

Keuka Lake Association

October 26, 2011

dSGEIS Comments  
New York State Department of Environmental Conservation  
625 Broadway  
Albany, NY 12233-6510

RE: Keuka Lake Association Comments on the 2011 Draft of the Supplemental Generic Environmental Impact Statement Regarding High Volume Horizontal Hydraulic Fracturing (HVHF).

The Keuka Lake Association (KLA) was established in 1956 and represents over 20,000 residents who draw water from the Keuka Lake Watershed. The KLA has worked successfully with the multiple government entities in the Watershed to establish and support municipal compact organizations that maintain the quality of Keuka Lake's water. Keuka Lake is rated by the NYS Department of Health as an AA classified public drinking water source. Furthermore, Keuka Lake is surrounded by steep hillsides that rise over 875 feet above the lake. Keuka Lake does not flow like a river. Runoff into the Keuka Lake that is 187 feet deep lake is fast and any contamination is retained for seven years. The Keuka Lake Watershed is relatively small covering 156 square miles. Over 20,000 people draw water directly from Keuka Lake, either filtered or unfiltered. (See Enclosed Topographical Map)

The Marcellus Shale layer in the Keuka Lake area is relatively near to the surface, between 1000-2500 feet, and only 50-100 feet thick--not a significant amount. The separation in depth between the bottom of lake and the top of the Marcellus Shale layer could be less than 1000 feet. But, the KLA is concerned not only about HVHF in the Marcellus Shale layer but also the Utica Shale layer as well.

The dSGEIS regulation proposes 2000 foot set backs of HVHF well pads for 3 years in the Keuka Lake Watershed and is insufficient mitigation of the potential environmental contamination risks from HVHF given that the DEC has protected other environmentally sensitive areas such as the Water Sources for New York City and Syracuse and Certain State Lands. Three of the Finger Lakes (Skaneateles, Hemlock and Canadice) are protected in dSGEIS. The KLA insists that the Keuka Lake Watershed be similarly protected. It is inconceivable that the EPA Water Filtration Exemption is the only reason why hydrofracking is being banned in the New York City and Syracuse water sources. The environmental concerns arising from HVHF in Pennsylvania give us cause and should give the DEC cause to prohibit HVHF in the Keuka Lake Watershed. These 20,000 people are just as important as the people who consume water in New York City, Syracuse and Rochester.

The Keuka Lake Association, a member of the Finger Lakes Regional Watershed Alliance (FLRWA), will actively support the FLRWA in their efforts to preserve the environmental safety of all of the Finger Lakes Watersheds. The Keuka Lake Association, itself and/or in collaboration with other groups, will not rest until HVHF well pads and any horizontal HVHF line are prohibited in the entire Keuka Lake Watershed plus a 4000 foot buffer. The KLA strongly supports the recent reaffirmation resolution by unanimous vote of the Yates County Legislature

treat Yates County like the sources of water for New York City and Syracuse. Over 75% of our KLA membership responded in a recent survey that HVHF should not be permitted in the Keuka Lake Watershed. The Town of Jerusalem held a recent public information meeting on HVHF with over 300 people attending. Ninety-seven percent of the Town residents completing the questionnaire want HVHF prohibited. The Town of Jerusalem has enacted a moratorium and is beginning the legal process of not permitting HVHF. Four other Yates County towns in the Keuka Lake Watershed have also passed moratoriums and a fifth Town is considering passing a moratorium.

The Federal EPA was concerned enough to launch a separate study of HVHF. We still find it difficult to understand why the DEC has chosen not to wait for the EPA study results as an input to the dSGEIS regulations. The KLA considers the EPA study a prudent action that would reduce the environmental risk of HVHF in NYS and the Keuka Lake Watershed. We request again, that DEC wait for EPA study results, at least for the Keuka Lake Watershed. The natural gas in the Marcellus and Utica shale layers will not be lost.

If the Keuka Lake Watershed, the driver of the local economy, is contaminated or perceived to be contaminated by HVHF, a significant economic loss to the region will result. Tourism in the Finger Lakes is a \$2.54 billion business. Agriculture, tourism and wineries are significant and growing businesses in this area. The DEC dSGEIS has not quantified the negative economic effect on these businesses, which must be an integral part of the analysis

Two hundred and fifty physicians and the New York State Medical Society reported health concerns resulting from HVHF. The NYS Department of Health will be required to add employees to handle these HVHF related illnesses. The KLA expects the DEC to understand these concerns and address these health related issues and costs in the final SGEIS.

Although increased employment in NYS is touted as a benefit, many of these employees will come from out of state and leave when the jobs for drilling HVHF disappear in a few years. The DEC needs to project on a 10-20 year basis the number of HVHF jobs retained and their value in NYS.

Without a gas depletion tax the benefits to NYS are minimal. Local governmental units should not be required to fund the clean up from damage caused by HVHF. NYS should enact a type of gas depletion tax so the State can benefit and absorb the additional cleanup costs associated with HVHF-both at the State and local level.

Prohibit hydrofracking in the environmental risky Keuka Lake Watershed. Treat the Keuka Lake Watershed like the DEC is treating the other environmental sensitive areas in New York State.

Sincerely,

Robert L. Corcoran Jr.  
President  
Keuka Lake Association

Enc: Keuka Lake Watershed Topographical Map

Joe Martens Commissioner, New York State Department of Environmental

Conservation

Eugene Leff, Deputy Commissioner New York State Department of  
Environmental Conservation, Minerals Division

Dean G. Skelos, New York State Senate Majority Leader

Mark Grisanti, State Senator & Chair, Senate Environmental Conservation  
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Sheldon Silver, New York State Assembly Speaker

Robert K. Sweeney, State Assemblyman & Chair, Assembly Environmental  
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Philip A. Palmesano, State Assemblyman, 136th Assembly District

Taylor Fitch, Chair, Yates County Legislature

Lynn Thurston, President, Finger Lakes Regional Watershed Alliance