

PUBLIC COMMENT

In re: Draft Supplemental Generic Environmental
Impact Statement and Draft Regulations for
High-Volume Hydraulic Fracturing

Held on: December 1, 2011
7 p.m. to 11 p.m.

Held at: State Theatre, Ithaca, New York

Sponsored by:

Tompkins County Council of Governments

Moderated by: Dominick Frongilo

REPORTED BY: ELIZABETH R. BRUCIE

& DELORES HAUBER

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MODERATOR: Good evening, welcome to the Tompkins County Council of Governments' public hearing to provide comments on the Department of Environmental Conservation on the revised Supplemental Generic Environmental Impact Statement and their proposed regulations as they propose to high volume hydrofracking for gas in New York State.

My name is Dominick Frongilo, I am a council member in the town of Caroline and I am representing the Tompkins County Council of Governments. The Tompkins County Council of Governments is an intermunicipal organization representing all 17 municipalities, see with your neighbors if you can name all 17, within Tompkins County working together for improving coordination and efficiency of services of local governments here in the county.

TCCOG supports an open and transparent process to ensure that citizens in the county and the Finger Lakes region

1 as a whole are able to provide verbal
2 comments to the DEC on its DGEIS and its
3 regulations from the region which would be
4 impacted by gas involvement in the
5 Marcellus and Utica shales. The locations
6 of the DEC sponsored hearings did not
7 provide this opportunity to our local
8 citizens, so members of TCCOG organized
9 this public hearing.

10 (APPLAUSE.)

11 MODERATOR: The Council of
12 Governments supports citizens in commenting
13 on the SGEIS from all points of view.
14 TCCOG recognizes that this is an emotional
15 topic. To be efficient with our time
16 together this evening and to ensure that
17 every speaker is heard, we have specific
18 rules for this hearing that we will require
19 all of you here to respect.

20 Number 1: Focus comments. This is
21 not a rally to debate the merits or issues
22 of gas drilling, this is a hearing to
23 address the Supplemental Generic
24 Environmental Impact Statement and the

1 proposed regulations. DEC will disregard
2 any comments that do not specifically
3 address the SGEIS or the regulations. To
4 make the most effective use of our time,
5 speakers should focus their comments on the
6 SGEIS and the proposed regulations.

7 Number 2: Three minutes per speaker,
8 each speaker must complete their comments
9 within their three-minute time allowance,
10 please watch the time keeper, there is our
11 lovely time keeper. And that's Suzanne is
12 her name. She has a card for a 1 minute
13 and a 30 second warning as well as a red
14 card for stop.

15 Additional comments can be submitted
16 in writing if you don't get them all in in
17 your three minutes and I will say more
18 about that later. If a speaker should
19 insist on exceeding the three-minute time
20 limit, he or she will be assisted in
21 leaving by our lovely microphone assistants
22 but we know this won't be necessary.

23 Number 3: Be respectful of all
24 speakers. We recognize that gas drilling

1 is an emotionally charged issue. That so
2 many of us are here on a Thursday night
3 shows just how many of us care deeply about
4 this issue and have specific comments on
5 the SGEIS and the proposed regulations to
6 DEC. So to be efficient with our time and
7 so that as many citizens as possible have a
8 possibility to speak, we ask that the
9 audience refrain from applause, shouts,
10 whistles or other audible signs of verbal
11 agreement. We do ask the speakers
12 carefully consider their language to keep
13 the atmosphere peaceful and respectful.

14 Number 4: Speaker order, each
15 speaker has a number based on the order
16 that he or she signed up. Speakers with
17 odd numbers will line up on the left side
18 of the theatre, and speakers with even
19 numbers will line up on the right side. I
20 will call speakers by their name in lots of
21 eight. So that's four people per side.

22 Number 5: Speak clearly. Our
23 stenographer tonight is Elizabeth Brucie.
24 Elizabeth say hi. She is transcribing

1 verbatim the proceedings tonight. So to
2 make her job easier, we ask that speakers
3 speak clearly and address the audience,
4 they will be facing the audience and so
5 that Elizabeth can see you.

6 We also ask that you speak clearly
7 and spell out your name so that she can
8 type them in her comments.

9 Number 6: Number of speakers. We
10 have likely over a hundred people signed up
11 to speak at this point, more people still
12 coming in. With your assistance, helping
13 things go smoothly this four-hour hearing
14 will likely allow 70 or more speakers to
15 speak. Depending on how long each person
16 takes or if people who signed up leave
17 before the end of the hearing, we may be
18 able to get to more than number 70 on the
19 list. Speakers please be succinct so we
20 can hear as many people after you as
21 possible.

22 Number 7: Written comments. So the
23 Council of Governments knows that this
24 four-hour hearing is insufficient to hear

1 all the comments from everyone in the
2 audience tonight, we apologize for those
3 who are unable to speak this evening but
4 who have -- but strongly encourage you and
5 encourage anyone present to submit written
6 comments, handouts are available in the
7 back of the theatre, they look like this.
8 They are in the back, they give
9 instructions on how to submit comments
10 electronically or by mail.

11 And you can also, any written
12 comments that you wish to write tonight
13 will also be collected during this hearing
14 and delivered in person to the DEC along
15 with the Verbatim transcript of all the
16 comments. If you wish to submit written
17 comments from this hearing, please pick up
18 one of these forms in the back. We will
19 also have people going through the aisles
20 passing out these sheets, so look for the
21 ushers, and you can drop off this comment
22 collection at the TCCOG table in the back
23 or to the ushers who are walking down the
24 aisles.

1 To be included in the TCCOG packet,
2 and to be hand delivered to DEC, any
3 written comments must be received by
4 Monday, that's December 5th at 5:00 p.m.,
5 at the county legislature office which is
6 320 North Tioga Street, or by e-mail at
7 TCCOG, at Tompkins-Co.org, and all this is
8 written on the sheets.

9 A few housekeeping notes. Please
10 keep the aisles clear so that the speakers
11 and ushers can go up and down the aisles.
12 Restrooms are located past the lobby and
13 then up the stairs, and we also have a
14 ladies room and a handicap accessible room
15 right off to my left here.

16 We do not have a formal break
17 scheduled. But we will take a few moments
18 to stretch probably at 8:30, and then again
19 about an hour later. We do have emergency
20 exits that are through the lobby. We also
21 have emergency exits to the left and to the
22 right of the stage and in the back of the
23 house. The house reminded me no smoking
24 and to be respectful of other speakers to

1 turn off your cell phones.

2 And finally, a word on finances, this
3 hearing cost over \$5,000 to put together;
4 and the DEC is not covering any of the
5 costs from this event. Please feel free to
6 contribute to offset the facility and
7 transcription costs, there are donation
8 tables, we will also pass the hat I
9 believe.

10 Anything that you can do to support
11 the Council of Governments in hosting this
12 event and other events is greatly
13 appreciated.

14 Great. So I would like to call the
15 first group of speakers up to the
16 microphone. That's numbers 1 through 8.
17 Come to the front with odd numbers on the
18 left and even numbers on the right.

19 While this is happening I would like
20 to introduce our observer from the DEC,
21 Diane Carlton. Diane, if you would like to
22 please stand up.

23 (APPLAUSE.)

24 MODERATOR: Diane is the DEC regional

1 public affairs and education director. We
2 thank you, Diane, for taking the time to
3 attend. Although our DEC observer is
4 present, speakers are reminded to address
5 the audience and so that our stenographer
6 can see you.

7 Also I would like to recognize the
8 over two-dozen volunteers and elected
9 officials who put in many hours to make
10 this hearing a reality. If you are a
11 member of the Council of Governments and/or
12 assisted with this hearing, please stand up
13 and wave your hand so we can recognize you.
14 There are many people in the back.

15 (APPLAUSE.)

16 MODERATOR: Thank you. None of this
17 would be possible without their efforts.
18 So thanks again to our stenographer
19 Elizabeth for her excellent work in
20 documenting the proceedings and thanks to
21 the State Theatre for their hospitality in
22 this beautiful facility.

23 So let's begin. Speaker number 1 is
24 Dan Lamb, Office of U.S. Representative

1 Hinchey, please come to the microphone and
2 address the audience, speak clearly, spell
3 your name first for our stenographer.

4 MR. LAMB: Dan Lamb. It's great to
5 be here tonight, it's great to be first, I
6 think it has less to do with who I work
7 with than the fact that I had my 11-year
8 old with me who hasn't had dinner. So I
9 will try and be brief.

10 But it's good to be here on behalf of
11 Congressman Maurice Hinchey who is in
12 Washington today for votes, I want to thank
13 TCCOG for the opportunity to comment on the
14 revised draft Supplemental Generic
15 Environmental Impact Statement on
16 horizontal drill and hydraulic fracturing
17 in the Marcellus Shale.

18 Maurice appreciates the hard work
19 that Commissioner Martens and his staff
20 have invested in this document. In
21 addition, DEC has lost many staff over the
22 past few years, making this task all the
23 more difficult.

24 Despite the sincere effort, Maurice

1 believes that the SGEIS falls far short of
2 what is needed to protect local communities
3 from the risks posed by shale gas drilling
4 and does not fully mitigate potential
5 threats to public health, drinking water,
6 air quality and municipal infrastructure.

7 Two years ago, Maurice, in response
8 to the first draft SGEIS, provided 11
9 detailed recommendations to mitigate the
10 risks of shale gas drilling. These
11 included a cumulative impact study, a ban
12 on the use of toxic chemicals in fracking
13 fluids, a requirement for full public
14 disclosure of all chemicals used in the
15 fracking process, more DEC staff to oversee
16 drilling operations, phased-in development
17 of new well pads and more.

18 Unfortunately, none of these
19 recommendations are included in the new
20 SGEIS, and others are only partially
21 addressed. We have learned much more about
22 hydraulic fracturing since 2009. More
23 incidents of broken industry promises, harm
24 to local communities, air pollution and

1 water contamination have been reported.
2 Just recently in Pavillion, Wyoming, the
3 EPA found fracking chemicals in well water.
4 These incidents raise serious new concerns
5 that are not addressed by the revised
6 SGEIS.

7 Recently physicians and other health
8 professionals from around New York State
9 called for a full assessment of the public
10 health impacts of gas exploration and
11 production. The SGEIS omits this critical
12 review, and Congressman Hinchey agrees that
13 the state should conduct a health impact
14 assessment.

15 In addition, EPA has begun a new
16 study on the impact of fracking on water
17 resources that Congressman Hinchey
18 initiated. This study is expected to
19 produce initial results by the end of next
20 year. The EPA is also developing rules to
21 protect the public from toxic air
22 pollutants that are emitted by gas drilling
23 sites. The Congressman believes it would
24 be irresponsible and unwise for New York to

1 allow new shale gas drilling before these
2 actions are completed.

3 The consequences of failing to
4 safeguard our water resources, air quality
5 and public health would far outweigh the
6 purported economic benefits associated with
7 drilling.

8 Congressman Hinchey believes the
9 current SGEIS does not provide these
10 protections and should be protected.

11 Thank you very much.

12 MODERATOR: Next is chair of the
13 Tompkins -- Martha Robertson.

14 MS. ROBERTSON: Martha Robertson.
15 The revised is SGEIS is better thanks in
16 large part to the 14,000 public comments on
17 the previous draft and yet many of our most
18 significant comments on the first version
19 have not yet been addressed. Our planning
20 department has written comments that our
21 legislature will consider next Tuesday.
22 Unfortunately whole sections of these new
23 observations could have been taken verbatim
24 from our 2009 comments.

1 For example, the document still
2 doesn't deal adequately with cumulative
3 impact, even though the DEC admitted in
4 2010 that this gap was one of the most
5 frequent comments by the public.

6 Every EIS is required to focus on
7 communal impacts rather than allowing
8 segmentation. Just because it's difficult,
9 doesn't mean the DEC can brush it off.

10 The document fails to establish the
11 thresholds of activity that the human and
12 natural environment could sustain without
13 permanent damage. The spacing unit is the
14 only limiting factor on development.

15 It's the DEC's job to establish a
16 pace and extent the development that the
17 environment could tolerate rather than
18 leaving it up to the industry.

19 The socioeconomic analysis failed to
20 analyze or quantify the negative impacts of
21 drilling, a stunning omission. It doesn't
22 address the serious long-term adverse
23 effects of a boom and bust economy or the
24 cost to local governments, or issues of

1 equity when a few people will get rich
2 while the rest of the community pays the
3 cost. The overwhelming truck traffic will
4 have devastating economic and social
5 effects even if the industry eventually
6 repairs the infrastructure.

7 The many continuing flaws in the
8 SGEIS includes failure to assess the effect
9 on our rural landscapes and lifestyle
10 analysis of the greenhouse gas emissions
11 from natural gas. There is still no
12 adequate plan for cleaning the wastewater.
13 The failure to address the cumulative
14 impact is a fatal flaw all by itself.

15 The only conclusion that can be drawn
16 the document is that there are no measures
17 that New York State is willing or able to
18 require that would sufficiently mitigate
19 the negative impacts of shale gas drilling.

20 Therefore, until and unless a more
21 benign technology is developed and
22 required, fracking should not be permitted.
23 A total statewide ban is the only
24 appropriate mitigation. If a total ban

1 can't be achieved, the DEC should honor
2 local home rule, as many other states
3 currently do. Home rule would place the
4 decision of whether to allow drilling at
5 the local level. The responsibility to
6 regulate the process of drilling itself
7 should remain with the professionals at the
8 DEC.

