

February 21, 2010
Commissioner, Secretary
Delaware River Basin Commission
P. O. Box 7360
25 State Police Drive
West Trenton, N. J. 08628

RECEIVED/DELAWARE RIVER
BASIN COMMISSION

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Dear Commissioners:

Five years ago the sale of land leases in Mount Pleasant Township signaled an economic rebirth for our area, a farming area in the past but only a few remain today, they now sit on what may be a huge amount of natural gas, an industry already creating tremendous economic advancements in neighboring counties in the Susquehanna River Basin. The draft regulations released by the DRBC will prevent the same from taking place here in Wayne County, and they must be corrected.

These regulations, impose a 500 foot set back from any water body what ever size, which would limit drilling to .5 percent of our total land, and the restriction on cutting timber would take the rest of our land.

The regulations also let the DRBC regulate land use, for the first time taking away still more of our property rights and imposing your wish on what has always been the decision of the states and local government, this must not be tolerated as there are already to many agencies involved in land use decisions, we must be allowed to make a living.

These regulations, incredibly establish no deadline for the DRCB to act on applications and give the Executive Director new unbridled authority to stop almost anything, anytime, for almost any reason. They are far too amorphous and subjective. The requirement for master planning by drillers is a prime example as technology is changing so rapidly as to make it pointless. It is a back-door attempt to identify cumulative impacts that cannot be measured in advance, when it is, instead, continuous monitoring that is needed. There appears to be a deliberate strategy of setting unrealistic standards that immediately force applicants into nebulous areas of discretionary authority, where they can be held up indefinitely, making bonding impossible to obtain and setting applicants up for defeat by delay. The regulations must be more objective throughout, with realistic standards, far less discretion on the part of the Executive Director and concrete deadlines for DRBC decisions.

These regulations it seems are a means to control a portion of our county that are not doing their part in caring for our land and water. Well I disagree, Wayne County has been as good as it gets with our environment, our water is high quality, our land is well regulated and our visitors to the area are well pleased with what they see. The DRBC regulations as they are written seem to be saying, no more economic good for the people of our area, because it (might) cause a problem in the future, which they have no way of knowing. If this is their thinking then ground all aircraft, because one might crash, and it still would be the safest way to travel.

These regulations, in their current form, will deprive us of the best opportunity we have to turn things around economically. They must be revised to reflect the balance intended by the Compact, which says "the government, employment, industry, and economic development of the entire region and the health, safety and general welfare of its population are and will continue to be vitally affected by the use, conservation, management, and control of the water and related resources of the Delaware River Basin." The economic part of this mission has been totally ignored in the draft regulations and this cannot stand.

Sincerely,

Albert H. W. Elfenstein

*MIT Pleasant TWP
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