



## United States Department of the Interior

NATIONAL PARK SERVICE  
Northeast Region  
200 Chestnut Street  
Philadelphia, PA 19106

IN REPLY REFER TO:

A7021(4531/NER)

June 25, 2010

Erik Rourke  
Strategic Planner  
U.S. Army Corps of Engineers - Philadelphia District  
Planning Division (CENAP-PL)  
100 Penn Square East  
Philadelphia, PA 19107

Dear Mr. Rourke:

The National Park Service (NPS) comments on Stone Energy Corporation (Stone) Docket D-2009-013-1 are found below. These summarize similar comments we submitted to Pamela Bush on April 12, 2010. We will also be sending a copy of these comments directly to the Delaware River Basin Commission (DRBC) to meet today's deadline.

### **Draft Docket D-2009-013-1**

#### **Stone Energy Corporation, Surface Water Withdrawal for Natural Gas Exploration and Development Projects, West Branch Lackawaxen River Withdrawal Site, Mount Pleasant Township, Wayne County Pennsylvania**

In general, the NPS would like to raise the issue as to why the Commission would move forward on a water withdrawal permit specifically targeted for natural gas well fracking before regulations allowing for such natural gas development and extraction activities are reviewed and approved by the Commission. We recommend postponing action on draft Docket D-2009-013-1 until such regulations are in place.

#### ***Special Protection Waters***

This proposed project would be located in Wayne County, Pennsylvania, within the Delaware River Basin and in an area that the Delaware River Basin Commission has classified as Special Protection Waters.

We agree with the Commission's finding that Stone should have an approved site-specific Non-Point Source Pollution Control Plan (NPSPCP) in place prior to any site construction activities or water withdrawals at this site. The approved site-specific NPSPCP will help to ensure that proper measures are in place to control stormwater both during and post construction at this site, which is located in the drainage area of Special Protection Waters.

### ***Withdrawal Site and Operations***

We concur with the DRBC requirement for stricter guidelines for the construction of this facility within the floodplain.

### ***Pass-by Flow***

We recommend that a real-time flow gage be installed at the withdrawal site rather than utilizing the gage downstream to infer flow at the withdrawal site. This indirect estimate could mask flow conditions near the withdrawal location.

While the increased the Minimum Pass-by Flow is an improvement over the requirement from the previous Draft Docket, we still question whether this flow is adequate to support the aquatic life needs in this stream, which is a High Quality (HQ) Cold Water Fishery (CWF), as classified by the Pennsylvania Department of Environmental Protection (PADEP). No scientific studies have been done to support this Minimum Pass-by Flow requirement on this particular stream, and small HQ-CWF streams like the West Branch Lackawaxen River (WBLR) at this site are more likely to be detrimentally impacted by significant water withdrawals. Proposing to withdraw up to 0.7 million gallons per day on this small tributary, at a site which represents only an 11.45 square mile drainage area, may not be the best choice of water sources for this activity, especially in light of the fact that there are larger water bodies and sources closer to the well site where this water will be utilized.

### **The Need for Cumulative Impacts Analysis of Natural Gas Development in the Basin**

As the primary steward of the Delaware River Basin's water resources, the DRBC provides comprehensive watershed management with regard to surface and groundwater quality and quantity issues, seeking to ensure that proper environmental controls are provided to safeguard the Basin's water resources, which are used by nearly 15 million people.

Fully 50% (6780 of 13,539 square miles) of the Basin's land area drains to waters classified as Special Protection Waters (SPW). The DRBC's Special Protection Waters program is designed to prevent degradation in streams and rivers considered to have exceptionally high scenic, recreational, ecological, and/or water supply values through stricter control of wastewater discharges, non-point pollution control, and reporting requirements.

The Executive Director of DRBC issued a Determination in May 2009 that all natural gas extraction projects in shale formations within the drainage area of the Special Protection Waters must obtain approval of the DRBC because such projects "...may individually or cumulatively affect the water quality of Special Protection Waters by altering their physical, biological, chemical or hydrological characteristics."

While 36% of the Delaware River Basin is underlain by the Marcellus Shale, nearly 72% (4874 of 6780 square miles) of the land area draining to Special Protection Waters lies over this formation, likely concentrating this anticipated development into the least disturbed, most heavily-forested, and most environmentally sensitive portions of the watershed.

The Delaware River system has already had extraordinary demands imposed on its water resources, with out-of-basin transfers that approximate half the flow volume of the river, at times. Yet the Delaware River has remained resilient, maintaining outstanding biodiversity and exceptional water quality, largely due to the relatively intact, functioning ecosystems and landscape health found in its headwaters.

It is estimated that the projected 10,000+ natural gas wells in the basin could require 40 billion or more gallons of water for hydrofracturing and associated uses. This represents a tremendous additional burden on the high quality water resource of the Delaware Basin, both in terms of water withdrawals and assimilation of any waste loads associated with natural gas development activities. There is a need for an analysis of the cumulative impacts associated with any additional water withdrawals from the Delaware system, especially with out-of-basin transfers of this water. There is also a need for a complete programmatic environmental review of the full range of natural gas extraction activities that will affect the basin.

Thank you for the opportunity to review this Docket. We look forward to continuing to work with you on this and other issues of mutual concern. If you have questions regarding these comments, please contact Holly Salazer at [holly\\_salazer@nps.gov](mailto:holly_salazer@nps.gov).

Sincerely,



for Rick L. Harris  
Associate Regional Director  
Natural Resources & Science  
National Park Service, Northeast Region

cc:

Chad Pindar, Delaware River Basin Commission  
Bill Muzinski, Delaware River Basin Commission  
Sean McGuinness, Supt., Upper Delaware