9 Thanks to the state's moratorium and
10 DEC's SGEIS process, the public comment
11 period will carry a relatively well
12 equipped today to understand the tradeoffs,
13 in the industry. DEC can and should invite
14 this support for local home rule into the
15 SGEIS, I submitted tonight an outline how
16 that could be done. Municipal home rule
17 has been and remains one of New York's
18 unique and important political features,
19 the principle has seldom been more
20 significant to the people of the state as
21 it is in this debate. Thank you.

22 (APPLAUSE.)

23 MODERATOR: So I politely remind the
24 audience we can get through more speakers

1 faster if we find nonaudible ways to
2 communicate our feelings. I see there are
3 many people in the audience that have such
4 ideas.

5 Our next speaker is Sara Hess, if you
6 could speak your name clearly and spell it.

7 MS. HESS: Sara Hess, I live in
8 Ithaca. The drinking water in my faucet
9 starts as surface water, Six-Mile Creek and
10 its tributaries feed into two reservoirs
11 owned and operated by the City of Ithaca.

12 I've studied the watershed map for
13 Six-Mile Creek, it's big. Ithaca's water
14 comes from an area that includes about a
15 third of Caroline, two chunks of Dryden,
16 part of Danby, and part of the town of
17 Ithaca.

18 I also looked at the map that shows
19 gas leases in those areas, and saw that a
20 great deal of land has been leased to the
21 gas companies. Many experts have told us
22 that the biggest environmental threat of
23 water contamination is from human error
24 that leads to surface spills.

1 If drilling is allowed in Ithaca's
2 watershed, we know from Pennsylvania's
3 experience that accidents would -- like
4 overturned trucks, faulty valves on storage
5 tanks and leaking open pits would carry
6 contamination downhill to the nearest
7 valley and creek.

8 Ithaca's water filtering and
9 treatment system is not designed to remove
10 toxic waste nor hazardous chemicals used
11 for shale drilling. So, what protection
12 does the DEC give to the 30,000 people who
13 drink Ithaca's water? Well, hardly any.
14 The two reservoirs would have a 2000-foot
15 buffer zone where no drilling pads would be
16 allowed. But the real exposure of course
17 is in the streams and creeks that fill
18 those reservoirs. Here the DEC relies on a
19 1992 setback rule of 150 feet from a public
20 stream. This regulation was put in place
21 20 years before shale gas drilling came
22 along. In today's world, Marcellus
23 drilling requires 27,000 gallons of
24 chemicals to be transported and used for

1 each well that is drilled.

2 And here's the kicker. In the July
3 draft of the SGEIS a longer setback
4 protection of 500 feet was put on either
5 side of the tributary that feeds into a
6 public drinking water supply. But, in the
7 October draft, that protection was
8 mysteriously taken out, with no
9 explanation. I have to wonder, who made
10 that decision? And why?

11 Colorado has a stream setback of
12 300 feet, New Mexico 1000 feet. But New
13 York has only 150 feet.

14 I'm here to say that any gas drilling
15 activity within the watersheds of any
16 municipal water supply must be prohibited.

17 (APPLAUSE.)

18 MODERATOR: Thank you. Our next
19 speaker, number 4 is Robert Howarth.

20 MR. HOWARTH: I actually have number
21 7. Thank you. And thank you for TCCOG for
22 organizing this. My name is Bob Howarth.

23 I want to shortly address some of the
24 scientific failings with the draft SGEIS.

1 I'm a scientist and environmental
2 scientist, I have worked on water quality,
3 greenhouse gas emissions including oil and
4 gas industries for 35 years. I was really
5 pleased to hear last summer that Governor
6 Cuomo announced the importance of using
7 science in the decision making for
8 determining hydrofracking.

9 It's a challenge, it's a big
10 challenge, because shale gas development is
11 new. Outside of Texas where it's only been
12 going on for 10 or 12 years, elsewhere in
13 the country it's only been going on in any
14 major way for three, four, five years. So
15 the science is new, and we are just
16 learning.

17 Almost all of the scientific
18 literature on shale gas has come out in the
19 last 12 months, 15 months perhaps, in a lot
20 of it the last 9 months. That's a moving
21 target. That's a real challenge for the
22 DEC. And unfortunately they've totally
23 failed to meet that challenge. They almost
24 completely missed all of the important

1 literature that's come out in the past year
2 or so.

3 I want to give you three examples.
4 First is the size of the resource. They
5 are using in their SGEIS estimates which
6 came from the Department of Energy. The
7 U.S. Geological Survey put out a new
8 assessment of the Marcellus shale resource
9 last summer, that said that the Department
10 of Energy had overestimated the resource
11 five-fold. There is a lot less gas there.
12 The Department of Energy agreed, and said
13 yes the USGS is no expert in this, we're
14 wrong. But the DEC has yet to change it,
15 they're still using the wrong inflated
16 numbers. And that highly effects the cost
17 benefit analysis.

18 Second issue is the greenhouse gas
19 footprint of shale gas. This is something
20 I have taken on as a personal research
21 topic, published two papers on it now, we
22 have a third one in press. Our work was
23 completely ignored in the SGEIS. But so
24 where seven other papers and reports that

1 have come out in the last year. Instead,
2 the SGEIS relies on unpublished fact sheet
3 on the website that the Chesapeake Gas
4 Corporation from two years ago.

5 The EPA has just redone their
6 analysis of the greenhouse gas emissions
7 associated with natural gas, first update
8 since 1996. They now say that 39 percent
9 of the methane emissions in the United
10 States, all sources, come from natural gas.
11 And when you scale that to the total
12 greenhouse gas inventory of the entire
13 United States, all greenhouse gases, all
14 sources, natural gas, methane, makes up
15 17 percent of their entire footprint.

16 The third thing I want to talk about
17 very briefly because I have 20 seconds, is
18 the distinction between New York City and
19 Syracuse watersheds and the rest of us.
20 The SGEIS readily admits that there will be
21 surface water contamination from spills and
22 accidents. And they say that's a threat to
23 New York City and Syracuse. They say it's
24 not a threat to others because of water

1 filtration systems. They provide no
2 scientific documentation to that.

3 I and 58 other scientists wrote a
4 letter to the governor stating there was no
5 scientific basis for that. Five members of
6 the National Academy of Science has signed
7 on to that. 50 other of the nation's
8 experts in this all agree, we have had no
9 reply from the Governor; but the SGEIS has
10 done a terrible job on these assessments.
11 Thank you.

12 (APPLAUSE.)

13 MODERATOR: Sorry about the
14 numbering, I have on my list Nathan
15 Shinagawa as Number 5, Elizabeth as number
16 6 and Sandra as number 7. So our next
17 speaker will be Nathan Shinagawa, Tompkins
18 County legislator.

19 MR. SHINAGAWA: Hello, thank you
20 everyone for letting my speak, Nathan
21 Shinagawa. Tonight I'm not speaking as a
22 county legislator but actually speaking as
23 a person that works in Bradford County
24 Pennsylvania, I work in health care down

1 there. And I travel down to Sayre every
2 day, takes about an hour to get there then
3 I travel back.

4 And I have a lot colleagues that have
5 been affected very personally by what's
6 happened with hydrofracking, I have people
7 that have concerns about public safety.
8 There are people that I work with that have
9 had commutes that have changed from
10 10 minutes to an hour because of the
11 traffic that's affected the community.

12 And then also we have a huge economic
13 problem there, which is high rents and the
14 high costs of housing and that's been huge.

15 So when I work in government I often
16 question, you know the cost versus the
17 benefits, I think that's one of the things
18 that we have to do as leaders, and I look
19 at that and I say well who benefits out of
20 this. And obviously there is an economic
21 benefit. There is the economic benefit but
22 it's for a very few group of people. And
23 what do I mean by that, well I have seen
24 firsthand the economic benefit. The

1 economic benefit goes to lawyers and
2 landowners. It goes to people who have the
3 capital to build cheap hotels and camps and
4 it goes to out of state workers.

5 But it really, I have seen how it
6 harms people, it harms the people that have
7 the least and with fracking I believe that
8 they are getting less. What do I mean by
9 that? Well during the flood that affected
10 both the Southern Tier of New York and the
11 Northern Tier of Pennsylvania, I worked
12 there for several days, at my hospital, and
13 after the aftermath it was so hard, because
14 some of the places that got flooded the
15 most were the areas that had the cheapest
16 housing. And to this day I have a half a
17 dozen people that I know that I work with
18 that don't have homes. And they don't have
19 homes because they can't afford to move
20 anywhere because the rents have become so
21 high. So there is a serious economic
22 impact here.

23 And so, if there is not this big
24 economic impact, well then how can we

1 justify this huge environmental risk? And
2 what do I mean by that, well I mean that
3 this SGEIS, this SGEIS is supposed to be
4 the document that mitigates those risks and
5 yet it doesn't.

6 We see the situation in Dimmick,
7 Pennsylvania, how the industry has ruined
8 18 wells; they said they would fix, it they
9 didn't fix it and then they just pulled out
10 all of the -- (APPLAUSE) -- pulled out the
11 fresh water from this community. It's
12 absolutely ridiculous.

13 So I think if we want to plow
14 forward, this SGEIS is inadequate. What it
15 needs is public disclosure of all chemicals
16 that are used. It needs a cumulative
17 impact study. It needs a public health
18 assessment of fracking; and if you do do
19 fracking, which I hope you don't, that we
20 actually have a plan at the DEC and at the
21 county level to have staffing so we can
22 have proper oversight.

23 Finally to conclude, I think that we
24 need to give communities the power to chose

1 whether or not they want to have fracking,
2 because the risks are so huge and that's
3 why home rule is so important. (APPLAUSE.)

4 And also, finally I just want to say
5 in conclusion that seeing all this
6 firsthand, I don't want fracking, I have
7 seen what happens in Pennsylvania, and I
8 don't want that for the people of New York.
9 And I don't want that for the environment
10 of New York. Thank you.

11 MODERATOR: Thank you. I would make
12 friendly reminder to the audience, that our
13 stenographer has to hear to transcribe
14 verbatim, so if you can find non-auditory
15 ways to communicate because I can see that
16 you want to communicate your approval of
17 many of these comments.

18 Our next speaker is number 6,
19 Elizabeth Tomas, council member of the Town
20 of Ulysses.

21 MS. TOMAS: Elizabeth Tomas, I am the
22 town Councilman and deputy supervisor for
23 the town of Ulysses and also the chair of
24 the Tompkins County Council of Governments

1 Gas Drilling Task Force.

2 So, commenting on over 1500 pages of
3 the SGEIS plus the oddly simultaneously
4 released regulations and the storm water
5 rules on drilling it is nearly impossible
6 in three minutes. So each of us need to
7 focus on an area of special concern.

8 As a member of the town council, my
9 duty is to protect the health, safety and
10 well-being of our residents. I hasten to
11 add that that is also the duty of the state
12 government and the DEC. To this end, the
13 town of Ulysses has researched the subject
14 on high volume hydrofracking extensively,
15 spending countless of hours paid and
16 unpaid. In August our board unanimously
17 approved a ban on any drilling within the
18 town limits because we felt the SGEIS was
19 insufficient to protect the health, safety
20 and well-being of all our residents.

21 The proposed SGEIS has far too many
22 flaws to reassure our town that this can be
23 done safely, for example, since air quality
24 and health issues remain unresolved,

1 drilling should not be allowed, at least
2 within a thousand feet of any residential
3 areas, the same being true of our valuable
4 creeks and lake. The SGEIS ignores the
5 type of aquifer that lies beneath
6 approximately an eighth of our town,
7 because it's not a primary or principle
8 aquifer. Who will protect the residents
9 whose wells draw from that source?

10 And the SGEIS mentions nothing about
11 the salt mines and the caverns that spiders
12 throughout the rocks beneath us. Nor does
13 the SGEIS account for the unmapped
14 abandoned gas wells that are expected of
15 being conduits of drilling fluids in other
16 areas where drilling has occurred.

17 None of these assurances are in the
18 SGEIS, and for these and a multitude of
19 other reasons, the town of Ulysses says not
20 now, in our residentially dense and water
21 rich community. But it's questionable if
22 the state will allow us the right to zone
23 our land according to our locally preferred
24 land uses. The SGEIS needs to take a

1 stronger stand in honoring the right of
2 home rule.

3 Finally local governments are already
4 bearing a huge and very expensive burden in
5 preparation for the possibility of high
6 volume hydrofracking. Responding to an
7 issue of this magnitude requires time and
8 money, but local governments, many are
9 small, along with the majority of its
10 residents stand to benefit little to none.
11 This is not the long-term economic trend
12 that many are making it out to be.
13 Especially when environmental and health
14 issues are properly valued in the entire
15 economic equations.

16 Yes, some will become rich and the
17 rest of us will bear the burden of a
18 reduced quality of life, along with
19 increased taxes to foot the bill handed
20 over to local municipalities.

21 MODERATOR: Thank you. I would like
22 to call up the next set of speakers, so
23 this would be 9 through 16. Please make
24 your way up to the front of the stage.

1 Next speaker is Sandra Steingraber.

2 MS. STEINGRABER: My name is Sandra
3 Steingraber. I am a resident of
4 Trumansburg and a biologist at Ithaca
5 College. I have had the opportunity to
6 speak about the public health impacts of
7 fracking at the European Parliament,
8 Congress, the White House and the EPA. But
9 nothing is more meaningful than to speak in
10 my own community before this stage where I
11 have watched my two children perform the
12 story of Peter Pan.

13 Hydrofracking releases carcinogens
14 and neurological poisons into the Earth.
15 It brings radioactivity, heavy metals and
16 toxic vapors under deep geological strata
17 and into our shared environment. It fills
18 the air with smog, substantively
19 contributes to preterm birth and asthma.
20 It creates light and noise pollution that
21 are linked to breast cancer and
22 cardiovascular disease.

