersey Sierra Club

Additional Organizations signed on as of 12.5.22

1. Essential Wellbeing
2. Getting To Resilience LLC
3. UESF
4. Christians For The Mountains
5. Watchdogs of Southeastern PA (WaSEPA)
6. Our Water Our Air Our Rights
7. Shawnee Natural Area Guardians
8. Friends From Zion
9. Divest NJ
10. Safe Zone Cross Culture Youth Inc
11. Transition Town Media
12. The Ruffed Grouse Gallery
13. RDNA
14. Touching Earth Sangha
15. Waterfall Unity Alliance, Inc.
16. United for Action

All other organizations (in alphabetical order)

9. 350 NJ-Rockland
10. 350.org Bucks County
11. A SMART Collaboration LLC
12. Aggie Peirlli Communications International
13. Alliance for Sustainable Communities–Lehigh Valley
14. Alliance of Nurses for Healthy Environments
15. Art For Sea
16. Athens County's Future Action Network, acfan.org
17. Bear Meadow
18. BELFER GROUP/LIGHTING
19. Between the Waters
20. Body Synergy
21. Breathe Easy Susquehanna County
22. Bucks Environmental Action
23. Buxmont coalition for safer water
24. Callicoon Brewing Company
25. CEASRA
26. Central Jersey Coalition Against Endless War
27. Chester Residents Concerned for Quality Living

28. Chicago Family Health Center
29. Citizens United for Renewable Energy (CURE)
30. Clean Air Council
31. Climate Committee at St. Luke's
32. ClimateMama
33. Clinton Anti-Fracking Group
34. CO Dem. Party - Energy & Environmental Initiative
35. Coalition for Peace Action
36. Coalition to Ban Unsafe Oil Trains
37. Coalition to Protect New York
38. Coalition to Save South Mountain Reservation
39. Comeback Farm Organic Produce
40. Concerned Health Professionals of New York
41. Concerned Health Professionals of Pennsylvania
42. Cooks Creek Watershed Association
43. Delawareans for Environmental Safety
44. Delaware-Otsego Audubon Soc.
45. Don't Gas the Meadowlands Coalition
46. Earth Ethics, Inc.
47. EarthSong Photography
48. Earthworks
49. Eastwick Friends and Neighbors Coalition
50. ECOtegon: The environmental causes of Oregon a 501(c)(3) not for profit
51. EJ Action Hub
52. Elmirans and Friends Against Fracking
53. Empower NJ
54. Environmental Justice Ministry, Cedar Lane Unitarian Universalist Church, Bethesda, MD
55. Experience Delaware River Region
56. Extinction Rebellion Kentucky and Democratize Work Louisville
57. For All
58. Frack Action
59. FrackBustersNY
60. FracTracker Alliance
61. Franciscan Response to Fossil Fuels
62. FreshWater Accountability Project
63. Friends of Buckingham
64. Friends of Burlington Island
65. Friends of Liberty State Park
66. Friends of the Milford Aquifer
67. Gallen Engineering
68. Gas Free Seneca
69. Gasland LLC
70. Genesis Farm
71. Grassroots Environmental Education

72. Greater Philadelphia Branch of WILPF
73. House Of Hearts NJ Youth Project
74. Hudson River Sloop Clearwater
75. HydroQuest
76. Indivisible Highland Park
77. Indivisible Virginia
78. International Rivers
79. JFK Democratic Club
80. Joshua Associates
81. Justice, Peace and Integrity of Creation -St. Mary's in Pompton Lakes, NJ
82. Kathleen K. Harr
83. League of Women Voters Pennsylvania
84. Lenape Nation PA
85. Living Earth Movement
86. Loudoun Watershed Watch
87. Lower Susquehanna Riverkeeper Association
88. M&E Engineers
89. Maryland Ornithological Society
90. Middletown for Clean Energy
91. Mildred's Lane
92. Mothers Out Front Tompkins
93. Move.on
94. MoveOn.org Hoboken
95. MoveOn.org Hoboken RESIST
96. Neighbors Against the Gas Plants
97. New Brunswick NAACP
98. New Jersey Highlands Coalition
99. new york bee sanctuary inc.
100. New York Climate Action Group
101. Newton Creek Watershed Association
102. NJ Forest Watch
103. NJ State Industrial Union Council
104. North Jersey Sierra Club
105. North Jersey Sustainable Municipal Alliance NJSMA
106. Northeast Organic Farming Association of NJ NOFA-NJ
107. Northjersey Pipeline Walkers
108. NYC Grassroots Alliance
109. Occupy Bergen County
110. Operation Grow Inc.
111. Our Revolution Trenton Mercer
112. PA FOREST COALITION
113. Parsippany Green Team
114. PEHKA
115. Pennsauken Progressive Democrats

116. Pennsylvania Council of Churches
117. Pennsylvania Interfaith Power and Light
118. Pequabuck River Watershed Association, Inc.
119. Philly Thrive
120. Philly Water Protectors
121. Physicians for Social Responsibility - New York
122. Physicians for Social Responsibility Pennsylvania
123. Piney Paddlers
124. POWA - Protect Our Water & Air
125. POWER Interfaith
126. Princeton YDSA
127. Project CoffeeHouse
128. Protect Elizabeth Township
129. Protecting Our Waters
130. Raritan Headwaters
131. Raritan Riverkeeper
132. RECONOMICS Institute
133. Reimagine Runnemedede
134. resolution pictures
135. Responsible Decarbonization Alliance - RDA
136. Rise Up WV
137. Rumson Presbyterian church
138. Rutgers AAUP-AFT Local 6323
139. Safe Energy Rights Group (SEnRG)
140. Sane Energy Project
141. Save Our Streams PA
142. Saving Energy NY LLC
143. Seneca Lake Guardian
144. Sisters of St. Dominic of Blauvelt, New York
145. Sisters of St. Francis of the Providence of God
146. Sixth Street Community Center
147. Society for Poets of Southern NJ
148. Sourland Conservancy
149. SOUTH JERSEY LAND & WATER TRUST
150. Stop the Algonquin Pipeline Expansion (SAPE)
151. Sullivan Alliance for Sustainable Development
152. Surfrider Foundation Delaware Chapter
153. Surfrider Foundation, Jersey Shore Chapter
154. Surfrider Foundation, South Jersey Chapter
155. Sustainability Now
156. Sustainable Warwick
157. The Ecotopian Society
158. The HOOK Magazine, Inc.
159. The Lotus School

160. The Shalom Center
161. The Urban Health Collaborative
162. Thumann Physical Therapy, Inc.
163. tidewaters gateway partnership inc.
164. Tinicum Creek Watershed Association
165. Topanga Peace Alliance, MLK Coalition of Greater Los Angeles
166. Tracey Stephens Interior Design
167. Tree Tenders of Upper Darby
168. TRUST Climate Action Strategists
169. Ulster Activists
170. Voters of Tomorrow New Jersey
171. WaSEPA
172. Waterspirit
173. West 80s Neighborhood Association
174. Willow Wisp Organic Farm
175. Women's March Santa Barbara

And an additional 824 individuals in addition to the 6,751 individuals, all whose names are on the attached flash drive, delivered through the U.S. Post.