

New York governor asks Delaware River agency to delay gas drilling rules

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New York Governor David Patterson is asking the the Delaware River Basin Commission to suspend its attempt to write natural gas drilling rules until the state is able to develop its own.

Patterson wrote DRBC Executive Director Carol Collier Monday asking that the federal river commission halt its efforts to regulate gas drilling and water withdrawals from the Delaware River watershed until New York produces its twice-delayed draft environmental impact statement on gas drilling on the Marcellus Shale.

"DRBC appears intent on going forward with a regulatory program that would not have the advantage of the full investigations and public deliberations taking place in New York," Patterson told Collier.

"Your proposed program, covering only a very small portion of New York ... could well conflict with the technical and regulatory protocols ultimately adopted in New York, causing confusion, duplication, redundant regulatory fee assessments, differing regulations in different locations and possible mismanagement," the governor said. He urged the DRBC to participate with the state Department of Environmental Conservation, which is writing the environmental impact statement.

He also warned the federal body not to upset the prerogatives of Governor-elect Andrew Cuomo.

The DRBC is a federally chartered body with representatives from the states that share the Delaware River's watershed -- New York, New Jersey and Pennsylvania -- and is responsible for writing regulations governing the use of the basin's water and water quality.

Already sitting on Patterson's desk is a drilling moratorium bill passed by the state Assembly in November that would ban horizontal drilling and hydraulic fracturing until May. Patterson has yet to sign the bill.

Patterson has previously voiced concerns over the safety of the gas drilling practices required to extract gas from shale.

Patterson's letter echoes the concerns of New York City Mayor Michael Bloomberg. In November, Bloomberg, a Republican, wrote the DRBC's Collier requesting the commission delay any decision on gas drilling until it makes a complete study of the cumulative impacts of gas drilling on water supplies.

The mayor does not want drilling near the lakes and aquifers that provide the city's 9 million people with drinking water.

"Because full-scale development of natural gas exploitation in the watershed could degrade water quality, a rush to regulate and drill risks the long-term viability of one of the most important drinking water resources in the United States," Bloomberg said in his letter.

The only gas producer to acknowledge leasing atop New York City's water supply, Oklahoma City-based Chesapeake, pledged last year not to drill on those leases.

The DRBC is already being petitioned by group of environmentalists over its decision to allow exploratory vertical wells to be drilled to test the shale in the two eastern Pennsylvania counties.

The petition is scheduled be heard in front of a federal judge in Easton, Pennsylvania, beginning January 18.

The DRBC has jurisdiction over water in parts of five Pennsylvania counties as well as water use in parts of five counties in New York's southern tier that lie atop the Marcellus.

The commission has moved far more slowly on gas drilling issue than its neighboring river commission to the west, the Susquehanna River Basin Commission. Three years ago as drilling took off across Pennsylvania, the SRBC moved to institute new permitting and approval procedures in concert with state regulators, allowing the shale boom to reach much of Pennsylvania.

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