23 Governor Patterson was right to issue
24 an executive order that created a

1 moratorium until the environmental health
2 risks of fracking can be fully analyzed.

3 The draft SGEIS is not that analysis.
4 Rather than assess the health impacts of
5 fracking, using the protocols of public
6 health science, the SGEIS simply denies
7 that these impacts exist. Certainly the
8 regulations proposed in the SGEIS do not
9 protect my children. In fact the word
10 children, the word pediatric, does not even
11 appear in the document.

12 Were the SGEIS submitted for peer
13 review, it would not be sent out for
14 revision, it would be rejected. Meanwhile,
15 The Wall Street Journal reports rumors of a
16 pending deal between Governor Cuomo and
17 Republican Senator Tom Libous that would
18 open up the Southern Tier for fracking.

19 So I bring two messages tonight:
20 First the SGEIS must be withdrawn. It is
21 not a legitimate scientific inquiry, it is
22 an infomercial.

23 Second, carving up New York into
24 frack and no-frack zones is unacceptable,

1 the Finger Lakes and the Southern Tier are
2 two branches of the same tree. We share
3 water, we share food, we share roadways, we
4 share floods, we share air.

5 We know that the prevailing winds
6 flow from Jamestown and Elmira to Ithaca
7 and Skaneateles; we know that fracking
8 related air pollution can travel 200 miles.
9 If you frack the Southern Tier, you frack
10 us.

11 I am one of the lucky recipients of
12 the Hines award in my work in environmental
13 health, and I received this metal. It
14 comes with \$100,000 cash prize. When
15 scientists win awards like this, the time
16 honored thing is to devote it to one's
17 research. If I believe that the decision
18 whether or not to frack New York was based
19 on science, that's what I would do. But I
20 don't believe it. Instead I'm donating
21 money to organizations that are fighting
22 fracking not studying it.

23 And because everyone here will not
24 have a chance to speak tonight, I would

1 like to donate my remaining seconds at this
2 podium to my friends and neighbors, feel
3 free to let the DEC hear your thoughts on
4 the SGEIS.

5 (APPLAUSE.)

6 MODERATOR: Thank you. Our next
7 speaker is Ken Zeserson, number 8.

8 MR. ZESERSON: Ken Zeserson.

9 I'm the planning board chairman in
10 Ulysses, New York. I would like to address
11 the section on the socioeconomic impacts in
12 the SGEIS. Let's remember the 2009 SGEIS
13 was severely criticized for totally
14 neglecting community impacts of the
15 hydrofracking invasion.

16 The current version does indeed
17 include a section purporting to consider
18 community impacts. But it wasn't written
19 by the DEC. It was the work of an outside
20 consultant, Ecology and Environment
21 Engineering, which proudly proclaims on its
22 website that it has quote streamlined
23 permitting processes on 50,000 miles of
24 pipeline and more than 200 pipeline and gas

1 storage projects, end quote. So the DEC
2 has paid a consultant that is an expert in
3 skirting regulations to write the section
4 on community impacts.

5 Even a cursory glance at the map of
6 New York State shows another great fault
7 here. They only consider three areas in
8 New York State as representative. That's
9 Broome, Chemung and Tioga, that's funny.
10 Delaware, Otsego and Sullivan and
11 Chautauqua and Cattaraugus. They completely
12 neglected the Finger Lakes, yet we are an
13 area of very sensitive to the hydrological
14 insults of hydrofracking because we are
15 laced with lakes and streams, the Finger
16 Lakes. The word hydro in hydrofracking
17 means water, and they omit the Finger
18 Lakes, they cannot be serious.

19 The report does address the Finger
20 Lakes obliquely: It says quote some
21 industries in the regional economies may
22 contract as a result of the proposed
23 natural gas development. Negative
24 externalities associated with drilling and

1 production could have a negative impact on
2 some industries such as tourism and
3 agriculture.

4 Really? Choking rural roads with
5 thousands of trucks, contaminating water
6 and polluting the air might have a negative
7 effect on our \$3.7 billion wine and tourism
8 industries and our burgeoning organic
9 agriculture movement.

10 What about the thousands of people
11 who work in these existing industries and
12 have existing jobs? Will displacing them
13 with transient mercenaries simply be a
14 negative externality? We are talking about
15 the lives of real people who live in this
16 community. And once our land is poisoned
17 and our lakes are polluted, they will be
18 gone forever.

19 That's why Ulysses and many other
20 towns have banned hydrofracking. You are
21 sacrificing us on an alter of stupidity and
22 greed. But you forget who you are working
23 for. It is not the gas industry, it is we
24 the people. All local petitioning drives

1 indicate the vast majority of us vehemently
2 oppose hydrofracking. And recent local
3 elections I am very happy to say have
4 conferred that in spades.

5 The DEC works for us, not the gas
6 industry. And we are telling you loud and
7 clear, you will never hydrofrack in the
8 Finger Lakes no matter what it takes.

9 (APPLAUSE.)

10 MODERATOR: With odd numbers next
11 speaker is Andi Gladstone, number 9.

12 MS. GLADSTONE: My name is Andi
13 Gladstone, and I live in Danby. I was
14 diagnosed with breast cancer at the age of
15 44. I am the executive director of the New
16 York State Breast Cancer Network, a network
17 of over 20 grassroots breast cancer
18 organizations that are located in
19 communities stretching all the way from
20 Buffalo to Long Island. Collectively our
21 member organizations reach over 100,000 New
22 Yorkers every year with cancer education
23 and support services.

24 There are many ways the introduction

1 of hydrofracking in New York State will
2 raise our cancer risk. The costs of such
3 increased cancer risks have been ignored in
4 the revised SGEIS. Without a detailed
5 cancer risk analysis, the SGEIS should not
6 go forward and fracking must not go
7 forward. With time restraints, here are
8 just a few of those risks:

9 1: More than 25 percent of the
10 chemicals used in hydrofracking have been
11 demonstrated to cause cancer or mutations.
12 Hydrofracking companies use products
13 containing 13 different known and suspected
14 carcinogens.

15 2: 37 percent of chemicals in
16 fracking fluids are endocrine disruptors
17 which alter hormonal signalling and in
18 doing so can place cells on the pathway to
19 tumor formation. Exposure to
20 endocrine-disrupting chemicals have been
21 implicated in cancers of the breast,
22 prostate, pituitary, testicles and ovaries.

23 3: The shale bedrock of New York
24 State contains many highly carcinogenic

1 substances that can be mobilized by
2 drilling and fracturing. Traditional water
3 filtration cannot remove these substances,
4 if and when they get into the water.

5 4: We're very alarmed at the
6 practice of using radioactive production
7 brine on New York State roads for the
8 purposes of dust control and deicing. This
9 practice exposes unknown numbers of people,
10 without their consent, to unknown amounts
11 of known human carcinogens.

12 5: Nationwide, more than a thousand
13 different cases of water contamination have
14 been documented near fracking sites.

15 6: In Texas, breast cancer rates
16 rose significantly among women living in
17 six counties with the most intensive gas
18 drilling. While by contrast, breast cancer
19 rates declined within the rest of Texas.

20 The President's Cancer Panel calls on
21 state governments to take action to reduce
22 and eliminate toxic exposures implicated in
23 cancer before human harm occurs. This is
24 the Precautionary Principle. To permit

1 hydrofracking, which opens countless
2 portals of toxic contamination, is
3 antithetical to this call for action and
4 puts all New Yorkers at greater risk of
5 sitting in a doctor's office one day like I
6 did, and hearing the devastating news that
7 changes one's life forever.

8 MODERATOR: Thank you. Speaker
9 number 10 is Mike Lane.

10 MR. LANE: Michael Lane. Good
11 evening, I am a county legislator from the
12 Town of Dryden. I represent the east part
13 of the town of Dryden, including the
14 villages of Freeville and Dryden.

15 I want to thank the Tompkins County
16 Council of Governments for putting this
17 program on tonight. How disappointing that
18 it wasn't DEC that held its public hearing
19 here.

20 Tompkins County, Tompkins County has
21 been the leader in serious research, in
22 bringing together people for their
23 opinions, in submitting information for the
24 Environmental Impact Statements; and yet we

1 have to be ignored and hold our own meeting
2 like this and pay for it ourselves, there
3 is something wrong in this process.

4 My town, you might say is one of the
5 ground zeros in the fight. Town of Dryden
6 has been sued for its ban of the
7 hydrofracking process and other heavy
8 industrial activities. My town has gone
9 recently through a very serious election in
10 which hydrofracking was yes or no was the
11 major issue. And the people of my
12 community said no, 60/40.

13 And that needs to be thought about in
14 the socio and economic impacts. The reason
15 as people spoke about the hydrofracking
16 process is they are fearful of what will
17 happen to the community. Almost a hundred
18 percent of the water that is drunk in my
19 district of the town of Dryden comes from
20 wells, municipal wells, or wells on private
21 property, hundreds of them. There is no
22 serious protection in this document for
23 those people, and their water is just as
24 important as everyone else's.

1 Our town, our village of Dryden is
2 over a major aquifer that is not protected.
3 Our village of Freeville is on glacial
4 underground streams, which, and they get
5 their water from wells. They're not
6 protected. There is something wrong with
7 this system that doesn't have protection
8 for the water that my people drink in my
9 district, but people in the Hudson Valley
10 or in Syracuse can have their water
11 protected.

12 I said before, what are we chopped
13 liver out here? Our people deserve that,
14 we deserve the equal protection under the
15 law. And I think the DEC as a regulator
16 needs to make sure that our people in
17 Dryden and in Tompkins County and our whole
18 region receives that equal protection.
19 Thank you.

20 (APPLAUSE.)

21 MODERATOR: Thank you, speaker number
22 11. Art Pearce.

23 MR. PEARCE: My name is Art Pearce.
24 And I have been a member of the Council of

1 Governments Gas Drilling Task Force for the
2 last year or plus. And I have worked on a
3 variety of issues. But I want to just talk
4 for a second about home rule and
5 communities right to govern what happens
6 within its boundaries.

7 When the legislature, the New York
8 State Legislature adopted Article 23 of the
9 Environmental Conservation Law, and this is
10 the provision that gives the DEC the power,
11 and requires them to regulate gas drilling.
12 At the same time however, when they did
13 that, they did not touch the rights of
14 local governments under the municipal home
15 rule provisions of the state constitution.

16 Municipal home rule is a guaranteed
17 right of local governments, and while the
18 DEC is charged with regulating the gas
19 industry, it has no authority to take away
20 the community's home rule powers.

21 Even in states with a history of open
22 natural gas and resource extraction, home
23 rule still governs. States such as Texas,
24 New Mexico, Colorado, all maintain the

1 authority of their localities to decide
2 whether natural gas drilling will be
3 allowed and where it will be allowed.

4 DEC doesn't propose to dictate to the
5 drilling companies where they may drill.

6 As it stands now, the DEC is not involved
7 in the location, pace, procedure, intensity
8 of drilling activity. The issue of permit
9 for a drilling unit, and then there is
10 several years can pass before something
11 happens. And a local government has no
12 control over where that will be, as long as
13 it meets the requirement as spelled out in
14 the regulations.

15 Instead the decision as to where it
16 goes really is left entirely in the
17 discretion of the gas drilling companies.
18 Surely the legislature never intended that
19 gas drilling companies would be allowed to
20 determine land use across Upstate New York.
21 Absent local authority over land use, that
22 would be the consequence, since the DEC is
23 not governing the location of drilling
24 activities.

1 Now as you know there is a lawsuit in
2 Dryden, and we don't know how that's going
3 to play out. I think it will work out
4 favorably for the Town of Dryden. But
5 there is another way of dealing with this
6 whole issue and that's under SEQR, this
7 whole SGEIS is being, is required under
8 that process of environmental review. And
9 under that, the DEC should include in its
10 regulations a provision that no permits
11 shall be issued or an adverse impact to
12 community character is determined under
13 SEQR. And all they would have to do is
14 look at communities that have passed zoning
15 ordinances or other requirements to
16 restrict gas drilling. Thank you.

17 MODERATOR: Next speaker number 12,
18 Krys Cail.

19 MS. CAIL: Hi. My name is Krys Cail.
20 I am here this evening representing the
21 NOFA-NY, Northeast Organic Farming
22 Association of New York. And in specific,
23 we've, there is several actually members in
24 the audience, and we have a gas drilling

1 committee. I'm the chair of that gas
2 drilling committee. We actually have some
3 of the other members of that committee here
4 in the audience tonight as well.

5 We've spent a couple of years
6 studying things pretty clearly, we passed
7 policy, as an organization, our board
8 officially last January that we again
9 reviewed when the SGEIS came out this year.
10 We are not recommending that any of the
11 policy that we passed last time around be
12 changed, because unfortunately all of the
13 issues we brought up after the last SGEIS
14 remained problems.

15 I'm going to focus specifically in
16 this short time on the socioeconomic impact
17 study that was done by the consultants in
18 EAE, Ecology And Environment.

19 In that study, they begin as Robert
20 Howarth so clearly pointed out, they begin
21 with an erroneous estimate of the total
22 amount of gas available to be extracted in
23 New York State. It's wrong by at least
24 five-fold. And frankly we have concerns

1 that it's wrong by more than that.

2 Therefore, all of their estimates
3 regarding proposed income, and job growth
4 and taxes to municipalities are, you know,
5 essentially multiplied out from that.

6 While they mention, as my neighbor
7 Ken just pointed out, that there may be
8 some negative effects to agriculture as an
9 industry, they do not in fact do any
10 subtraction.

