



WAYNE
CONSERVATION DISTRICT

RECEIVED/DELAWARE RIVER
BASIN COMMISSION

Conserving Natural Resources for Our Future

2011 MAR 14 A 11: 21

March 7, 2011

DRBC
P.O. Box 7360
25 State Police Drive
West Trenton, NJ 08628

Re; Comments related to Proposed DRBC Natural Gas Development Regulations

The Wayne Conservation District would like to offer the following comments related to the above regulations.

General

Each of the States has rules and regulations addressing drilling activity in their respective State. In the case of Pennsylvania the regulations just underwent a revision. The DRBC should avoid redundant rules and regulations and should direct their efforts in areas not be addressed by the state.

For example; water use and discharge. The state of PA has no regulations governing the amount of water used, moved or discharged. The DRBC has existing rules and regulations addressing this issue and should concentrate their efforts on water use as they have in the past.

Definitions

Disturbed Area – As presented this definition would include agricultural hay fields or open pastureland. Neither our office nor the Commonwealth of PA would consider these disturbed area. Disturbed area is not referred to in the regulations, therefore an unneeded definition.

Page 32 – Reporting Violations – This section does not involve the host states in investigation or mitigation of violations reported to the DRBC. It appears that the only involvement that DRBC will have with the host state is later in the violation process. Host states should be made aware of reported violations and consulted in the earliest possible stages of the violation.

Setbacks

The 500 foot setback from waterbodies and wetlands seems excessive. The definition of waterbody includes nearly any type of water source, including roadside ditches. Considering a 500 foot setback from even road side ditches is unreasonable, nor attainable. Consideration





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should be made to exempt specific situations, such as man-made ditches or channels with an upper drainage area limit.

Non-point Source Pollution Control Plan(NPSPCP)

The regulations require the development and approval of a NPSPCP prior to commencement of activities. There is no reference to specific practices or guidelines for the development of these plans. Would a plan developed utilizing Pennsylvania's BMP manual satisfy these requirements?

If you have any questions on these comments please contact Robert A Muller Jr , District Manager at our office.

Sincerely,

Matthew Shaffer, Chairman
Wayne Conservation District

