

Comments on the Draft SGEIS
From an Organic Farmer in Delaware County

My name is Mark Dunau. I serve on the Board of Directors of the Northeast Farming Association of New York, and the Board of Directors of Delaware County Farm Bureau. I am the policy co-chair of both organizations, as well as being an Ag Advisor to Congressman Eric Massa, Congressman Scott Murphy, and Senator Kirsten Gillibrand.

The Northeast Organic Farming Association of New York and Delaware County Farm Bureau are appalled at the shallow analysis of the environmental consequences of hydraulic fracturing in the Marcellus Shale in New York State provided by the draft Supplemental Generic Environmental Impact Statement recently released by the Department of Environmental Conservation. NOFA-NY and Delaware County Farm Bureau condemn the proposed regulations by DEC of hydraulic fracturing as utterly inadequate to protect New York State's water, agriculture and citizenry.

In particular, the dSGEIS ignored the two most important policies shared by NOFA-NY and New York Farm Bureau concerning the environmental impacts of hydraulic fracturing. Because of the huge amount of water needed for the hydraulic fracturing of a gas well (a minimum of three million gallons of water per well, approximately a football field high in water) both farming organizations recommended that the practice of drawing from aquifers for the purpose of hydraulic fracturing be banned, because the water quantities in aquifers are limited, often shallow, and not measurable. Farms, private wells, and many rural townships are dependent on these finite aquifers. The dSGEIS seems to be oblivious to the fact that many landowners have already signed gas leases that explicitly lease their water rights for fracturing, and will draw down these valuable aquifers. Unfortunately, there is no position taken by DEC in the dSGEIS concerning the potential negative impacts of draw down of aquifers by hydraulic fracturing. The irony of this situation is that under New York State law, it is illegal to draw a neighbor's gas without compensation, but not a neighbor's water.

The SGEIS also ignores NOFA-NY and NYFB policy that the chemicals in hydraulic fracturing fluids be publicly disclosed before drilling, because many of these chemicals are known to be toxic, endocrine disrupters and carcinogenic. The SGEIS ignores this recommendation, stating that DEC will require disclosure to itself only of the chemicals used in the fracturing fluids, and will not share this knowledge with the public. This meek position by the DEC as it addresses the "proprietary" rights of the gas companies leaves the public utterly exposed to the consequences of these poisons. It is impossible to test wells for water contamination from fracturing fluids, if the presence of these chemicals are not tested for prior to drilling. Without public disclosure of the chemicals in fracturing fluids, water wells cannot be adequately tested, and gas companies will be shielded from the liability of their contamination.

In the western states of the USA, the contamination rate of water wells runs between 2% and 8%, with many illnesses and adverse health effects recorded. Theo Colburn, the nation's most renowned endocrinologist and author of *Our Stolen Future*, is horrified by the chemicals in fracturing fluids, and is championing the FRAC Act, which, nationwide, would require public disclosure of the chemicals in hydraulic fracturing fluids, and their regulation under the Safe Water Drinking Act by the EPA. Congressmen Maurice Hinchey, Eric Massa, and Michael Arcuri from the Southern Tier are co-sponsoring the FRAC Act. Until the FRAC Act is passed and becomes the law of the land, DEC must protect the citizens of New York by requiring public disclosure of the chemicals in hydraulic fracturing fluids.

Lastly, it is utterly irresponsible of the DEC to release a draft Supplemental Generic Impact Statement that does not address the cumulative impact of gas wells on the environment, but addresses only the

environmental impact of one well at a time. This position is as preposterous as a town creating the guidelines of a building permit without any development plans for the thousands of homes that will follow. Because of its blatant disregard for the cumulative effects of hydraulic fracturing on both the environment and human health, the dSGEIS fails to meet even a minimal definition of an environmental impact statement.

The gas is for fifty years, the water is forever.

Mark Dunau