11 Now, we have a lot of things we want
12 considered. But if you just look strictly
13 at organic farm preservation which is a
14 goal of New York State, that we actually
15 spend taxpayer money to pursue; if a
16 five-acre drill pad is taken up with
17 drilling, that five acres can't be used by
18 an organic farmer to produce organic food.

19 It simply isn't true that there is no
20 trade-off between agricultural industry and
21 in particular organic agriculture and gas
22 drilling. There is.

23 I would like to give the rest of my
24 time to the audience. Do you want food or

1 do you want gas?

2 AUDIENCE: Food.

3 MODERATOR: Thank you. Our next
4 speaker is Jan Quarles, number 13. And
5 Jan, if you could just hang out afterwards
6 I need to get your signature on this saying
7 that you release the transcript. So just
8 hang on for a few minutes.

9 MS. QUARLES: My name is Jan Quarles.
10 My husband and I have owned a productive
11 63-acre organic grain farm in Ovid, New
12 York, 20 miles north of here for over
13 25 years. Our farm is on the Cayuga Wine
14 Trail. For eight years, I was the private
15 events manager for Sheldrake Point Winery
16 next door to our farm where I oversaw
17 hundreds of private events and weddings
18 with visitors from many parts of the nation
19 who came to enjoy the beautiful food shed,
20 watershed and view shed that's so precious
21 to all of us in this region.

22 The first flaw, I will address in the
23 SGEIS is the socioeconomic impact analysis.
24 This analysis says that the average gas

1 development scenario will bring 53,969 jobs
2 to our state. But only in the fine print
3 of a little footnote at the bottom, they
4 mention it's a 30-year projection. Divide
5 their figure by 30 you get 1,800 jobs per
6 year. But wait. In reality a truer
7 projection is less than 1/10th of that,
8 fewer than 200 jobs per year across the
9 state.

10 This was revealed in Food and Water
11 Watches recent study that they published
12 two days ago. They point out that the
13 DEC's projection counts jobs that will be
14 filled by out of state experts,
15 overestimates production of wells to last
16 30 years when the average well production
17 lasts more like three years. And they fail
18 to admit that they will subtract existing
19 jobs that are offered by tourism,
20 agriculture and recreation, in the Finger
21 Lakes alone that means over 56,000 jobs.
22 These will be seriously reduced if the
23 landscape is transformed into an industrial
24 drilling zone with heavy traffic snarling

1 the roads.

2 It has taken us almost two decades to
3 build up this beautiful green regional
4 sustainable economy with over 110 wineries,
5 breweries and distilleries that are visited
6 by millions from all over the world, with
7 restaurants with resources from thousands
8 of local farms.

9 Why should we trade this green
10 healthy economy for one that pollutes, that
11 has a negative impact on our health and on
12 our jobs? I want to say in closing that
13 the neighbors in the Broome, Tioga and
14 Chemung Counties are part of our community.

15 So in this section the SGEIS on
16 community character, I want the DEC to know
17 that we will continue to fight with them.
18 They are going door to door to ban frack
19 town by town in their area, Big Flats,
20 Horseheads, Vestal and so forth. They are
21 our neighbors, they are our sisters and
22 brothers. And we will fight by their side
23 to ban fracking across New York State.
24 Thank you.

1 (APPLAUSE.)

2 MODERATOR: Next speak is number 14.
3 Nancy Madsker.

4 MS. MADSKER: Hi, my name is Nancy
5 Madsker, and my comments will be in
6 response to what is missing from the SGEIS,
7 and that is a counter response to the three
8 main talking points that I keep hearing
9 from the drill, baby, drill crowd.

10 But first I must say that the people
11 against drilling are not being over
12 emotional or over reactive. We are just
13 concerned New York citizens that are from
14 all walks of life, different ages and
15 backgrounds. It is not just the
16 environmentalists that are taking a stand
17 against drilling but many people that are
18 united by fear. Folks in favor of drilling
19 keep talking about jobs, money, and their
20 land rights. Gas drilling will bring in
21 jobs, but the majority of them will not be
22 given to New York State residents and many
23 of them will be only for the short term.

24 There are lots of jobs in alternative

1 energy, especially the solar industry. I
2 know this because my twin sons and six
3 other kids from Ithaca are currently
4 working construction and installing big
5 seven-acre solar farms in New Jersey,
6 Tennessee, Kentucky, North Carolina, South
7 Carolina, Vermont, Pennsylvania and
8 California. I didn't say New York. They
9 are not making, they are making good money
10 and they are not working in New York
11 because we don't have the incentives for
12 large solar installs.

13 What we need here is a solar jobs
14 bill passed immediately to encourage
15 renewable energy growth in New York State.

16 (APPLAUSE.)

17 SPEAKER: I also keep hearing about
18 the money drilling is going to bring in.
19 Well, tell that to the many of people in
20 Bradford County, Pennsylvania where they
21 have been putting up with all the
22 disadvantages of gas drilling, but they
23 don't have any money yet. This is because
24 over 14 gas wells have been drilled, but

1 only 50 of them have been fracked. With
2 the glut of natural gas on the market and
3 the low prices, it could be years before
4 they see any money at all. And by the way,
5 why is Harrisburg, Pennsylvania filing for
6 bankruptcy if there is so much money to be
7 made?

8 Then there is simtra, it is my land
9 and I can do what I want with it. Once
10 drilling starts these land owners will lose
11 all control of their lands as the gas
12 companies will come in, take it over, put
13 up the rig, rows, and wreckers, whatever
14 they want. Ask the farmers in West
15 Virginia about this. They are losing their
16 best fields, meadows and woodlands to
17 drilling and truly losing their way of
18 life. Plus no one will want this land
19 after it's drilled, especially the mortgage
20 banks and the insurance companies.

21 These profrackers will be stuck with
22 their worthless land and we will all be
23 suffering the horrible side effects of gas
24 drilling.

1 So I say what they can do what they
2 want with their land but not if it affects
3 anyone else. I am going to run out of
4 time. So write your representatives about
5 promoting renewable energy in New York
6 State please.

7 MODERATOR: Thank you. Next speaker
8 is Elijah DeCastro, number 15.

9 ELIJAH DECASTRO: Hi, my name Elijah
10 DeCastro. I want to read a letter that I
11 sent to Governor Cuomo about fracking.

12 Dear Governor Cuomo: I'm an ordinary
13 fifth grader in Trumansburg, New York. My
14 mother says that if they do horizontal
15 hydraulic fracturing anywhere in New York,
16 we will have to move to a totally different
17 state. I have lived in New York all my
18 life, I have grown comfortable in New York
19 and it will be a nightmare to move into a
20 totally different state. I would really
21 miss my friends and my school.

22 Please read this list, true list two
23 times. They say it's safe -- 1: They say
24 it's safe but they have done many bad

1 things in Pennsylvania. 2: Their trucks
2 make the road impossible for kids to ride
3 bikes. 3: They give kids asthma and can
4 kill them. 4: They make the place smoggy.
5 I have sensitive lungs. They are very
6 powerful. Please don't kill me.

7 Very truly yours, Elijah DeCastro.

8 Now I want to read a letter that I
9 got back from Governor Cuomo.

10 Dear Elijah, thank you for your
11 letter. I am encouraged to know that young
12 people are taking an active interest in the
13 government. It is an exciting time to be
14 governor. As you may know, our state is
15 facing great challenges but we have a great
16 opportunity to bring all New Yorkers
17 together to work towards a better future.
18 I have three daughters and I strive every
19 day to ensure that we will leave them and
20 New York filled with opportunity, safety
21 and prosperity.

22 I have had passion for public service
23 since I was very young, and I encourage
24 that you pursue your passions, all dreams

1 are reachable with a hard work and
2 dedication.

3 Sincerely, Andrew Cuomo.

4 I would like the governor to know
5 that my passion is to ban fracking. I have
6 learned a ton of information about
7 government through this letter. Kids need
8 a healthy environment to live in, kids
9 don't want to worry about their backyard
10 where they play sports is going to blow up.

11 I also want the governor to know that
12 I don't want a job in the gas industry. My
13 favorite animal is polar bears and solar
14 panels will help them live. Thank you.

15 (APPLAUSE.)

16 MODERATOR: Next speaker is number
17 16, Robert Oswald. And I would like to
18 invite speakers 17 through 24 to please
19 line up.

20 MR. OSWALD: That would be an
21 extremely a hard act to follow. My name is
22 Robert Oswald. I'm a faculty member at the
23 Cornell College of Veterinary Medicine and
24 I have been involved in the Ulysses gas

1 drilling ban.

2 For the last two years Michelle van
3 Berger and I have been studying, and
4 documenting the veterinary effects of gas
5 drilling in states that allow horizontal
6 hydrofracking. Primarily this is
7 Pennsylvania, but it's actually five
8 different states. And I could tell you a
9 lot about some of the horrific stories that
10 we have about the harm to people and
11 animals due to this process.

12 But really what's most striking about
13 our data is really the lack of data. That
14 is it's very difficult now to prove the
15 connections between gas drilling and health
16 impacts. The problem is we don't know what
17 the chemicals that are used in drilling
18 specific wells are. And there is not
19 adequate testing of air, soil, water,
20 animals or humans.

21 When testing is done, it's
22 necessarily incomplete, mainly because of
23 the ignorance, we don't know what chemicals
24 to test for because we don't know what's

1 been used. And some times it's just
2 willful ignorance on the part of the people
3 testing.

4 When I read the SGEIS in full, I read
5 all of it, I was struck by the fact that we
6 will not be protected any more here than
7 they are in any other state. When one
8 designs a document such as this, the goal
9 should be to hope for the best and plan for
10 the worst. However, this document hopes
11 for the best, and plans for the best.
12 Public health is only minimally considered,
13 and there is a reason for that. The reason
14 for that is that no accidents will happen
15 because the regulations are so good. They
16 have been reading too much.

17 Okay. So, we know that accidents do
18 happen, so what do they do, what are they
19 going to do? Pre-drilling tests are
20 mandated, but the only organic to be tested
21 is BTEX. This is really remarkable because
22 they said BTEX will not be in the wells.
23 It's probably wrong but that's what they
24 said. They also said that we don't know

1 about the toxicity of many of the drilling
2 fluids and there are no known EPA mandated
3 levels. So what do they do about this?
4 They makeup EPA mandated -- they make up
5 maximum contaminant levels, just out of
6 whole clothe.

7 So basically what they are doing is
8 they are testing for organics that are not
9 there. And making up the toxicity of
10 things that are there.

11 What do we need to do about all of
12 this? We need to have full disclosure of
13 all chemicals that are used in the fracking
14 process. There are lists of these
15 chemicals, but that's not good enough,
16 that's just an industry roof. What we need
17 to know about is the chemicals that are in
18 each well so they can be tested for
19 properly.

20 MODERATOR: Thank you. Next speaker
21 is number 17, Judy Abrams.

22 MS. ABRAMS: Judy Abrams. This
23 August an invasion was discovered in the
24 Cayuga inlet that was so terrifying that a

1 state of emergency was declared in the City
2 of Ithaca. Within eight weeks, the
3 invasion was attacked, at a cost of nearly
4 \$100,000 in municipal, county and state
5 funds. The name of the invader that caused
6 such fear and such an massive effort is
7 hydrilla, it is water weed that is known as
8 the perfect aquatic weed for its ability to
9 aggressively spread through waterways.
10 Hydrilla can grow an inch a day and reach
11 lengths of 30 feet. We were told if it had
12 been allowed to continue growing for two
13 more years, we would all be walking across
14 the inlet.

15 When the plant becomes established,
16 it displaces native aquatic plants and ruins
17 swimming, fishing and boating. It
18 causes -- it harms tourism and ruins the
19 value of waterfront property.

20 In Florida, hydrilla, the yearly cost
21 just to control the weed enough to navigate
22 waterways is now \$30 million a year. The
23 thought of this weed spreading throughout
24 the Finger Lakes and the Great Lakes is

1 terrifying. It has been estimated that
2 hydrilla had been in the Cayuga Lake inlet
3 for two years. How did it go unnoticed in
4 a body of water with so much use and in a
5 city with so many trained hydrologists.
6 Because it looks like every other water
7 weed to untrained observers; Hydrilla is so
8 invasive that a single inch of stem that
9 reaches a body of water can root, and
10 establish a new population. Is hydrilla in
11 other waterways in upstate New York? We
12 don't know. A survey hasn't been
13 undertaken. The Invasive Species
14 Management coordinator of the DEC told me
15 there is no funding stream to pay for such
16 a survey.

17 Water for fracking Marcellus shale
18 can come from any public body of water,
19 water is suctioned into thousands of trucks
20 each time a well is fracked. The trucks
21 travel through the region, moving from one
22 body of water to another. This is the
23 perfect way to spread hydrilla. There are
24 provisions in the SGEIS to stop the spread

1 of the invasive species, however these
2 provisions were written before hydrilla was
3 discovered in the area.

4 Section 754.22 suggests that trucks
5 will be inspected and cleaned after drawing
6 water before transporting water to another
7 site. If hydrofracking is allowed, we will
8 be counting on the gas companies themselves
9 to identify a weed that looks almost
10 identical to other weeds and clean every
11 single truck that will be crisscrossing our
12 state so that not even a single inch of
13 hydrilla will be transported to new bodies
14 of water. If hydrilla does spread to new
15 areas, there will be no way to prove
16 whether gas companies had any thing to do
17 with the invasions, and New York will be
18 left to control this weed which will cost
19 the state hundreds of millions of dollars.

20 The SGEIS must be changed to include
21 a survey of any possible hydrilla
22 infestations and to account for the more
23 stringent controls needed.

