



Theodore Gordon Flyfishers, Inc.

P.O. BOX 2345, GRAND CENTRAL STATION, NEW YORK, NY 10163-2345

"I love these old streams- Neversink, Beaverkill, Willowemoc, etc. - and they have given much sport and pleasure to thousands of anglers." - Theodore Gordon 1907

April 12, 2010

Commission Secretary – DRBC
25 State Police Drive
P.O. Box 7360
West Trenton, NJ 08628-0360

RE: Public Comment – Stone Energy Dockets

Dear Commissioners:

On behalf of the members of the Theodore Gordon Flyfishers, Inc. ("TGF"), a dedicated group of conservationists and anglers in the Catskills region, I am writing with respect to the proposed Stone Energy Co. permits under consideration by the DRBC for shale gas extraction and development. In particular, TGF's concerns arise from the fact that, as you have rightly determined, natural gas projects, individually or cumulatively, will have a substantial impact on the River's water resources. We consider those impacts to be unacceptable and believe our river, its tributaries and watershed must be protected from degradation from shale gas development.

TGF was founded during the 1960's to promote stream and river protection through environmental oversight, activism and education; and the organization considers protection and conservation of the Delaware River to be a primary goal and purpose. TGF's members reside in New York, Pennsylvania, Connecticut and New Jersey, a number of whom reside along the Delaware River and its tributaries.

The West Branch and Upper Mainstem of the Delaware River are world class trout streams that support sizable wild trout populations. The trout streams of the Catskills are revered among fishermen across the nation as the birthplace of American flyfishing and the home of our namesake, Theodore Gordon; and the Delaware River Basin is tied to such tradition and history. Further, the Delaware watershed has been established as a historical and recreational treasure that continues to attract thousands of anglers, hikers, birders and paddlers every year.

The DRBC is in the process of developing natural gas-specific regulations that you determined are required to protect the Special Protection Waters of the River which your existing rules say cannot be degraded from current exceptional quality. These rules are not yet adopted: until they are, it is wrong and unfair for any approvals to be granted for shale gas projects. How will potential harm be averted if no rules are in place to insure protection? What is the rush to push through these projects prematurely?

The Stone Energy water withdrawal project raises significant questions concerning the potential effect of this and other withdrawals on the flows of the Delaware River. New York's management of the New York City Delaware River Reservoirs could require substantially alteration based on water consumed by natural gas development in the Watershed. This could

affect the drinking water volume and quality for 7 to 9 million New York City residents. Section V, Depletive Water Use Budget, Recommendation 13, of the 1982 Good Faith Agreement requires such an analysis and we request that the DRBC fulfill this requirement.

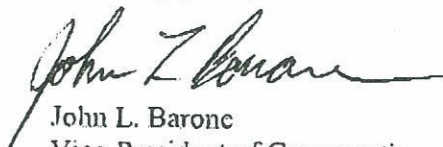
There are many other initiatives underway to provide safety and protection to my water - and the water supply of over 15 million people - and these should also be implemented first, including but not limited to: PADEP Chapter 78 drilling standards for natural gas wells; PADEP Chapter 95 and 93 effluent and water quality regulations to address natural gas drilling and other high-TDS wastewaters; the federal FRAC Act before the U.S. House (H.R. 2766) and the Senate (S. 1215) to remove the exemption of hydraulic fracturing from the Safe Drinking Water Act; DRBC needs to adopt changes to its Water Code either through the not yet adopted Flexible Flow Management Plan or other vehicle to require that an "ecoflow" model be used to determine conservation pass-by flows in all waterways based on habitat needs of the stream's species; and DRBC must analyze and adopt regulations requiring standards for the re-use of flowback BEFORE the practice is allowed.

As far as the Stone permits are concerned, several essential components are missing from the application: a Non Point Source Pollution Control Plan to protect the West Branch of the Lackawaxen from polluted runoff; a build out analysis documenting the wells to be served by the water withdrawn to justify need and to define the "area served"; and a pass-by flow to protect the unique species in the West Branch and main stem Lackawaxen River. And several crucial permit conditions are so tenuous that the Executive Director can change them without a public revision of the Docket, a bad policy that hides very important decisions from the public until after they are made.

TGF also considers it key that Stone Energy publicly disclose all of the chemicals that will be used in hydraulic fracturing with a goal of no use of toxic, hazardous, or potentially dangerous chemicals. And, chief among all needs is a comprehensive analysis that includes the cumulative effects of the water resource impacts of the full build out of all shale gas projects in the Watershed, including the withdrawal of water from the West Branch of the Lackawaxen River and the development of the M1 well, to be completed PRIOR to approval of any natural gas projects in the Delaware River Watershed.

We look forward to working with you on these important matters, and thank you for your courtesy.

Very truly yours,



John L. Barone
Vice-President of Conservation
Theodore Gordon Flyfishers, Inc.