

## State, feds at odds over gas drilling



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As the Delaware River Basin Commission works toward finalizing regulations for gas drilling and hydraulic fracturing in the river's watershed, [Attorney General](#) Eric Schneiderman gave the federal government an ultimatum this week: study the impact of tapping into the Marcellus Shale or face a lawsuit.

Schneiderman contends the DRBC, the U.S. Army Corps of Engineers, the Fish and Wildlife Service and the National Park Service violated the National [Environmental Policy Act](#) by not completing an environmental study before moving forward with drilling regulations. The law requires federal agencies to prepare a full review if an action could cause harm to the environment.

"New Yorkers are correctly concerned about fracking's potential danger to their [environment](#), health and communities, and I will use the full authority of my office, including aggressive legal action, to ensure the federal government is forced to address those concerns," Schneiderman

said.

The DRBC wrapped up a public comment period on its proposed regulations this month. The river basin includes the eastern tip of Broome County and most of Delaware County, as well as parts of the Hudson Valley.

The [federal government](#) has 30 days to comply before a suit is filed, Schneiderman said.

The threat was praised by environmental groups, including Environmental Advocates of New York's Policy Director David Gahl who said the move was "right on target."

A trade group for the natural gas industry took issue with Schneiderman's legal interpretation, pointing out the DRBC is not technically a federal agency, but rather a cooperative effort between federal and state governments.

"There is no reason to believe that the DRBC might somehow do other than what it

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and water supply and conserve the resources of the basin for the public's recreation and enjoyment," said Brad Gill, executive director of the Independent Oil & Gas Association of New York.