24 MODERATOR: Next speaker number 8,

1 Bill Podulka.

2 MR. PODULKA: Hello. Bill Podulka.
3 And I apologize to the representative for
4 the DEC if some of my comments are harsh
5 but I must tell you that I am disappointed,
6 frustrated, angry and simply plain let down
7 by the agency. And I was thinking by
8 talking about my family's interaction with
9 the DEC and also some my reading of the
10 draft. And these traces have led to the
11 DEC, not only can but is willing to
12 seriously address the issues involved with
13 high volume hydraulic fracturing.

14 So first let me tell you my wife's
15 story. When the revised preliminary
16 revised draft came out in July, she was
17 reading it and noticed that the size given
18 for the well pad of the multiple pad was
19 three point some odd acres, and this was
20 different than what had been in the first
21 draft in 2009 and also different than what
22 the nature -- happening in Pennsylvania.
23 So she checked the reference and saw that
24 the reference for that number was an e-mail

1 from someone in Pennsylvania to a DEC
2 official; and she decided she wanted to
3 check on that. So she called up the DEC to
4 ask about it. Over the next two months,
5 she called at least six different times to
6 three different phone numbers, to make
7 different officials all of whom swore they
8 would get back to her and find someone to
9 answer her question as to what that was
10 really based on. And they never did.
11 Finally it was one DEC official, Carl
12 Besserlo did call and promise, absolutely,
13 to answer if she would just give a detailed
14 written question of what she wanted to
15 know. Which she finally did in an e-mail.
16 But he never responded to the e-mail.
17 Never announced he ever got the e-mail much
18 less answered it.

19 We asked Barb Lipton's office if they
20 could intercede and they did. And we
21 talked with Leslie Baysone from the DEC but
22 their e-mails were ignored. To this date
23 we have not gotten any response from the
24 DEC or an acknowledgement that we have

1 asked them a question.

2 My question is if they can't even
3 answer a simple question like this, if they
4 feel they don't have a staff to respond to
5 people's inquiries, how in the heck are
6 they going to handle taking care of all
7 these wells and dealing with the
8 regulations.

9 Two other things, you have already
10 heard some of the inaccuracies in the
11 drafts SGEIS, plain disregard of various
12 studies and data contrary to the agenda of
13 approving hydraulic fracturing amounts to
14 scientific fraud. Bob Howarth talked about
15 that, it was ignored, methane emissions,
16 the Duke study which talked about method
17 migration to the wells. The DEC decided to
18 ignore 90 percent of the results and look
19 at just nine wells in New York, and say
20 this is one active well in New York, it
21 doesn't have a methane problem, what's the
22 big deal. They are ignoring all the
23 statistically relevant data and the
24 economic impacts, they relied on one report

1 by Constantine, and ignored work by Susan
2 Kristopherson (phonetic) at Cornell, Arthur
3 Berman, all these people that bring up
4 other data, they've completely ignored.

5 All I can say is there are people who
6 feel the DEC has spent long enough studying
7 this. It is not how much time spent, as
8 with the quality of the product. This is
9 not good enough and needs to be redone.

10 (APPLAUSE.)

11 MODERATOR: Next speaker number 19,
12 Gregory May.

13 MR. MAY: My name is Greg May, I'm a
14 vice president of mortgage lending at
15 Tompkins Trust Company. My comments today
16 are not designed to express opinions. My
17 comments today are designed to bring about
18 understanding of highly serious conflicts
19 that exist with long-standing mortgage
20 regulations.

21 Traditional residential mortgage
22 lending in New York State is in jeopardy if
23 the State's current regulations are not
24 changed to account for the long-standing

1 secondary market requirements as they
2 relate to setback distances. If
3 traditional residential mortgage lending is
4 not readily available, the market for
5 buying and selling residential homes will
6 be severely negatively impacted.

7 Specific areas of conflict are as
8 follows: Number 1: Freddie Mac
9 regulations state surface or subsurface
10 entry within 200 feet of a residential
11 structure would not be acceptable for
12 financing. Fannie Mae and SONYMA Mae have
13 similar requirements.

14 FHA requirements state no existing
15 dwelling may be located closer than
16 300 feet from an active or planned drilling
17 site. Note that this applies to the site
18 boundary, and not just to the actual well
19 site. VA has adopted similar requirements.

20 Number 3: If a gas lease exists on a
21 residential property, title insurance,
22 which is commonly required, is ineffective
23 to protect the lender against common
24 activities undertaken pursuant to a gas

1 lease.

2 Number 4: The commonly accepted
3 mortgage document utilized in New York is
4 the standard Freddie/Fannie document last
5 revised in 2001. Section 18 of that
6 document prohibits transfer or sale of any
7 portion of or rights to a mortgage property
8 without prior written consent of the
9 lender.

10 Section 21 of that document prohibits
11 environmental hazardous substances
12 specifically naming gas, from being stored,
13 used, disposed, discharged or released on
14 the mortgaged property; and the borrower
15 also in that area agrees not to allow any
16 other entity to do any of those prohibited
17 activities.

18 Should an owner execute a lease
19 without prior written lender permission or
20 allow any of those activities, it would
21 actually default under the terms of the
22 mortgage document.

23 Finally, I urge New York State to
24 take decisive action to preserve the rights

1 of the State's residents and taxpayers to
2 own and finance a home.

3 My specific request is to address the
4 issues as follows: Revise the DEC
5 regulations under Environmental
6 Conservation Law Title 23, DEC, Regulation
7 Part 553.2, and complete section 7.1.12.1
8 of the dSGEIS to establish a minimum
9 setback distance of not less than 300 feet
10 measured on the surface but extending
11 subsurface to preserve the fee simple
12 ownership of all subsurface rights, for all
13 drilling and any ancillary activities from
14 the boundary lines of all properties
15 containing a residential structure, a
16 school or a public building.

17 (APPLAUSE.)

18 MODERATOR: Next speaker.

19 MR. HUDIBERG: Hudiberg. How much
20 money has the state spent on researching,
21 developing and reviewing the various
22 bourgeons of the SGEIS? How much money
23 will the DEC spend to permit and inspect
24 possibly 80,000 Marcellus wells and an

1 untold number of Utica wells? How much
2 money will the DEC need to plug the
3 thousands of abandoned wells and the tens
4 of thousands of depleted Marcellus and
5 Utica wells when the drilling companies go
6 bankrupt, and there is not sufficient
7 bonding to cover those costs?

8 What about the 50 percent of those
9 plugs leaking that will start leaking after
10 15 years, are those not serious and
11 expensive forms of subsidy? And a special
12 dispensation for the oil and gas industry?
13 How much extra profit does the state allow
14 the industry with its compulsory
15 integration? How much money will the state
16 lose by not charging severance tax? And by
17 not updating the hopelessly cumbersome
18 adverlorum (phonetic) tax? Why has the
19 state legislature and the governor not
20 removed these de facto subsidies?

21 We need to instead subsidize
22 renewable energy. Such a change in policy
23 would go a long way toward revitalizing New
24 York State economy. Why is professor

1 Howarth's study not cited in this SGEIS?

2 As most of us know, the world is
3 getting hotter with 2011 one of the warmest
4 years of record, and humans are to blame.
5 That's according to The World
6 Meteorological Organization.

7 \$14 billion in U.S. weather related
8 disasters in this year, tornados,
9 hurricanes, floods have killed more than
10 600 people, just this year. Meanwhile,
11 net-zero houses can save 90 percent of
12 energy usage and in some cases produce more
13 energy than they consume. Therefore, zero
14 CO2 is produced by those houses.

15 NYSERDA has renovated four houses
16 with deep energy retrofits using super
17 insulation in Utica. The first thing they
18 do is throw out the furnace and the boiler.
19 They will not be needed in the future.
20 They super insulate the basement floor, the
21 basement walls, the outside walls, they
22 super insulate the attic. The end result
23 are houses that can be heated with only an
24 auxiliary quill off the hot water heater.

1 So you have a 75 percent reduction in
2 heating costs.

3 So, meanwhile, Germany produces
4 20 percent of their electric from those
5 sources and plans to produce 80 percent by
6 2050, they plan to reduce their CO2
7 emission by 40 percent by 2020 and
8 80 percent by 2050. Why can't New York
9 State do the same thing, right?

10 (APPLAUSE).

11 MODERATOR: I see people standing in
12 the back. There are seats available up
13 front. Next speaker number 21. Kim Frey.

14 MR. FREY: Kim Frey. I'm here
15 tonight to ask DEC to consider pursuing a
16 recommendation made by state comptroller
17 Tom DiNapoli. He suggested that a fund be
18 set up by the state, not by the state of
19 New York but within the state of New York
20 by the drillers, and I would also suggest
21 the people who have signed these contracts,
22 to reimburse those people whose property is
23 damaged and livelihoods changed forever by
24 contamination that is inevitable from these

1 drilling and wells.

2 In many of the contracts, though not
3 all the contracts that people have signed
4 for drilling, there is a statement that
5 says if your neighbors sue you for damages,
6 the drilling company, the gas companies
7 will assume that lawsuit.

8 The problem with that for those
9 people who have had property damage, is
10 that there is no way you are going to be
11 able to handle a lawsuit against a multi-
12 billion dollar company, they have teams of
13 lawyers that work full time, they will
14 bankrupt you within six months with motions
15 alone.

16 So people will be left with no
17 recourse if their property is damaged.
18 Hence, the comptroller's suggestion that a
19 fund be set up to compensate people.

20 Counties ought to realize they have
21 an investment in this as well. Because if
22 people's land is destroyed, the value of it
23 is destroyed, if there is environmental
24 damage to that land, you are not going to

1 be able to sell it. And nobody would give
2 a mortgage to anybody who would buy it.
3 That means people are going to walk away
4 from that land. If they walk away from the
5 land, they don't pay the taxes, the county
6 will lose the income, the school districts
7 will lose the income, and the counties will
8 often end up with properties they don't
9 want and can't sell.

10 So, again, this has not been talked
11 about a lot. I hope there is no drilling.
12 But if there is drilling, the people who
13 cause the damage should be held
14 accountable, and that not only includes
15 those who drill and the gas companies who
16 are seeking the gas, it should be the
17 people who have signed up for the drilling.
18 Thank you.

19 (APPLAUSE.)

20 MODERATOR: Next speaker number 22.

21 MS. BOWEN: I am Rebecca Bowen.

22 Thank you to TCCOG and the State Theatre of
23 Ithaca for sponsoring and holding this very
24 important event. Thank you to our

1 stenographer for reporting our every word.

2 I am here because I have been a
3 resident of Tompkins County for the last
4 five years, I moved to New York and I'm
5 staying in New York because I love this
6 place, and I'm committed to caring for it.
7 I am now a landowner and I can plan on
8 living here for the rest of my life.

9 But this is not about me, this is
10 about all of us and this is about the
11 preservation of our unique ecological
12 surroundings which shape our daily lives,
13 for everyone in New York not just here in
14 the Finger Lakes.

15 Without a doubt our county and our
16 state, our nation, our world are moving
17 into very desperate economic times and we
18 need something better than this for those
19 people that don't, can't wait longer than
20 three and a half years, are you kidding, I
21 truly have to wonder about our ability to
22 work together as a community to provide any
23 kind of future potential.

24 So, I'm here to urge the DEC to

1 consider the true and cumulative impacts
2 and long-term impacts of this proposed
3 practice. We are a very brilliant species
4 of beings, and I know we can do better than
5 this. We can come up with better ways to
6 stimulate our local economies, such as
7 renewable energy as many people already
8 mentioned.

9 So to me, even the most remote chance
10 of contamination of our drinking water is
11 an unacceptable risk. The logic (outlined
12 in section 6.1.5) of the draft SGEIS is
13 applied to the Syracuse and New York City
14 watersheds that must be applied to all of
15 New York. The proposed ban of drilling
16 within these watersheds creates a double
17 standard that is without scientific merit.
18 The notion that the simple filtration
19 systems of municipal water plants offers
20 residents any kind of protection from the
21 wastes found in fracking fluids and
22 flowback is nothing but a convenient
23 political excuse.

24 The amount of protections proposed

1 are directly proportionate to the
2 population affected and will hold no
3 scientific basis.

4 The more people protected, the
5 greater the protections. The New York City
6 reservoirs will be protected presumably
7 because they have no sedimentation filters
8 while thousands of rural water wells will
9 be unprotected, even though they have no
10 sedimentation filters.

11 The proposed setback of 2000 feet
12 around public drinking water and 500 feet
13 around private water supplies is illogical,
14 ineffective and without scientific merit.

15 MODERATOR: The stenographer is
16 asking you to slow down.

17 MS. BOWEN: Illogical, ineffective
18 and without scientific merit. Because
19 these setbacks are less than the length of
20 the horizontal laterals that are drilled as
21 far as one mile in each direction.

22 So, I wish I could comment more on
23 the contents of the SGEIS but so much is
24 absent that I ask that DEC to withdraw this

1 inadequate document and create a draft that
2 requires at a bare minimum, a long term
3 cumulative impact study, a human health and
4 public health impact study and air
5 emissions impact study, explicit support
6 for local municipalities who will bear the
7 brunt of cleaning up our roads, forests and
8 water supplies, a requirement for a full
9 chemical disclosure for the contents and
10 concentrations of all solids for these used
11 in the practice of Clean Water Drinking
12 Act.

13 (APPLAUSE.)

14 MODERATOR: That actually reminds me
15 that Elizabeth, if people have written
16 comments that they have read them to bring
17 them up to the front so that she can fill
18 in any details later. So now we will take
19 a one minute break in about 10 minutes. If
20 anyone has those written comments bring
21 them up to the front.

