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*From the Organizations Working for the Complete Fracking Ban*

## **Ban on Fracking Adopted throughout Delaware River Watershed!**

### **EPIC BATTLE! HISTORIC WIN! Next up- rules to ban imports/exports**

Advocates elated by historic DRBC vote instituting fracking ban and the start of rule process to ban fracking wastewater imports and water exports for fracking

ZOOM meeting – The Delaware River Basin Commission (DRBC) permanently banned fracking throughout the Delaware River Watershed today, affecting four states and water supplies for millions, after eleven years of raging debate and public discourse. The Delaware River Frack Ban Coalition and many members of the public - reported by DRBC to be at 400 during the meeting - joined the virtual DRBC meeting, where a vote on banning fracking in the watershed had been advertised. The DRBC voting members - the Governors of the four states that are part of the Delaware River Watershed (New Jersey, New York, Pennsylvania, and Delaware) and a federal representative for President Biden from the U.S. Army Corps of Engineers - voted to enact the regulations that were pending since the public comment period closed in March 2018. All four states voted to approve the ban; the Army Corps representative abstained.

Action was also taken in a second resolution towards the proposal of regulations covering the import and export of frack wastewater and water for fracking, which could

lead to the adoption of a ban on the import of wastewater produced by fracking for its processing and discharge here and the export of water from the basin for use in fracking outside of the watershed.

The ban resolution prohibits the use of high volume hydraulic fracturing or “fracking” to extract gas wherever it is located within the basin (which includes parts of PA, NY, and NJ). The DRBC decision was based on fracking’s water quality and water quantity impacts and was cheered as an essential first step in stopping the devastating impacts of fracking in the Watershed. The next step, captured in a second resolution, will commence a rulemaking process. Draft regulations are required to be issued by September 30, 2021, to cover the import of wastewater produced by fracking and the export Delaware River water outside of the basin for fracking, This next step is considered absolutely critical by advocates and a full ban on these related fracking activities is supported by the wide and diverse movement working to achieve a complete ban and truly protect the entire Watershed.

No public comment opportunity and a virtual meeting meant that the public was not able to show their support for the ban by demonstrating at the DRBC meeting, which has been done countless times over the last years, dating back to the institution of the de facto moratorium on drilling and fracking in the Watershed in 2010. Instead, over 400 people joined the meeting, and more watched through YouTube, remotely and expressed themselves through social media and emails to the Commissioners over the days since the meeting was announced eight days ago.

“This is a powerful moment; our watershed Governors and the President listened to the people and honored their commitments to protect us from the devastations of fracking in our watershed. To all the people who said we should accept the regulatory proposal that banned fracking but still sacrifice our watershed to the toxic frack wastewater and water exports I say never underestimate the power of the people. We clearly still have further to go, the ban on the actual fracking is irreplaceably important but we also need a permanent ban that prevents the fracking industry from using our watershed as the dumping ground for its toxic waste, and that prohibits it from sapping our precious waters to be used to sacrifice others to the fracking industry. Governor Murphy, Governor Carney and Governor Wolf promised to protect our watershed from all aspects of the fracking industry, we are going to hold them to that promise and will urge Governor Cuomo and President Biden to also step up and protect the present and future generations of our region by also ensuring complete and enduring protections from all aspects of fracking including its toxic wastewater and water withdrawals. But as of today, this is a major victory! And we are so very grateful to our 4 watershed governors -- Murphy, Cuomo, Wolf and Carney -- and the President for their proactive and protective

decision today!" **said Maya van Rossum, the Delaware Riverkeeper and leader of the Delaware Riverkeeper Network.**

"Today's vote is a historic victory for all the people who call the Delaware River Basin home and drink the clean water that flows from the Catskills to the Delaware Bay. No longer will they face the threats of water pollution, air pollution, and the disease that comes with fracking. As the Delaware River Basin Commission advances regulations regarding fracking wastes and water withdrawals, we will fight to ban those activities as well; the best way to protect the Basin against fracking's impacts is to prevent them. Catskill Mountainkeeper has been fighting for this day for over a decade, and we're not alone. We've been fighting alongside tens of thousands of individuals, and hundreds of organizations to keep the dirty, dangerous oil and gas industry out of the Basin. These advocates have persevered against long odds and shown up in every way--at hundreds of community meetings, hearings, rallies, canoe protests, and in four state capitals to make today a reality," **said Wes Gillingham, Associate Director, Catskill Mountainkeeper.**

"The Commissioners listened to the people and to the science in making this historic move. We thank them for taking a stand to protect the basin from unconventional drilling and the practices surrounding it," said **Karen Feridun, Founder, Berks Gas Truth** in Pennsylvania.

