

Hands Across the Border Comments at the  
November 10, 2009 NYSDEC Hearing in NYC  
on the draft Supplemental Generic Environmental Impact Statement on  
Oil, Gas and Solution Mining Regulatory Program, Well Permit Issuance for  
Horizontal Drilling and High-Volume Hydraulic Fracturing  
to Develop the Marcellus Shale and  
Other Low-Permeability Gas Reservoirs

I'm Suzannah Glidden (chair) of Hands Across the Border.

The grossly inadequate and incomplete draft Supplemental Generic Environmental Impact Statement is an insult to the public's intelligence and a negligent danger to our health and welfare and that of our environmental resources without which we cannot survive. Without first updating the antiquated 1985 rules of gas drilling to be presently based on the new Halliburton technique of horizontal hydro fracturing and that remove DEC discretion to grant exceptions from usual standards without public oversight, this document is ludicrous, puts the cart before the horse, and should be withdrawn and scrapped.

There's a big surplus of "natural gas" in storage so there's no rush to drill for more. We have time to do this right or not do it at all. The State can find other ways to close the budget deficit rather than put our lives, water, air, land, wildlife, property values and mortgages at risk. Instead, cut fat cats' salaries and raise the taxes on the wealthy, on the financial institutions that caused this fiscal crisis.

Return to the gas drilling drawing board by first updating formal rulemaking as called for by Earthjustice for transparent, consistent, state-of-the-art, enforceable standards to provide a baseline below which gas drillers may not operate. Fracking in NYS can be administered through state rulemaking under the Administrative Procedure Act. Either a new entity or an existing administrative agency should be assigned to craft detailed regulations based on the best available science, approved by the public and all involved parties, and codified under NYS law.

Then revisit drafting an SGEIS which must this next time around include thorough testing and analyses of air, noise, traffic, induced growth and secondary impacts, community character, cumulative impacts, alternatives to mitigate cumulative impacts and using non-toxic fracking fluids, resources inventory, the precautionary principal, liability and burden of proof shifted to the gas industry and away from the victim, adequate staffing and oversight, waste disposal sites and impacts with special emphasis on NYS Marcellus Shale's higher radioactive content than in other states and its waste disposal

which in itself may prove impossible and stop this project in its tracks. Give an appropriate 6-month comment period. Given the extreme water drawdown and contamination, ozone increase, forest fragmentation, human, livestock and wildlife health havoc, and property values plummet that horizontal hydrofracking has wreaked in other states, the public's protection and demand for a complete, legitimate SEQR must prevail in NYS.

The governor's Executive Order #25 which eviscerates environment protections to accommodate business, his desire to streamline SEQR at a time we need its expansion for additional public comment following the Final EIS stage, his NYS Energy Plan, and raiding clean energy and environmental protection funds should all be rescinded. And we urge the NYS legislature to enact a law that protects public and environmental health and safety from the impacts of fracking.

"Natural gas" is a misnomer for fossilized methane gas, the same gas that causes global warming at 20 times the rate of carbon dioxide. It is in the Arctic permafrost tundra and at the bottom of the seas which if released by global warming will greatly speed the Earth's warming beyond all predictions.

"Transitional fuel" is also a misnomer. Given gas mining's ruination of our water, air, land and life, it could be called genocidal fuel. We should practice strict conservation and proceed directly to geothermal, solar, wind, and biomass energy. Your agency should live up to its mandate with conservation tips such as wearing an extra winter indoors sweater and leaving thermostats at 68, slow vehicular acceleration and speeds of under 55 mph, using energy saving bulbs, greywater for gardening, etc., etc. Instead, the people are forced to lead and the government will have to follow.

I have 2 new bumper stickers on my car: one the Cree proverb "Only when the last tree has died, the last river has been poisoned, and the last fish caught will be realize that we can't eat money." The other: "It is horrifying that we have to fight our own government to save our environment."

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