22 Our next speaker is Deborah
23 Cipolla-Dennis.

24 MS. CIPOLLA-DENNIS: Deborah

1 Cipolla-Dennis. I am a landowner from
2 Freeville. The pro-drilling crowd has
3 referred to me along with my concerned
4 friends as professional protesters. I
5 would like to tell you a little about us.
6 I'm 46 years old, a program manager. I
7 live on 33 acres along with my spouse, my
8 dog, my cat and my two goats. We moved
9 here five years ago looking for peace,
10 tranquility and community. I wasn't
11 looking for a fight.

12 Hilary Lambert grew up in Dryden and
13 has returned to her childhood home in
14 search of a quiet life in a beautiful
15 place. She loves walking in the woods,
16 taking photos of her yard and her cats.
17 Steward of the Cayuga Watershed Network,
18 she is typically fighting invasive plants
19 not invasive gas companies.

20 Russ Charif, research biologist with
21 Cornell University, lives in Caroline with
22 his wife and daughter. He and his family
23 are concerned about the threat to air and
24 water and especially the threat to their

1 community. He now fits in attending
2 meetings and writing letters into an
3 already very full schedule.

4 Marie McRae, farmer and horse
5 enthusiast, spends her summers working in
6 the garden and putting up hay. She was
7 bamboozled by a landsman and signed a
8 lease. After finding out about
9 hydrofracking, she has spent thousands of
10 hours and her lease profits trying to keep
11 this industry from wrecking her life.

12 Aro Venio, songwriter, musician,
13 artist and farmer. She loves walking the
14 trails of Tompkins County, and dancing on
15 The Commons Thursday nights in the summer
16 with 150 of her closest friends.
17 Community's so important to Aro, that's why
18 she's here.

19 Rita Rosenberg and Don Barber from
20 Caroline. They have deep roots in the
21 Finger Lakes, they raised their children
22 here, and plan on retiring here. Don
23 serves as town supervisor and operates his
24 farm with draft horses. Rita runs a bed

1 and breakfast. They are very active in
2 their church and their community.

3 Why do we spend our evenings, our
4 weekends and our limited vacation days to
5 go to rallies, speak at meetings, write
6 letters, work on petition drives? Do you
7 really think we enjoy this stuff? Let me
8 tell you, it's a lot of work. Do we stand
9 to make money from it, does it advance our
10 careers? Of course not! We are just
11 people that feel threatened and realize we
12 must fight to protect our homes, our
13 families and our communities.

14 We, in Tompkins County, are doing
15 just fine without the gas invasion. Our
16 unemployment rate is 5.6 percent and has
17 dropped over the past three months. As
18 compared to Pennsylvania's unemployment
19 rate of 8.3 percent and which has risen
20 over the past three months. We believe in
21 sustainable growth that's in line with our
22 community values. Tompkins County should
23 be used as a model for economic growth
24 throughout the state. New York should not

1 continue to support the deception and
2 destruction put forth by the gas industry.

3 DEC's document is abysmal. There is
4 so much missing, no health study, no
5 cumulative impact study. No mention that
6 extreme natural gas extraction has
7 destroyed towns and people's lives all
8 across the nation. What makes you think it
9 could be different here?

10 (APPLAUSE.)

11 MODERATOR: Next speaker, number 24.
12 Brent Katzmann.

13 MR. KATZMANN: Brent Katzmann. I am
14 a realtor, I am a green home designer and
15 president of the Ithaca Green Building
16 Alliance.

17 I'd like to address my comments, at
18 what I believe to be a principle driver of
19 the push to develop the Marcellus shale gas
20 resource.

21 I believe it to be true that
22 America's appetite for energy continues to
23 grow, despite advancements in the
24 efficiencies of our buildings, our

1 equipment and our vehicles. I also believe
2 it to be true that each of these can
3 advance much further in reducing
4 consumption and we have our global
5 neighbors in Europe proving it every day.

6 With improving efficiency, a warming
7 climate and a soft economy, growth in U.S.
8 natural gas consumption has fallen behind
9 growth in production to the point where we
10 now have record levels of stored natural
11 gas reserves and production capacity
12 resulting in price collapse.

13 In June of 2008, about the time the
14 Marcellus shale debate was just beginning
15 in our area, natural gas futures contracts
16 were priced at \$13 per million BTUs. As of
17 November 2011, the same contracts are
18 priced at \$3.40 per million BTUs, with
19 74 percent decline in value.

20 However the demand for natural gas in
21 Europe, Eurasia, the Asia Pacific and
22 Middle East is increasing at a pace that
23 requires these areas of the globe to import
24 natural gas to meet current demands.

1 The result is natural gas prices in
2 Europe are above \$10 per million BTUs, a
3 three-fold increase over U.S. prices; and
4 in Asia are over \$17 per million BTUs, a
5 five-fold price advantage by exporting your
6 production to where demand is greater. Are
7 you going to do it? Of course.

8 If you are in the business of natural
9 gas production, and you can realize a
10 five-fold price advantage by exporting your
11 production to where the demand is greater,
12 are you going to do it? Well of course.

13 So what impact does this have on the
14 industry argument that natural gas is
15 America's energy source for the future, and
16 developing our own natural gas resource
17 decreases our dependence on importing
18 foreign fossil fuel? I suggest what we're
19 really faced with is not a campaign to pull
20 America up by its boot straps, put
21 Americans back to work and advance towards
22 energy independence. As Marcellus gives us
23 enough energy to power U.S. homes for three
24 years, it's more likely giving up U.S.

1 energy to power European and Asian industry
2 and the exported jobs that go with it, and
3 funneling profits into the pockets of the
4 producers. And it's a limited time offer.
5 As Eastern Europe is expected to develop
6 its own shale gas reserves by 2014,
7 effectively closing the door on much of the
8 market that U.S. producers now are taking
9 advantage of.

10 So what's the rush to drill now?
11 It's because the economic advantages of
12 this play may well get lost soon and the
13 attractiveness of developing the Marcellus
14 shale beginning to look a little less
15 promising. In the meantime, we've created
16 thousands of temporary jobs for out-of-
17 state workers, despoiled our landscape,
18 threatened our aquifers, sent untold
19 additional emissions into our air from the
20 very practices of developing the wells, and
21 then sent this precious energy overseas.

22 Hmmm. Please come to the encore
23 showing of *Empowered*, a film about people
24 in or around Tompkins County who have

1 discovered viability, cost-effectiveness
2 and value of producing their own energy
3 directly from the sun, this coming
4 Wednesday, December 7th at Cinemapolis.

5 (APPLAUSE.)

6 (RECESS FOR CHANGE IN COURT
7 STENOGRAPHERS.)

8 MR. KOPLINKA-LOEHR: My name is
9 Michael Koplinka-Loehr and I reside at 118
10 Ross Road in Lansing, New York, a community
11 with the distinction of having a
12 many-decade history of mining as well as
13 one that is experiencing the potential
14 closing of our coal-fired power plant due
15 to the high cost of coal extraction and
16 transportation relative to growing demand
17 across world markets. Both of those mining
18 industries have important experience to
19 offer relating to New York State
20 opportunity and challenges and should be
21 consulted for their expertise by New York
22 DEC before permitting and regulation
23 processes are finalized.

24 Additionally, all New York State

1 lands are the ancestral domain of First
2 Nations peoples and as such existing tribal
3 councils must be proactively consulted and
4 sought for their advice regarding
5 historical and cultural asset impacting the
6 draft SGEIS to be complete.

7 To place the draft SGEIS in context
8 since the founding of our country our
9 government established a social contract to
10 balance private self-interest with the
11 needs of the public good, which led to the
12 need for environmental regulations to
13 achieve this balance. Thankfully, at the
14 national level the Environmental Protection
15 Agency wisely created an additional element
16 to their processes and deliberations,
17 called the Science Advisory Board to avoid
18 political influence in their policy
19 integration and recommending policies
20 grounded in the most sound, transparent and
21 verifiable science available at the time,
22 for the health of the environment and the
23 US population, including impacts on future
24 generations.

1 The New York State DEC's draft SGEIS
2 process essentially assesses and balances
3 relative and comparative risks. Relevant
4 to that goal in September 1990 the Science
5 Advisory Board of the EPA titled report
6 Reducing Risk: Set Priorities and
7 Strategies for the Environmental Protection
8 agency. I'll submit a full copy, full
9 copies of that report and all appendices
10 for the New York State DEC to take
11 advantage of 21 years ago. Additionally,
12 the New York State dSGEIS is presently
13 inadequate in analyzing comparative risk in
14 relation to alternatives such as investing
15 in comparable state resources in existing
16 and known technologies for building energy
17 efficiency measures, many of which have 100
18 percent payback per dollar invested within
19 the first year. Our own Southern Tier
20 Regional Economic Development Plan
21 essentially emphasized these goals
22 wholeheartedly.

23 Finally, additional research results
24 in the EPA study mentioned by Dan Land are

1 expected by the end of 2012. I
2 respectfully ask the DEC to include these
3 findings before promulgating final
4 permitting and drilling regulations.

5 MODERATOR: Our next speaker is 26,
6 Ed Marx.

7 MR. MARX: I want to talk about three
8 things very briefly, socioeconomic
9 analysis, cumulative impacts and greenhouse
10 gas emissions.

11 The socioeconomic analysis as
12 mentioned before is flawed in many ways,
13 but basically what it does is goes to great
14 lengths to try to quantify the benefits,
15 perhaps aggravated, and no effort to
16 quantify the adverse impacts. That's not a
17 socioeconomic analysis. And why it's
18 important is when you consider the
19 cumulative effects. The SGEIS goes to
20 great lengths also to try to dissect all
21 the little pieces of the impacts of
22 hydraulic fracturing. But the cumulative
23 impacts is the industrialization of our
24 landscape and our communities. And that

1 has serious long-term consequences for our
2 socioeconomic future.

3 The economy of Tompkins County and
4 much of the Finger Lakes region, much of
5 Upstate New York and the economy that we
6 envision in the future is a sustainable
7 economy based on rural areas with
8 sustainable agriculture and forestry, with
9 outdoor recreation and tourism. All of
10 those things will not be helped by
11 hydrofracking our landscape. It's
12 dependent on our urban economy of higher
13 education, high technology, renewable
14 energy. Those industries depend on
15 attracting the best and brightest and
16 keeping them here. Will we get them to
17 move to a hydrofracked Upstate New York?
18 No. I know that our higher education
19 institutions have expressed concerns about
20 this already.

21 Finally, the greenhouse gas
22 emissions. The SGEIS suggests that the
23 peak production period will be about 30
24 years into the future from the initiation.

1 That puts us in the 2040s. We have a goal
2 in this community and the state has also
3 set a goal of reducing carbon emissions 80
4 percent by 2050. How does a key production
5 of natural gas from our Marcellus Shale
6 with the highest carbon emissions
7 production methods equate with an 80
8 percent reduction in carbon emissions by
9 2050? Hydraulic fracturing is the
10 mountaintop coal removing, the deep water
11 oil drilling, the tar sands oil extraction
12 future for New York State. I don't think
13 that's the future we want.

14 MODERATOR: Our next speaker is 27,
15 Josh.

16 MR. DOLAN: Josh Dolan. I'm a member
17 of Occupy Ithaca. I'm also the coowner of
18 a sugar maker and pure maple syrup in
19 Enfield. We also create other sustainable
20 forest products such as mushrooms and
21 traditional wood products. We hope to
22 explore potential farming and energy
23 production through generation of bio-gas
24 utilizing our sugar shack as an

1 experimental station for cutting edge
2 energy efficiency technologies, real
3 domestic energy.

4 I've been sugaring for going on five
5 years now and hope to be at it another 50
6 years as long as my back holds out. By
7 that time hopefully I'll be sitting back
8 watching all my grown children carry
9 buckets, steep the fire, skim the foam from
10 the evaporator. I'm young, fit, energetic
11 and ambitious. My business is ready to
12 grow and the opportunity is ripe. New York
13 State has by far the best potential for
14 sugar making in the US with only two
15 percent of our maples currently tapped.
16 There's tremendous potential for us to be a
17 leading producer in this syrup starved
18 economy. We've been building a base of
19 support in the community through our unique
20 sales motto, shares go on sale January 1st.
21 Educational opportunities for low income
22 adults and children, community celebrations
23 and ecotourism. As a small business owner
24 I spend a great deal of time not just

1 producing our golden delicious maple syrup,
2 but marketing, promoting, talking up and
3 otherwise pushing it on the community.
4 However, I've been feeling like all this
5 hard work, long sleepless nights in spring,
6 the dragging months of summer and fall
7 peddling syrup is a waste of time as long
8 of New York holds the door open for the gas
9 companies. How is it that my small,
10 struggling business which sustains
11 families, preserves and enhances the
12 landscape, generates tourism and educates
13 the community is any less valuable than one
14 with a track record of worker safety
15 violations, environmental destruction and a
16 history of deceit preying on landowners in
17 order to gain access to their mineral
18 rights.

19 It's time to decide New York. If you
20 love this land. If you love our beautiful
21 lakes and rivers and all the bounty these
22 provide. We must stand up and be counted.
23 We must throw our bodies on this machine.
24 If Governor Cuomo is not willing to listen

1 to the voice of the people, then we must
2 take matters into our own hands. We hold
3 the moral high ground and we will grind
4 them down in the courts. We will tap their
5 bottom line. We will stop every truck at
6 the border and we will blockade every road
7 into the state if we have to, right. If
8 Governor Cuomo wants a fight, well he's got
9 one. Say no to fracking. Say no to Cuomo
10 and his presidential aspirations.

11 And yes, by the way we know you took
12 money from the Koch brothers, Mr. Cuomo.
13 Say yes to our future. Tap the maples, not
14 Marcellus.

