

***For Immediate Release***

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## **52 Organizations Demand Delaware River Basin Commission Review of Pipeline Projects**

***West Trenton, NJ:*** Fifty-two organizations have signed the Petition to the Delaware River Basin Commission asserting the agency has an obligation to exercise its jurisdiction over the proliferation of pipelines being constructed and proposed within the boundaries of the Delaware River watershed. According to the Petition, pipelines are a significant source of waterway degradation and, according to DRBC's Rules of Practice and Procedure as well as the Delaware River Basin Compact itself, should be subject to DRBC jurisdiction, docketing, and oversight. The Petition was submitted at the DRBC's last Commission meeting on September 12<sup>th</sup> by Delaware Riverkeeper Maya van Rossum.

"Before the first Marcellus Shale well was drilled in 2004, a web of 60,418 miles of gas and oil pipelines crisscrossed Pennsylvania's landscape. An estimated 25,000 additional miles of Marcellus gas pipelines by the year 2030 will raise Pennsylvania's large diameter pipeline miles to roughly 85,000. Marcellus infrastructure alone will impact 80 percent of native brook trout streams and undetermined miles of Pennsylvania watersheds. These projections do not factor in the impacts of the Utica shale development. We know that Pennsylvania natural gas resources will largely be sold in lucrative overseas markets, and we know the Delaware River Basin lies between Industry supply and Industry profit. We have learned that state and federal permits are often based on Industry 'preferred' construction methods and paths. Expedience and the least expensive corporate path to ports of export can no longer be acceptable considerations in the permitting process. DRBC has the power, authority and obligation to intercede, and we expect them to use it," said **Lynda K. Farrell Executive Director of the Pipeline Safety Coalition.**

"Gas pipelines can cause dramatic environmental degradation within the Delaware watershed, and should be subject to stringent review and regulation by the DRBC. As the

Northeast is looking at an expanded network of pipelines for bringing fracked gas to both local consumers and overseas markets, the DRBC must not abdicate its responsibility for oversight of these activities and how they would affect the Delaware River Basin. DRBC should honor its mandate of protecting the watershed by instituting an effective program of shale gas pipeline review,” said **Edie Kantrowitz with United for Action.**

“The DRBC has not done their job when it comes to protecting the basin from impacts of pipelines. They have the chance to fix their mistakes by accepting this petition and taking jurisdiction over these projects. The DRBC needs to step in and protect the Basin from the destruction of these pipelines and their impacts on the water quality and supply. These pipelines cut through streams, rivers, wetlands and environmentally sensitive areas. They disturb steep slopes and forests, causing erosion, flooding and water pollution. These pipelines need to have proper regulation and oversight. The only way that can happen is by the DRBC taking control and looking at the impacts holistically,” said **Jeff Tittel, Director of the New Jersey Sierra Club.**

“What they are doing is unbelievable, so when you tell people about it, they don't believe you,” says **Frank Finan with ShaleTest.org.**

“As busy parents working in and outside our homes, we strive to ensure clean air, clean water and healthy food for our children. We rely and depend on government entities like the DRBC to help us make certain that these issues and how they affect the health and safety of our children are on the minds and included in the policies of decision makers. As guardians of a water resource for millions of people in the Northeast, it is DRBC's responsibility and legacy to ensure that the integrity of the Delaware River Basin watershed is protected for our and for future generations. DRBC's responsibilities most certainly do not include EXEMPTING pipelines from their jurisdiction,” said **Harriet Shugarman, Executive Director, ClimateMama.**

“The construction of natural gas pipelines has the potential to result in serious impacts to water resources within the Delaware River Basin. The DRBC should use its existing authority, or establish new authority, to ensure that all proposals to construct pipelines within the Basin are subjected to strict review to assure that no new pipelines will be constructed that might adversely affect water quality,” said **Kate Sinding, Senior Attorney, Natural Resources Defense Council.**

“The Green Party calls on the Delaware River Basin Commission to monitor gas pipelines within the Delaware River Watershed because of the dangers these pipelines present. Greens call upon the DRBC to examine the September 9, 2010, explosion of the Pacific Gas and Electric pipeline in Crestmoor, CA. This explosion was attributed to the poor quality control of the pipe

used and the poor quality of the construction. Greens do not want so see a similar accident in the Delaware River Watershed,” said **Chris Robinson, Green Party of Philadelphia.**

Said **Doug O’Malley, interim director with Environment New Jersey,** “The fracking boom is coming home to the Delaware River Basin, and gas pipelines are giant scars on our watershed. It should be obvious to all – and especially the Commission – that it can’t take a pass on gas pipelines.”

Stated **Julia Somers, Executive Director of the NJ Highlands Coalition,** “More than one third of the NJ Highlands are within the Delaware River Basin. The Highlands' forests, which are the sources of clean drinking water to almost two-thirds of New Jersey's population, are being torn into ribbons by linear development projects such as gas pipelines and electrical transmission lines. The DRBC must evaluate the impacts of these projects on our water resources and take appropriate action.”

“Pipelines are a growing source of pollution and damage to our communities, using their power of eminent domain to scar and do permanent damage to the lands, waters, and private properties that fall in their path. Pipelines require a vigilant regulatory review and approval process done on a watershed scale,” says **Maya van Rossum, the Delaware Riverkeeper.** “The DRBC has an obligation to conduct this vigilant review. Rather than fulfill their public protection responsibilities, they are choosing to abandon the public and side with the drillers and pipeline companies. Our organizations have joined forces and voices to urge the DRBC to take a different path, to exercise their existing jurisdiction and obligation to review any and all pipelines that may pass through the Delaware River Watershed to ensure need and no harm.”

