

## **OPEN LETTER TO THE DEC**

Sustainable Otsego

The current DEC review of gas drilling regulations in NYS includes the possibility of an outright ban on hydraulic fracturing. Section 7.0 of the DEC's scoping document states that "Alternatives to be viewed . . . will include . . . the prohibition of development of Marcellus Shale and other low permeability reservoirs by horizontal drilling and high volume hydraulic fracturing . . ."

Sustainable Otsego strongly urges the DEC to indeed PROHIBIT any further development of the Marcellus Shale by horizontal drilling and fracturing UNTIL SUCH TIME AS the following conditions are met:

- a) Local municipalities have a decisive voice in accepting or rejecting natural gas development and other large projects within their boundaries. A first step would be repeal of state law ECL 23-303 (2), which exempts gas drilling from local oversight in NYS.
- b) A new scoping process -- holistic, integrated, long-term -- is developed by the DEC for large-scale projects to include all "externalities," that is, the costs passed on to the community in terms of degraded property values, loss of nature, threats to health, inconvenience, higher taxes, etc.
- c) Fossil fuels are classified as energy sources of last resort, open to consideration only after renewable sources are fully developed.

Natural gas is a non-renewable fossil fuel which, although relatively clean burning, remains a significant contributor to global warming. Fossil fuels should be energy choices of last not first resort. Our major dependence is not simply on foreign energy, it is on polluting, unsustainable, and non-renewable fossil fuels.

We note that one of the major drilling companies -- Nornew -- is a subsidiary of the Norwegian national energy company, so that profits (and perhaps the gas) would leave not only our community, but our country. So much for energy independence.

Numerous potential harmful impacts from gas drilling include the following:

- \* site pollution (brownfields)
- \* loss of important drinking water sources
- \* loss of protected trout streams, wetlands
- \* extremely large volumes of water use
- \* disposal of large quantities of water polluted by drilling
- \* lack of transparency about drillers intentions, additives used, etc.
- \* health concerns
- \* unprecedented stress on local roads
- \* disruption, erosion, and other damage from the construction of extensive pipeline networks
- \* noise and loss of property values
- \* possible legal liabilities for leaseholders and landowners

The collective force of these impacts has yet to be measured. We need to think holistically, not piecemeal. Any final determination should include a full build-out analysis of all possible drilling and its impacts. Such an analysis may well show that impacts to local communities far outweigh the benefits.

The presence of large quantities of natural gas is a valuable but problematic gift of nature to our communities. It should be tapped ONLY if it can be shown that the benefits to us outweigh the costs.

Natural gas should only be used under local control to provide essential local services for local benefit (energy for hospitals, local transportation, etc.), and only if these services cannot be provided by renewable resources (wind, biofuels, hydro, solar, etc.).

Such services, which could be central to our survival in very uncertain times, may not be available if local resources like natural gas are rapidly depleted and exported far away for someone else's profit.

But if the gas is quickly developed and exported as proposed, this vital resource will be lost to our community, leaving us more vulnerable. We will have only dug ourselves deeper into the energy hole.

Drilling as proposed is particularly questionable given the deregulation of federal oversight over water quality in recent years, including the Energy Policy Act of 2005 which exempts hydraulic fracturing from the requirements of the Safe Drinking Water Act, and well as state deregulations, and given also the limited ability of the DEC and other agencies, in light of budgetary constraints, to adequately regulate intensive gas drilling over large parts of NYS, and its consequences.

The current rush to exploit this resource is premature. There is only benefit, not harm, in resisting this impulse. The gas in the ground is only likely to become more not less valuable.

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