15 MODERATOR: I remind you to speak
16 clearly and slowly for the stenographer and
17 also to keep any comments that you have
18 from the audience nonverbal. Our next
19 speaker is number 28, Wes Gillingham.

20 MR. GILLINGHAM: My name is Wes
21 Gillingham and I'm the program director of
22 Catskill Mountain Water. That's W-E-S,
23 G-I-L-L-I-N-G-H-A-M. First I want to thank
24 Ithaca for being ten square miles of sanity

1 in an insane proposal. And we will be
2 submitting technical comments. The last
3 time we submitting 300 pages on your 850
4 page document. Now we've got 1,500 plus
5 regulations. Let's see what we will do
6 this time. It was 850 pages last time to
7 rationalize and stage the colonization of
8 New York with an insane industry. We will
9 point out again that there is no adequate
10 plan to deal with the enormous amount of
11 hazardous waste that you are still
12 classifying as industrial waste. Do you
13 really think written comments and all the
14 hearings that have happened across this
15 state is what -- Andrew, are you listening?
16 Hazardous waste is hazardous waste. Change
17 that tomorrow.

18 I'm going to read this thing one more
19 time. I read this at every hearing.
20 Fracturing by injecting fluids into the
21 shale will cause conditions that make
22 transport of contaminants from the shale to
23 the surface aquifers possible and in
24 parenthesis I'm saying it louder. The

1 DSGEIS presents an erroneous analysis that
2 concludes that the contaminates in the
3 shale are isolated and cannot reach surface
4 water aquifers. This is scientifically
5 documented, modeled over and over again.
6 We will put many more models and pages in
7 this time.

8 Please listen, Mr. Cuomo. If you
9 had, if you had half a political backbone
10 that you claim to have, you would have
11 already changed that hazardous waste and
12 you would have listened to that scientific
13 modeling. Okay. The gas industry has
14 created a monster in New York State, but
15 it's a benevolent monster. It's a monster
16 that wants to protect its back yard. It a
17 monster that wants to protect the Finger
18 Lakes, the Catskills, the Southern Tier.
19 This monster is made up of Shale Shock,
20 NYRAC, DJAC, ETMY, Frack Action, Catskill
21 Nation. It's time, Mr. Cuomo, to wake up
22 and smell the coffee before it smells like
23 frack fluid. This is a political monster
24 you can't ignore.

1 I just came from all the other
2 hearings across New York State. And I am
3 incredibly, incredibly excited because I
4 saw hundreds and thousands of people across
5 the state articulate this document is a
6 piece of crap. Thank you, New York.

7 MODERATOR: Thank you. Our next
8 speak is number 29, Scott Noren.

9 MR. NOREN: My name is Dr. Scott
10 Noren, S-C-O-T-T, N-O-R-E-N. I'm a
11 democratic US Senate candidate. Do you
12 feel lucky about the SGEIS process? That's
13 what Clint Eastwood says. When fracking
14 for natural gas is approved in New York
15 State, what member of congress that you
16 elected will fight for a retroactive ban
17 and halt any new progress? I called for it
18 in 2009. It's on my website. One of our
19 US Senators have said if fracking can be
20 done safely, it can be an economic boom to
21 New York State. She has not flatly called
22 for an end to the process and SGEIS and to
23 ban fracking. Maurice Hinchey wants all
24 safeguards in place including the gas

1 company exemptions from the Clean Water
2 Act. Sure, I want that too. But unlike
3 both of them I want to write the bill to
4 ban fracking federally. I don't want
5 mitigation, oversight or SGEIS faulty
6 documents as Bob Howarth discussed. Again
7 this is the rhetoric of safe fracking. To
8 say that this isn't political is hogwash.

9 Mr. Martens, which many people here
10 may or may not know, is the head of DEC and
11 head of the New York League of Conservation
12 Voters. Truck pollution, water
13 contamination not dedicating massive
14 efforts on small and large alternative
15 energy projects, negative effects on
16 business and tourism, expensive lawsuits in
17 many directions to say the least are among
18 the benefits of fracking. The SGEIS has
19 not been effective in allaying concerns for
20 any of those issues. The SGEIS has not
21 adequately addressed how truck traffic will
22 cause economic decline in the Finger Lakes.
23 I've been a health care provider for over
24 two decades helping people stay healthy.

1 I'm among one of the many health care
2 providers well aware that fracking may be
3 associated with causing serious health
4 issues. I'm against this fossil fuel
5 debacle. Health care providers have not
6 been given full coverage in SGEIS. Cornell
7 University, run by a former health care
8 provider, would be at great risk if a spill
9 contaminated their water supply. This
10 would be a ghost town without Cornell
11 University. I agree with local bans, the
12 SGEIS should be thrown out and never
13 revived. Let's build solar powered
14 electric charging stations instead of gas
15 station or natural gas stations.

16 So you need to ask yourself, do you
17 want a real progressive direction for
18 energy production in the state and the
19 country? I'm not for additional SGEIS
20 paperwork. I think the SGEIS process
21 should be ended, fracking not allowed in
22 New York State and other states follow our
23 course. Ask yourself again before next
24 year, do you feel lucky with DEC and SGEIS?

1 Pick your friends wisely. So far your
2 friends are bought and paid for.

3 MODERATOR: Our next speaker number
4 30, Dan Marsiglio.

5 MR. MARSIGLIO: My name is Dan
6 Marsiglio, D-A-N, M-A-R-S-I-G-L-I-O. I'm a
7 farmer about 20 miles north of Hancock in
8 the Town of Walton where the New York City
9 watershed is and can I tell you in the
10 seven years that my wife and I and my
11 parents and my children have been farming,
12 it's been very difficult. We raise a
13 diverse, organic livestock set of animals
14 and we grow vegetables. It's really,
15 really difficult and it's hard to make
16 money. And we're always looking for ways
17 to diversify our farm. Well, here's one of
18 them. Right? Am I right? Is this the way
19 to diversify farmers to keep farmers
20 viable, make a little extra money. Maybe a
21 ton of extra money. All right. I've
22 tipped my hand. This is a disaster.

23 This is not the solution. This is
24 not the solution that we're looking for.

1 And I'll tell you a little story about the
2 last two and a half years of my life in the
3 watershed. My wife and I have diversified
4 our farm with agritourism, inviting people
5 from other parts of the state, mostly New
6 York City, to come and join us on the farm
7 and experience farm life and get invested
8 in not only the watershed, but the food
9 shed as well. It's taken us two and a half
10 years to become truly legal because we work
11 under the governance of the DEP as well as
12 DEC as well as other organizations that
13 would protect our air, land and water
14 within the watershed and within New York
15 State.

16 It's taken us two and a half years
17 because I'll paint a quick picture for you
18 people who are not familiar with the
19 watershed, how it's regulated and what that
20 means for New York City. Rain falls on the
21 hills above our farm. It runs into a creek
22 which runs to a larger river which makes
23 its way to a reservoir which goes into a
24 pipe and goes 1210 miles down to New York

1 City. Every time that we want to cover a
2 roadway with a little bit of gravel, we are
3 required to file storm water runoff
4 impervious surface documentation to prove
5 that we're not going to damage the water.
6 That water is metered to the city and that
7 money is used to buy land upstate to
8 protect the water. That's how serious this
9 is to the people of New York City. Why is
10 the rest of New York being treated like
11 secondary citizens? I ask you. If every
12 drop of water that passes, that goes
13 through my farm is regulated to that degree
14 for me to set up four tents for people to
15 come visit my farm and it takes two and a
16 half years to make that happen? Why does
17 it take any more than the adherence to our
18 basic public health code for New York to
19 protect our land and water? That's all the
20 SGEIS has to address is that mandate. The
21 public health code that already exists
22 follows the letter of the law.

23 I was told by members of the DEP that
24 the reason we're under such scrutiny is

1 because we're in the watershed. All we
2 have to do is make sure the rest of the
3 state and the rest of the citizens are
4 treated with the same respect and dignity
5 that the people in the New York City are
6 and this is solved.

7 MODERATOR: Next speaker is number
8 31, Tom Knite.

9 MR. KNITE: My name is Tom Knite,
10 T-O-M, K-N-I-T-E.

11 MODERATOR: Tom, just a second. Our
12 next speakers 33 through 40 should come
13 down and line up. Sorry about that.

14 MR. KNITE: I'm here on behalf of the
15 Strategic Tourism Planning Board. I staff
16 that board as the county planner in
17 Tompkins County. And the STPB is an 18
18 member citizen advisory board that advises
19 the county on the use of the hotel
20 occupancy tax monies to promote economic
21 development and enhance the quality of life
22 in the county.

23 And the STPB wants to direct their
24 comments specifically to the economic

1 assessment report. Speaking of tourism in
2 Tompkins County, protection enhancement of
3 the visual scenery, cultural and heritage
4 aspects and transportation infrastructure
5 are vital to the tourism sector here and a
6 critical component of our economic health
7 and quality of life and a growth industry
8 for the county.

9 Between 2005 and 2010, tourism
10 generated 26 percent more economic activity
11 in that period. In 2010, \$157 million in
12 local spending. 2,300 jobs, local taxes
13 11.2 million. State taxes of 9.7 million
14 and direct labor 50 million. In addition
15 the tourism industry generated almost two
16 million, 1.8 million in hotel occupancy tax
17 that goes back into bringing more people
18 into the area, investing in tourism
19 products and also benefits quality of life
20 for local residents. That's just in
21 Tompkins County.

22 Quickly, about specific to tourism,
23 the SGEIS does mention that there may be
24 negative impacts, but they don't measure

1 them, but they measure the positive
2 impacts. That's been mentioned before.

3 Three other comments related to the
4 economy section that the STPB would like to
5 make. The long-term implication of
6 regional brand erosion are just not
7 considered by the report. The long-term
8 economic development implications are not
9 considered. But there is a very rich
10 literature in the economic development
11 field that demonstrates the negative,
12 long-term economic development or resource
13 extraction economy is related to the boom
14 bust cycle. Kind of technical. The report
15 uses tourism statistics from Cattaraugus
16 and Chautauqua Counties to demonstrate the
17 negative historical impact on tourism from
18 gas drilling in New York State. That's
19 vertical drilling, so you really can't
20 compare them. It's quite obvious.

21 Related to housing, the SGEIS does
22 say that there will be a decrease in rental
23 and hotel vacancy rates which will provide
24 short-term economic benefits to owners and

1 maybe big prices charged for these
2 temporary housing units. This should be
3 coupled with a statement about the
4 potential long-term impact on the local
5 hotel industry. For example, if additional
6 rooms are constructed to house gas workers,
7 what happens to occupancy in existing
8 properties when construction scales off and
9 the market is left with additional capacity
10 at the lower end.

11 MODERATOR: We'll give you ten more
12 seconds.

13 MR. KNITE: The report doesn't take
14 into account seasonal accountability which
15 is likely to exacerbate problems in room
16 shortages, seasonal gas drilling activities
17 that compete for room demands exacerbating
18 to potential displacement of tourism
19 especially acute during festivals which we
20 have a lot of great ones right here in
21 Tompkins County.

22 MODERATOR: Our next speaker is 33.
23 There's no 32. Linda Santos.

24 MS. SANTOS: That's Linda Santos,

1 L-I-N-D-A, S-A-N-T-O-S. Thank you, TCCOG.
2 Thank you, State Theatre. Thank you,
3 citizens of Tompkins County and our nearby
4 neighbors.

5 I'm a realtor here in Tompkins County
6 and I'm thankful to be here to say my
7 piece. I started in the business in 2007
8 just when the market turned. The confusion
9 surrounding the existing guidelines of
10 hydrofracking makes me wonder if I will
11 still be here as a realtor in another five
12 years. In my work, I'm expected to be able
13 to do a very good job determining fair
14 market price for property. When it comes
15 to properties with gas leases, or adjacent
16 to them, it's about as clear to me as mud
17 these days.

18 Until the new 21st Century valuation
19 system is devised to address questions of
20 value and taxation, realtors and property
21 owners and buyers will be in a quandary and
22 will be essentially living out a version of
23 the wild wild west. A certain kind of
24 lawlessness is at hand that is making it

1 possible for more powerful forces to
2 dominate the landscape, literally and
3 figuratively. And by lawlessness I mean a
4 lack of meaningful policy that will
5 actually afford protection and a fair value
6 for value exchange. People have no way to
7 come to grips with what fair value is at
8 the moment. This is creating a lot of
9 confusion and already is bringing a
10 significant slow down to the buying and
11 selling of property where gas leases are in
12 place and it will get worse until it's
13 better understood and clearer guidelines
14 are in place.

15 To illustrate, I will describe a
16 recent attempt by one of my clients to
17 purchase land in an area with active gas
18 leases. The subject property was a 30 plus
19 acre parcel with a hefty price tag, way out
20 of line for what is common in the area.
21 The owner was basing his asking price on
22 the anticipated value of a future income
23 stream from hydrofracking. But could
24 anyone know what that actual value was

1 without any actual gas production?
2 Further, who is putting stock in the
3 outdated methods that are currently in
4 place to attempt to derive value (and
5 therefore taxation) on the gas produced?

6 My client proceeded, in spite of the
7 high price, to put in an offer. It was a
8 great offer that the seller rejected. My
9 client made a higher offer, about two and a
10 half times greater. The seller still
11 rejected this offer. Later the seller came
12 back to ask for two things. An even higher
13 price and a "participation agreement" that
14 would entitle them to split any future
15 royalties with my client, the buyer. Since
16 this was not acceptable to that client,
17 that offer and counteroffer died.