"In a win to protect the Delaware River, the DRBC voted to ban fracking. This historic vote means that fracking can no longer take place in the Basin. This ban will protect the drinking water for 15 million people and thousands of acres of forest from fracking wells. It also means that there won't be pipelines built to take that gas to the market, protecting even more land and water. This is the first step towards a full ban," **said Jeff Tittel, Director of the New Jersey Sierra Club.** "Today they took an important step forward, and we are glad that they have committed to a full ban. We'll be glad to work with them to do additional rules to ban the treatment and dumping of fracking wastewater in the Basin or taking water for fracking elsewhere. This will help protect public health and the River from more contamination."

"This has been an epic battle engaged by a huge, diverse, well-informed and united watershed community. The outcome is historic because the Delaware River Watershed is preventing pollution and degradation by their forthright precautionary action to ban fracking and begin the next step towards a full ban by the adoption of regulations that will ban the import of wastewater from fracking and the export of water to fuel fracking's destruction elsewhere. These next steps put us on the road to a full and powerful defense against the toxic and radioactive pollution that inextricably comes with fracking and allows the Delaware to provide clean drinking water to 17 million people who rely

on the river's flows. We will fully engage in the coming months in the rulemaking process to achieve a full ban on fracking for the sake of all our communities, human and nonhuman," **said Tracy Carluccio, Deputy Director, Delaware Riverkeeper Network.**

"The Commission's decision to keep dirty fracking operations out of the region is a decade in the making, and represents a major victory for the grassroots anti-fracking movement and everyone who depends on the Delaware River for their drinking water," **said Eric Weltman, New York-based Senior Organizer with Food & Water Watch.**

"The fracking ban in the Delaware River Basin is a momentous victory for public health, the environment, and against climate change," said **Kimberly Ong, Senior Attorney at NRDC (Natural Resources Defense Council).** "The Basin supplies drinking water to millions of people, and adopting a ban on harmful fracking-related activities is necessary to further protect the health of the communities and the watershed."

"We thank the Governors for fulfilling their promise to protect the Delaware River Basin and all those who depend on a clean river for the health of their families, their environment and their jobs," **said Coralie Pryde, League of Women Voters of Delaware.**

**B. Arrindell, Director of Damascus Citizens for Sustainability** responded to the DRBC banning frack drilling and arranging to ban the import of frack waste into the Basin and the export of water for fracking elsewhere, by saying that, "We're so glad that the DRBC is fulfilling its reason for existence - protecting the the Basin from contamination. Frack drilling and related waste create permanent pollution and impact human and environmental health - impacts that the Basin will avoid with this precautionary move. DCS is proud of the governors that voted for this."

"Today's ban on fracking in the Delaware River basin is a huge deal, and a testament to the persistence and dedication of grassroots activists in a battle that has lasted over a decade," **said Eric Benson, NJ Campaigns Director, Clean Water Action.** "The full and total fracking ban, especially the import and export of water for fracking, makes our four states and the Biden Administration leaders in following climate science, rejects a dirty and dangerous drilling process, and prioritizes the need for protecting drinking water for 17 million people over corporate profits. This is a key sign of changing winds, with more full and total frack bans to come in more states, regions and watersheds across the United States."

"This is a great day for the Delaware River watershed and in the fight to protect our precious drinking water resources from the full impacts of fracking and its waste. This means the threat of fracking won't shed its footprint on the national treasure that is the Delaware River watershed," said **Doug O'Malley, director of Environment New Jersey.** "This is the culmination of more than a decade of work to fully ban fracking and

its waste from the watershed and the actions today will lead to full permanent protections to the watershed and the 15 million people who receive drinking water from the watershed. We look forward to working on the final set of rules to ban all fracking activities in the watershed but the message from DRBC today is clear -- fracking and its activities pollute our precious watershed and should have no place in it. This is a massive victory for the public and hundreds of thousands of citizens who called for the DRBC to act over the last decade. We thank Governor Murphy for calling for this exact action more than two years ago and all the Governors who stood up for the watershed."

Background:

Coalition organizations and over 100,000 members of the public had campaigned for fracking to be completely banned since the draft rules were released, reasoning it made no sense to ban fracking and still allow its pollution and depletion of water to occur. Comments, testimony, petitions and scientific reports were submitted to DRBC showing that communities and the natural values of all four states in the watershed would be harmed by the devastating impacts of the toxic and radioactive waste that is produced by fracking and the absolute consumption of irreplaceable water flows.

The draft regulations were issued during the DRBC's de facto moratorium on drilling, fracking, frack wastewater discharges, and water exports for fracking that has been in place since 2010. There has never been large-scale natural gas development in the watershed, which is why there were no regulations covering shale gas drilling, fracking and its activities.

The Delaware is a Wild and Scenic River, with Congressional recognition of its outstanding water quality and natural values and Special Protection Waters regulations adopted by the DRBC that require the river not be degraded.

The DRBC has jurisdiction over the entire 13,539 square mile watershed and is charged with protection of the water resources that supply up to 17 million people with drinking water, including New York City and Philadelphia.

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