The next meeting of the DRBC Commissioners is December 5<sup>th</sup>. There is a hope and expectation the issue of pipelines will be addressed in some way at the meeting. For more information on the meeting go to the Delaware Riverkeeper Network calendar page:

<http://www.delawareriverkeeper.org/about/event.aspx?Id=303>.

According to the Petition, DRBC is obligated to exercise its jurisdiction and require DRBC approval for any and all pipelines passing through the watershed. The Delaware River Basin Compact, which provides for the mission and mandates of the DRBC, obligates the DRBC to review all projects with substantial effects on the water resources of the Basin for consistency with their Comprehensive Plan. “The level of land disturbance and the invasiveness of the tributary and wetland crossings associated with these pipelines are significant and would most certainly have an impact on the water resources of the Delaware River Basin. There are no limitations or exceptions within the DRBC Compact or

its Rules of Practice or Procedure that would exempt pipelines from DRBC jurisdiction,” says **Jane Davenport, Senior Attorney for the Delaware Riverkeeper Network.**

Furthermore, according to the Petition, pipelines proposed, as well as in general, individually and cumulatively:

- will include “significant disturbance of ground cover affecting water resources;”
- have already been referred to the DRBC by the National Park Service for action under the Rules of Practice and Procedure;
- will affect reaches of the Delaware River designated as Special Protection Waters, which, according to DRBC regulations, cannot be degraded; and
- could “pass in, on, under, or across ... recreation project areas as designated in the Comprehensive Plan” of the DRBC, such as the Delaware Water Gap National Recreation Area.

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**Aquashicola / Pohopoco Watershed Conservancy  
Blue Mountain Preservation Association, Inc. ♦ Brandywine Conservancy  
Brandywine Watershed Regeneration Initiative ♦ Bus for Progress  
Catskill Citizens for Safe Energy ♦ Catskill Mountainkeeper  
Citizens for a Clean Pompton Lakes  
Citizens United to Protect the Maurice River and its Tributaries  
Clean Ocean Action ♦ Climate Mama LLC  
Coalition Against the Rockaway Pipeline ♦ Coastal Monmouth Democratic Club  
Cross County Clean Air Coalition ♦ CWA Local 1081  
Damascus Citizens for Sustainability ♦ Delaware Chapter of the Sierra Club  
Delaware River Greenway Partnership ♦ Delaware Riverkeeper Network  
Earthworks ♦ Environment New Jersey ♦ Food and Water Watch ♦ Frack Action  
Grassroots Coalition for Environmental and Economic Justice  
Green Party of Camden County ♦ Green Party of Essex/Passaic Counties  
Green Party of Philadelphia ♦ GreenLine Paper Company, Inc.  
Guardians of the Brandywine, Inc. ♦ Lakeland Unitarian Universalist Fellowship  
Multi-State Alliance Preserving Lasting Energy (M.A.P.L.E.)  
National Resources Defense Council (NRDC) ♦ New Jersey Highlands Coalition  
NJ Environmental Federation ♦ NJ Sierra Club ♦ NO Gas Pipeline  
North Jersey Pipeline Walkers ♦ North Jersey Public Policy Network  
NY Friends of Clearwater ♦ NYH20, Inc. ♦ Pascack Sustainability Group  
Peach Bottom Concerned Citizens Group  
Pennsylvania Alliance for Clean Water and Air  
Physicians for Social Responsibility Philadelphia ♦ Pipeline Safety Coalition  
Protecting Our Waters ♦ Raritan Headwaters Association  
Raymond Proffit Foundation ♦ Save Cummins Hill ♦ ShaleTest.org  
Stop The Pipeline ♦ United for Action**

November 26, 2012

Pamela Bush, Commission Secretary  
Delaware River Basin Commission  
P.O. Box 7360  
West Trenton, NJ 08628

Dear Ms. Bush:

The undersigned organizations hereby sign on to the Petition to the Delaware River Basin Commission to Exercise Jurisdiction over All Natural Gas Pipeline Projects, submitted by the Delaware Riverkeeper Network on September 12, 2012.

Although natural gas extraction activities within the Delaware River Watershed continue to be subject to the Commission's moratorium on gas drilling, pipeline construction projects have had and are continuing

to have significant negative impacts on the Delaware River Watershed's lands, waters, and communities. More than a dozen new pipeline projects are currently planned or will potentially be constructed within the Watershed. These pipelines will have significant adverse environmental impacts, whether considered individually or cumulatively.

Because of the Commission's unique obligations to ensure that all projects substantially affecting water resources within the Basin be reviewed for consistency with the Comprehensive Plan, and to ensure that the strict anti-degradation requirements applicable to Special Protection Waters are met, the Commission must exercise its existing grant of jurisdiction and authority over natural gas pipeline construction projects.

The Delaware River Basin Commission clearly has jurisdiction and is obligated under its existing authorities of the Delaware River Basin Compact and the Rules of Practice and Procedure to review all natural gas pipeline projects that will traverse through any portion of the Delaware River Watershed to determine whether each project individually, or multiple projects cumulatively, will impair or conflict with the Comprehensive Plan. We also urge the Commission to revise its Rules of Practice and Procedure to more clearly provide that all natural gas pipeline projects are required by default to be submitted for Commission review.

The Commission should act on the Petition expeditiously, before any further pipeline construction activities commence in the Basin without appropriate Commission oversight. Therefore, we expect that the Commission respond to this Petition at its next public meeting on **December 5, 2012**.

Sincerely,

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