

PQ: *“If [hydro-fracking] is not safe enough for New York City, why is it safe enough for Cortland, Ithaca or Oneonta?”*

- Congressman Michael Arcuri, 24th District

## DEC Announces Separate Review for Drilling Permits in NYC and Syracuse Watersheds

by Sue Smith-Heavenrich

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Drilling hasn't been banned in the New York City watershed, but energy companies hoping to develop Marcellus shale will need to go through extra environmental reviews to drill in the Catskills. So will companies hoping to drill in the Skaneateles Lake watershed, which supplies drinking water for Syracuse.

On Friday, April 23, NY State Department of Environmental Conservation (DEC) Commissioner Pete Grannis announced that those two watersheds “will be excluded from the pending generic environmental review process for natural gas drilling using high-volume horizontal drilling in the Marcellus shale formation”.

Instead of being permitted through Supplemental Generic Environmental Impact Statement (SGEIS), applications to drill in the NYC and Syracuse watersheds will require a case-by-case environmental review process. That's because both New York City and Syracuse have government approval to supply their residents with unfiltered drinking water. Their watersheds are subject to Filtration Avoidance Determinations (FADs), requiring a review for any proposed land disturbance and use.

As of last Friday, there were 58 permit applications pending for Marcellus wells across the state. Currently there are no applications for drilling permits in either watershed. Ever since DEC released the draft SGEIS, New York City officials have pushed for withdrawal of the proposed regulations claiming that drilling could damage their water distribution infrastructure and aqueducts.

NYC Department of Environmental Protection Commissioner Cas Holloway said that DEC's decision recognizes and protects the city's unfiltered water supply. It also recognizes the “potential danger posed to the watershed by high-volume hydrofracking and horizontal drilling,” he told the press. “Protecting New York's water supply remains our top priority,” Holloway said.

### **Not everyone is happy**

While NYC officials celebrated Friday's announcement, others weren't so jubilant. Brad Gill, executive director of the Independent Oil & Gas Association of New York, called DEC's decision excessive and unnecessary. In a statement to the press Gill said, “The announcement by DEC adds another layer of regulation on an industry that is already over-regulated.” Why pile additional burdensome regulations on an industry with such an outstanding record of safety, he asked?

Pointing out that New York is already facing an economic crisis, Gill said that DEC's decision is comparable to declaring a drilling ban in the watersheds. “It will do irreversible fiscal harm to the local communities that would benefit from tax revenues through drilling,” Gill said.

U.S. Congressman Michael Arcuri (24th District) also expressed outrage, though for different reasons. “Upstate residents, many of whom rely on unfiltered well water, should not be subjected to public health risks simply because they live in less populated or less wealthy areas,” Arcuri said. “If [hydro-fracking] is not safe enough for New York City, why is it safe enough for Cortland, Ithaca or Oneonta? All New Yorkers deserve equal protections from potential risks.”

Town of Caroline supervisor Don Barber gives a nod to DEC for recognizing that intensive high volume, slick water hydrofracturing can put drinking water at risk. “Now it’s up to the rest of us to demonstrate to DEC that all potable water is at risk, not just a few locations near major population centers,” Barber said. “Once surface water is contaminated, potentially huge segments of our upstate population will be forced to make major changes in their lives.”

For example, Barber said, the City of Ithaca is supplied by surface water run-off in the Six Mile Creek Watershed. And the recent aquifer study in Caroline shows that some aquifers have water that is less than 50-years-old and all aquifers are replenished by surface water.

Barber is glad to see DEC considering site specific reviews for gas permits in the two watersheds, but he feels that such reviews should be expanded to all areas of the state. Only through site specific reviews for each application can cumulative effects of the intensive industrial Marcellus drilling activity be evaluated and mitigated, Barber said. “The cumulative impacts cannot be evaluated in a generic impact process.”