WHEREAS, natural gas development is proposed within the Delaware River Watershed; and

WHEREAS, the Delaware River is designated as a Wild and Scenic River of federally recognized outstanding resources, natural assets, and exceptional water quality; and

WHEREAS, the Delaware River supplies drinking water to over 15 million people, many of them downstream of the Marcellus Shale fairway in the Upper and Middle Delaware River Watershed, including the Borough of Stockton, 2.8 million people in New Jersey and the major population centers of Philadelphia and New York City; and

WHEREAS, the Delaware River is the lifeblood of the communities along the River, is essential for commerce, tourism and recreation, and once contaminated will negatively impact those communities and those uses and can be very costly or impossible to remediate and can take a very long time; and

WHEREAS, the Delaware River Basin Commission (DRBC) has designated the non-tidal River - the entire 197 mile River from Hancock, New York to Trenton, New Jersey - as Special Protection Waters due to the exceptional water quality and “exceptionally high scenic, recreational, ecological, and/or water supply values” of the River; and

WHEREAS, these special waters and ecosystems must be maintained as per the DRBC Water Code, so that there be “no measurable change in existing water quality except towards natural conditions”, requiring protection from avoidable water quality degradation; and

WHEREAS, degradation of these waters would be illegal and would impose significant hardships, public health detriment, and economic harm if degraded; and

WHEREAS, the natural gas development process involves the use of chemicals and hazardous materials during construction, drilling, hydraulic fracturing, gas production and delivery, well maintenance, and work-over operations; and

WHEREAS, hydraulic fracturing of underground geologic formations is often accomplished by injecting a complex mix of fluids and chemicals, including large volumes of water, on average 4.5 million gallons per well, under very high pressure to create fractures in gas bearing geologic formations; and

WHEREAS, billions of gallons of fresh water will be depleted by hydraulic fracturing (the water is not returned to the source and is classified as a consumptive loss) and at least 200,000 acres of land are already leased for gas development, and that tens of thousands of wells are expected to be drilled in the Upper and Middle Delaware River Watershed; and
WHEREAS, many of the chemical constituents injected during hydraulic fracturing have documented adverse health effects and/or adverse environmental impacts; and

WHEREAS, use of these hydraulic fracturing mixes exposes adjacent land and surface waters to the risk of contamination through open pit storage, truck transport on roadways, and activities during well development; and

WHEREAS, in 2005, as part of the federal Energy Policy Act and over objections of health care, scientific, environmental, and conservation communities, regulation of hydraulic fracturing fluids under the Safe Drinking Water Act by the Environmental Protection Agency was exempted, thereby allowing oil and gas companies to use these substances without federal oversight or standards; and

WHEREAS, the oil and gas industry remains one of the only industries that is allowed to inject such known chemical constituents directly into or adjacent to underground drinking water supplies without federal oversight; and

WHEREAS, the oil and gas industry is not required by federal law to publicly disclose chemical formulas of hydraulic fracturing fluids so that this information is publicly available for health and safety purposes; and

WHEREAS, proposed natural gas wells in the Delaware River Watershed are planning to use chemical additives in drilling and to use hydraulic fracturing in developing these wells and exploratory wells that have been drilled have used chemical additives in drilling; and

WHEREAS, natural gas development will fragment forests in the Upper and Middle Delaware River Watershed, which is 89% forested, and convert naturally vegetated land to impervious cover and industrial conditions, increasing storm water runoff and pollution, flooding, sedimentation, and erosion to the tributaries and the main stem River and will emit air pollution while constructing, drilling, extraction, and production of natural gas; and

WHEREAS, the Delaware River Basin Commission is seeking funding to complete a cumulative impact analysis of natural gas development on the water resources of the Delaware River Basin; and

WHEREAS, the US Environmental Protection Agency is studying the practice of hydraulic fracturing and the study will be completed in 2012 and, if it is recommended by the study that hydraulic fracturing should be subject to the Safe Drinking Water Act, that the federal oversight of hydraulic fracturing would not be unduly burdensome on industry or the economy and; and

WHEREAS, the Borough of Stockton, NJ has declared that the municipal well water quality is linked to the water quality of the Delaware River; and
WHEREAS, the wise stewardship of Stockton’s natural resources involves protection of Stockton’s water supplies and water resources for generations to come; and

WHEREAS, protection of Stockton’s water supplies and resources is better accomplished by prevention of contamination and environmental degradation, rather than attempting to cleaning up contamination and restoring degraded environments after the fact;

NOW, THEREFORE, BE IT RESOLVED, that on the 15th day of February, 2011, the Borough of Stockton, New Jersey supports strong regulation by the DRBC to prevent pollution and avoid degradation of the water resources and ecosystems of the Delaware River Watershed; and

AND BE IT RESOLVED - The public opportunity in the rulemaking is inadequate and more hearings and a longer comment period is needed to provide adequate time to review & digest the proposed rules; the public needs to be involved. -- Minimum of 6 months. (another 90-120 days beyond March 16) and more Hearings as per our action alert

AND BE IT RESOLVED that the DRBC complete a cumulative impact analysis of the potential impacts of natural gas development on the Basin’s resources and the US Environmental Protection Agency complete its hydraulic fracturing study before the DRBC enacts regulations and lifts the current moratorium on gas drilling in the Delaware River Watershed so that scientific studies may inform and help craft natural gas development regulations that can prevent pollution and avoid degradation of the Delaware River Watershed.

PASSED, APPROVED, AND EFFECTIVE on this 15th day of February, 2011.

Thomas Manning
Stockton Planning Board
Chairman

ATTEST:
Julia Grecco
Stockton Planning Board
Secretary