

The Council of the City of New York
Committee on Environmental Protection
Oversight Hearing on
The Draft Supplemental Generic Environmental Impact Statement Relating to Drilling for
Natural Gas in New York State Using Horizontal Drilling and Hydraulic Fracturing

Testimony by Catherine McVay Hughes, Vice Chairperson, Community Board One

Friday, October 23, 2009
10:00 a.m. in the Committee Room, City Hall Manhattan

Good morning. I am Catherine McVay Hughes, Vice Chairperson of Community Board One (CB1). We appreciate this opportunity to testify about The Draft Supplemental Generic Environmental Impact Statement Relating to Drilling for Natural Gas in New York State Using Horizontal Drilling and Hydraulic Fracturing (T2009-1651). We thank Chairman James F. Gennaro of the New York City Council Committee on Environmental Protection and Manhattan Borough President Scott Stringer for their tireless efforts to defend our drinking water supply and to bring this important issue to the forefront.

We support Resolution 1850-2009 which calls on the New York State Legislature, the New York State Department of Environmental Conservation (DEC), and New York State Governor David Paterson to prohibit drilling for natural gas within the boundaries of the watershed of the New York City drinking water supply. CB1 unanimously passed a resolution unequivocally urging the NYS DEC to prohibit the use of hydraulic fracturing in the New York City watershed on May 26, 2009.

As you know, both the NYS DEC and the New York City Department of Environmental Protection (NYC DEP) have a mandate to protect the watershed and land surrounding the watershed. The NYS DEC also has a mandate to protect the groundwater and surface water of New York State. We have concerns that drilling or fracturing could cause problems or contaminate the surface water (watershed) or groundwater in the areas of work.

In addition, we are here today to call on the Governor to extend the public comment period an additional 60 days from the end of the current public comment period on November 30, 2009. There is no need to rush into drilling for natural gas within the boundaries of our watershed. Our country's supply of natural gas is projected to be more than sufficient for years

and decades to come, and according to a recent federal Energy Information Administration publication, “the current forecast assumes some additional production curtailments as natural gas inventories begin to swell toward capacity limits this month.”ⁱ In other words, we are already drilling more gas than we can store.

We also have the following concerns:

- Cross contamination between surface water and drinking water wells
- Well permit issuance in the watershed areas
- Septic fields in the area permitted for drilling or fracturing
- Dual roles for the city and state in the protection of NYC drinking water
- Gas leaks ⁱⁱ

According to a report by Manhattan Borough President Stringer called “Uncalculated Risk: How plans to drill for gas in Upstate New York could threaten New York City’s water system” (February 2009), there is “a scary record of hydraulic fracturing in other states ... including leaks and spills; water pollution; explosions; and water theft.” Therefore, NYS DEC should seriously consider requiring that a financial bond be put up to cover the complete cost of water filtration plant of all chemicals used prior to establishing even a well head. This is a common practice used routinely in many businesses. We are concerned that “shell” companies could be established, and if a problem were to develop, there would be only the taxpayer left with the bill to remediate the damage as we have seen in many superfund sites. A bond or escrow arrangement would protect the City and upstate area and any reputable company could provide it.

As the Community Board representing Lower Manhattan, which includes the World Trade site, we were deeply concerned about the safety of our air and water after the terrorist attacks of September 11, 2001. The City has committed significant resources to defend its 8 million residents against toxic and radioactive chemicals. To allow horizontal drilling and hydraulic fracturing in the Marcellus Shale within the boundaries of our watershed for potential short term financial gain is unconscionable. In other parts of the world, countries are going to war over the quantity and quality of their water supply. Our water supply is one of our most precious resources and we must continue to vigilantly protect it. Thank you for your consideration of CB1’s testimony today.

ⁱ “*U.S. Natural Gas Consumption*. Total natural gas consumption is projected to decline by 2.0 percent in 2009 and 0.2 percent in 2010 ([U.S. Total Natural Gas Consumption Growth Chart](http://www.eia.doe.gov/emeu/steo/pub/contents.html)). Weak economic conditions continue to hamper the industrial sector, where the most recent data show natural gas consumption is down by 12.4 percent through July compared with the same period last year. With lower consumption in the residential and commercial sectors as well, natural gas use in the electric power sector continues to serve as the only demand outlet for increased natural gas supplies,” according to Short-Term Energy and Winter Fuels Outlook dated October 6, 2009 Release, Energy Information Administration, Official Energy Statistics from the U.S. Government, <http://www.eia.doe.gov/emeu/steo/pub/contents.html>

ⁱⁱ The New York Times, “Curbing Emissions by Sealing Gas Leaks, by Andrew C. Revkin and Clifford Krauss, October 14, 2009