



# Upper Delaware Council

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March 4, 2010

PAMELA BUSH, SECRETARY  
DELAWARE RIVER BASIN COMMISSION  
PO BOX 7360  
WEST TRENTON NJ 08628-0360

RE: **Stone Energy Corporation, Draft Dockets D-2009-013-1 and D-2009-018-1,**  
Proposed Surface Water Withdrawal (West Branch Lackawaxen River, Mount Pleasant Township, Wayne County, Pennsylvania) and Matoushek 1 Natural Gas Well Site (Clinton Township, Wayne County, Pennsylvania)

Dear Ms. Bush:

The Upper Delaware Council (UDC) offers the following comments pertaining to the Stone Energy Corporation Draft Dockets D-2009-013-1 and D-2009-018-1. Our comments regard these draft dockets only.

As you know, the UDC is the non-profit organization responsible for the coordinated implementation of the 1986 River Management Plan for the Upper Delaware Scenic and Recreational River, a component of the National Wild and Scenic Rivers System. Our voting members are the two states (NY and PA) and 13 local governments (NY Towns and PA Townships) which border on the Upper Delaware River. The Delaware River Basin Commission (DRBC) is a non-voting member of the Council. We operate under a direct contractual relationship with the National Park Service (NPS) for the oversight, coordination, and implementation of many elements of the River Management Plan.

The UDC comments are as follows:

1. Since the UDC has no regulatory authority, it looks to the Commonwealth of Pennsylvania, State of New York, and the DRBC to administer environmental laws which pertain to natural gas development and related issues and to act consistently with the Upper Delaware Scenic and Recreational River Management Plan to protect and conserve the outstanding natural resources and special qualities for which it was designated by the United States Congress in 1978 as a unit of the National Park System. Even though the proposed water withdrawal site and natural gas well site are located outside of the Upper Delaware Scenic and Recreational River corridor, they are located within our watershed area of concern.

***Working together to conserve the Upper Delaware Scenic and Recreational River***

*Town of Hancock • Town of Fremont • Town of Delaware • Town of Cochection • Town of Tusten • Town of Highland • Town of Lumberland  
Town of Deerpark • Lackawaxen Township • Shohola Township • Westfall Township • State of New York • Commonwealth of Pennsylvania  
Delaware River Basin Commission • In partnership with the National Park Service*

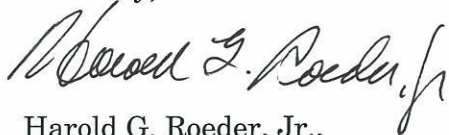
2. We are particularly concerned about the cumulative impacts of all development and activities associated with natural gas extraction, and the potential industrialization of the watershed, as thousands of natural gas wells could be proposed in the future. There does not appear to be any master plan for all the necessary infrastructure, which could have a profound effect on the environment.

The Delaware River system already has extraordinary demands imposed on its water resources, with out-of-basin transfers that approximate half the flow volume of the river, at times. Nevertheless, the Delaware maintains outstanding biodiversity and exceptional water quality. The 36% of the Delaware River Basin (nearly 5,000 square miles of its sensitive headwaters) that is underlain by the Marcellus Shale drains to the longest reach of Special Protection Waters in the United States, the 197 miles of the Delaware River from Hancock, NY, to Trenton, NJ. It is possible that 10,000 or more natural gas wells in the basin could require 40 billion gallons or more of water for hydrofracking. 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, and also a need for a complete systematic environmental review of the full range of natural gas extraction activities that will affect the basin.

3. We question if a Minimum Pass-by Flow of 5.9 cfs (25% of Average Daily Flow) for this stream in low water conditions is based on any scientific studies, and if it is sufficient to support aquatic life needs. We understand that this stream is a cold water fishery that sustains reproducing trout populations. Small streams like the West Branch Lackawaxen River (WBLR) at this site are likely to be impacted by water withdrawals, and any water taken during drought and low flows represents a much larger percentage of the total volume. We find it difficult to understand why the applicant would propose a 0.7 million gallon per day water withdrawal on this small tributary at a site which represents only an 11.45 square mile drainage area, especially when there are larger water bodies closer to the well site where this water will be utilized.
4. Even though an Invasive Species Control Plan may be required, if determined to be applicable, we are still concerned that invasive species could be more easily spread by numerous water withdrawals and increased truck traffic.
5. Regarding wastewater disposal for the natural gas well, the docket holder has indicated that all non-domestic wastewater including flowback water will be removed from the site via tanker truck and conveyed to treatment and disposal facilities located outside of the DRB. We recommend a time limit on how long wastewater may be stored on the site before it is removed and disposed of. We recommend that all wastewater be enclosed and not stored in open pits.
6. Regarding the proposed water withdrawal site, facilities such as roads, parking lots, and fences should not be constructed in the floodplain.

Thank you for the opportunity to comment on these proposals. The UDC would like to reserve the right to review any revised dockets.

Sincerely,



Harold G. Roeder, Jr.,  
Chairperson

- cc: Hon. David A. Paterson, NY Governor  
Hon. Charles Schumer, US Senator, NY  
Hon. Kirsten Gillibrand, US Senator NY  
Hon. Maurice D. Hinchey, Jr., US Congressman, 22<sup>nd</sup> District NY  
Hon. John Hall, US Congressman, 19<sup>th</sup> District NY  
Hon. John Bonacic, NY State Senator, 42<sup>nd</sup> District  
Hon. Aileen M. Gunther, NY State Assemblywoman, 98<sup>th</sup> District  
Hon. Clifford W. Crouch, NY State Assemblyman, 107<sup>th</sup> District  
Hon. Edward G. Rendell, PA Governor  
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Hon. Robert P. Casey, US Senator, PA  
Hon. Christopher Carney, US Congressman, 10<sup>th</sup> District PA  
Hon. Lisa Baker, PA State Senator, 20<sup>th</sup> District  
Hon. Michael T. Peifer, PA House of Representatives, 139<sup>th</sup> District  
Hon. Sandra J. Major, PA State Representative, 111<sup>th</sup> District  
Carol Collier, Executive Director, Delaware River Basin Commission  
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William Rudge, NYS DEC and UDC Rep.  
Michael Flaherty, NYS DEC and UDC Alternate  
Dennis DeMara, PA DCNR and UDC Rep.  
Gary N. Paulachok, Deputy Delaware River Master, USGS  
John Arway, Executive Director, PA Fish and Boat Commission  
Mayor Michael R. Bloomberg, New York City  
Caswell F. Holloway, Commissioner, NYC DEP  
Dan Wenk, Acting Director, National Park Service  
Dennis Reidenbach, Northeast Regional Director, National Park Service  
Sean McGuinness, Superintendent, National Park Service - UDSRR  
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