18 A week or two another great parcel of
19 land came on the market at less than half
20 the price per acre of the previous lot.
21 This owner had a different concern -- upon
22 selling, he would insert a deed
23 restriction, no gas leases would be allowed
24 on the property at all. My client jumped

1 at that and made an offer at nearly 100
2 percent of asking price, but the owner
3 suddenly withdrew the property from market.
4 Once again a potential sale died.

5 This type of activity shows me there
6 is a lot of confusion at hand in regards to
7 gas leases and what they are worth. That
8 is one topic. A looming "underbelly" topic
9 is what will the land be worth in the post
10 drilling and leasing world? What will the
11 land look like? What will gas depleted
12 lands be worth? And what will the new
13 values be once this is all over?

14 MODERATOR: Thank you. Our next
15 speaker in number 34, Jeremy Alderson.

16 MR. ALDERSON: My name is Jeremy
17 Alderson, A-L-D-E-R-S-O-N. I have some
18 excerpts from No Frack Almanac. Because I
19 have a newspaper, I go around the state
20 distributing copies. A gave one to a
21 barber in Elmira. I said here. It's a new
22 anti-fracking newspaper. We are trying to
23 stop the drilling. He said why would you
24 want to do that? I said well, there are so

1 many reasons. That's why we put out the
2 paper. He looked at me and he thought and
3 he said are you from Ithaca?

4 I'm not from Ithaca, but it's good to
5 be here among friends and to have a chance
6 to directly address Diane from the DEC and
7 anyone else at the DEC who might be reading
8 this. And what I want to say is, Diane,
9 it's time for a mutiny at the DEC. I don't
10 know what your personal position is, Diane,
11 or anyone else who might be reading this,
12 but there has got to be a lot at stake at
13 the DEC. The state is divided between
14 basically the people who think the most
15 important thing is money and the people who
16 think their state is more important than
17 money. You can't all be mercenaries at DEC
18 and yet what do we get from you? It is now
19 only a little more than a year since your
20 ex-director Pete Brandis, no hero of the
21 environmental movement, wrote a memo leaked
22 to the press in which he said the public
23 doesn't know how bad they are being served
24 by us. We are in the worst shape we've

1 been in in 40 years. And what happened to
2 Pete Brandis? He was fired two days later
3 for telling the truth. And what do we get
4 instead? I have had the privilege of
5 interviewing the Deputy Director of Public
6 Affairs Emily DeSantos, your boss I assume,
7 Diane. She is a very intelligent woman,
8 but she comes off unfortunately as a
9 complete buffoon. I don't mind if you tell
10 her that that because she gives stupid
11 answers to serious questions. I said to
12 her what many people would like to ask, how
13 come New York is exempt and Syracuse is
14 exempt and we're not? Oh, because they
15 don't have sediment filters. Well, we
16 don't have sediment filters either. Oh,
17 well, that's why we are having these
18 hearings. But how did we get into the
19 hearings in the first place? How does it
20 get in when it doesn't really distinguish
21 anything? Oh, you have to talk to our
22 scientific panel about that.

23 We get this kind of nonsense and
24 double talking, but the SGEIS is more

1 tainted than Monica Lewinsky's blue dress.
2 I get answers from people who are concerned
3 about their futures, their livelihoods and
4 their health and the health of their
5 children. This is a disgrace.

6 So I would like to invite you at the
7 DEC to discover something new which I'll
8 call a bureactivist. Probably some of you
9 are thinking well, what can I do? If I
10 quit, I'm out of the paper in a day and
11 then I'm out of work in a job market that's
12 the worst since the Great Depression for
13 the rest of my life. So I would suggest
14 you go on strike and cite the Nuremburg
15 laws that you can't be made to commit
16 crimes against humanity and make them go
17 against you.

18 MODERATOR: Our next speaker is Emma
19 Little.

20 MS. LITTLE: How does one follow
21 that? I'm Emma Little. I live on the hill
22 back up here. If you go down 79, you'll
23 pass my house. It's right on the top of
24 the Marcellus Shale pile back up there. So

1 I'm a little concerned about what's
2 happening here and what's happening in
3 Danby and what's happening around us. And
4 I have been absolutely delighted with the
5 informative, exciting, frightening messages
6 that I've heard tonight.

7 I'm not exactly a dummy. I taught
8 college for a while and have some letters
9 after my name, but no one can keep track of
10 the detail that we've heard tonight. And I
11 want to thank everyone of you who prepared
12 those long papers and let us know what
13 you've learned. I've learned some things
14 that relate to a couple of the last two
15 speakers. One is the concern that an owner
16 of land has about what's going on around
17 us. Living on top of that pile of
18 Marcellus Shale is really scary. Talking
19 with people here just tonight I said, well,
20 I don't know whether I should just sell my
21 old house and get the hell out or whether I
22 dare stay.

23 I'm old. I'm 75. I've had all the
24 problems that we all know about that relate

1 to growing up in an oil invasive
2 environment. I grew up in Oklahoma earlier
3 than I want to tell you about, but
4 nevertheless I was 12 years old before I
5 was ever able to lie down and breathe.
6 Purimide (phonetic), Sapulpa, a dozen of
7 other funny named towns were all part of
8 oil field development. The odor, the
9 smell, the traffic, the noise, it's just
10 not a healthy environment in which to live,
11 so as a kid I had massive, terrible attacks
12 when I couldn't breathe. When my parents
13 left Oklahoma, we went to New Mexico up in
14 the mountains where my dad was in the Air
15 Force. Some of you may know about
16 something called World War II. And I began
17 to breathe. First time in my life. We
18 were out of the Oklahoma mess.

19 There are so many things that I would
20 like to say. The reality that this fight
21 is one between corporate and corporate
22 greed. Corporations and corporate greed.
23 This fight is between them and what we want
24 to think of as ourselves as a democracy,

1 but corporations are not democratic.

2 MODERATOR: Thank you. Our next
3 speaker is number 36, William George.

4 MR. GEORGE: William George,
5 W-I-L-L-I-A-M, G-E-O-R-G-E. Thank you,
6 all. I've worked in industry for over 20
7 years in the environmental and safety
8 fields and for something different I'd like
9 to talk about the regulation first.

10 The proposed regulation, New York
11 State should reinstate new regulation, all
12 protections and accompanying New York State
13 and Federal regulations from the exemptions
14 given the oil and gas industry from the
15 following federal laws: The Clean Water
16 Act, the Clean Drinking Water Act, the
17 Clean Air Act, RECRA, or the Hazardous
18 Waste Act, Sara Title III or the Community
19 Right to Know, and the Emergency Response
20 Acts. All of these were exempted back in
21 2005 in the so-called Energy Bill.

22 As far as the SGEIS, I want to
23 support the call for a comprehensive,
24 cumulative review of the hydrofracking

1 process including, but not necessarily
2 limited to, first the economic impacts.
3 Specifically jobs, as this is touted as the
4 big benefit of fracking.

5 What I'm saying next is anecdotal
6 secondhand info, but it speaks to the
7 issue. At the Locke-Sheldrake hearings I
8 attended, many speakers said why should my
9 children have to go to PA for jobs, but
10 another speaker who spent two weeks in
11 Pennsylvania doing fact finding on their
12 own expense and time heard from an inn
13 owner where they finally found a space to
14 stay that the inn owner was tired of
15 running a dormitory for boys from Wyoming,
16 Colorado and Texas. Are those boys'
17 parents back in Wyoming, Colorado and Texas
18 saying why should my children have to go to
19 Pennsylvania and New York to find jobs?
20 It's all turned on its head.

21 But also the comprehensive review
22 should include public health, individual
23 health, specifically medical and financial
24 compensation and the banning of

1 nondisclosure or gag order settlements by
2 the industry. Worker occupational safety
3 and health, even if the workers are from
4 out of state. And review of pipelines,
5 compressor stations and other ancillary
6 equipment which is completely omitted from
7 the draft SGEIS. Thank you.

8 MODERATOR: Thank you. Quick
9 reminder speakers with numbers greater than
10 70 and they have their notes written, can
11 drop them off in the back. It's likely we
12 probably will not get to speakers much
13 higher in number than 70. Our next speaker
14 is number 37, Michael Petkov.

15 MR. PETKOV: I'm Michael Petkov.
16 M-I-C-H-A-E-L, P-E-T-K-O-V. Mic check.

17 AUDIENCE: Mic check.

18 MR. PETKOV: We have an addiction.

19 AUDIENCE: We have an addiction.

20 MR. PETKOV: To fossil fuels.

21 AUDIENCE: To fossil fuels.

22 MR. PETKOV: And now they want to
23 continue it.

24 AUDIENCE: And now they want to

1 continue it.

2 MR. PETKOV: They want to bring it to
3 Upstate New York.

4 AUDIENCE: They want to bring it to
5 Upstate New York.

6 MR. PETKOV: And we want to say no.

7 AUDIENCE: We say no.

8 MR. PETKOV: We do not.

9 AUDIENCE: We do not.

10 MR. PETKOV: Want to be become.

11 AUDIENCE: Want to become.

12 MR. PETKOV: The next Alberta.

13 AUDIENCE: The next Alberta.

14 MR. PETKOV: The next Saudi Arabia.

15 AUDIENCE: The next Saudi Arabia.

16 MR. PETKOV: The next Texas.

17 AUDIENCE: The next Texas.

18 MR. PETKOV: We don't want our people
19 plagued by diseases.

20 AUDIENCE: We don't want our people
21 plagued by diseases.

22 MR. PETKOV: We have been blessed.

23 AUDIENCE: We have been blessed.

24 MR. PETKOV: With beautiful land.

1 AUDIENCE: With beautiful land.

2 MR. PETKOV: Lots of fertile soil.

3 AUDIENCE: Lots of fertile soil.

4 MR. PETKOV: And people who are
5 willing to give it their all to insure.

6 AUDIENCE: And people willing to give
7 it their all.

8 MR. PETKOV: To insure that man and
9 nature can live within harmony.

10 AUDIENCE: To insure that man and
11 nature can live in harmony.

12 MR. PETKOV: And SGEIS threatens
13 this.

14 AUDIENCE: The SGEIS threatens this.

15 MR. PETKOV: They are wanting,
16 willing to open the doors of New York.

17 AUDIENCE: They are willing to open
18 the doors of New York.

19 MR. PETKOV: To multinational
20 corporations.

21 AUDIENCE: To multinational
22 corporations.

23 MR. PETKOV: Who care nothing about
24 greed. I mean, who care nothing about the

1 people.

2 AUDIENCE: Who care nothing about the
3 people.

4 MR. PETKOV: And only greed.

5 AUDIENCE: And only greed.

6 MR. PETKOV: We say no to fracking.

7 AUDIENCE: We say no to fracking.

8 MR. PETKOV: This is our time.

9 AUDIENCE: This is our time.

10 MR. PETKOV: This is the age of the
11 common man.

12 AUDIENCE: This is the age of the
13 common man.

14 MR. PETKOV: We are the 99 percent.

15 AUDIENCE: We are the 99 percent.

16 MR. PETKOV: We are the 99 percent.

17 AUDIENCE: We are the 99 percent.

18 MR. PETKOV: We are the 99 percent.

19 AUDIENCE: We are the 99 percent.

20 MODERATOR: Thank you. Our next
21 speaker is number 38. Ed Nizalowski.

22 MR. NIZALOWSKI: Very good. I'm Ed
23 Nizalowski. E-D, N-I-Z-A-L-O-W-S-K-I. I'm
24 a retired high school librarian living in

1 Newark Valley, Tioga County. My profession
2 involves collecting, categorizing
3 accessible information. I research any
4 topic and help anyone who walks through the
5 door to make sense of this information. I
6 have read more about hydrofracking than I
7 ever wanted to and have collected hundreds
8 of newspaper articles, many magazines and
9 e-mails and website links about the topic.
10 I'm also a local historian and I am
11 positive that this is one of the most
12 controversial issues in the history of New
13 York State and certainly one of the most
14 controversial for both the Southern Tier
15 and the Finger Lakes region.

16 In terms of environmental issue, I
17 can't think of any other that has generated
18 this much discussion and acrimony than gas
19 drilling. Looking at both sides of the
20 issue, I feel that there are numerous
21 reasons to reject the dSGEIS for the lack
22 of protection from hydrofracking fluids,
23 lack of protection of drinking water and
24 air quality, lack of assessment of well

1 drilling activities. I further feel that
2 hydrofracking should be banned completely
3 for the previous reasons along with the
4 track record by energy companies on the
5 environment that is disturbing. Numerous
6 individuals who have already experienced
7 tainted water and severe health problems.
8 Roads and job creation in an area is
9 misleading. Potential increase in seismic
10 activity and associated impact on the
11 general welfare that has not been
12 adequately addressed. Looking at the
13 bigger picture, however, this is one battle
14 in a much larger forum. When you want to
15 demonize the energy companies, but every
16 time we look into the mirror, you're gazing
17 at their responses to. The United States
18 represents five percent of the world's
19 population, but consumes 24 percent of the
20 world's energy supplies. We throw out
21 200,000 tons of edible food every day which
22 amounts to 30 million tons of food over the
23 space of a year. By age 75 the average
24 American has generated 52 tons of garbage.

1 We have more shopping malls than high
2 schools. I could give further statistics
3 of this type, but I think you get the
4 picture.

5 We need to examine and change an
6 economy and a lifestyle that is so heavily
7 dependent on the consumption of diverse
8 resources including fossil fuels. Instead
9 of constantly looking for more of these
10 resources, we need to concentrate our
11 efforts on both getting more efficient in
12 our energy use and develop those energy
13 resources that are sustainable and
14 renewable. Thank you.

15 MODERATOR: Thank you. I'd like to
16 invite up to line up speakers number 41
17 through 48. And our next speaker is number
18 39, Ross Horowitz.

19 MR. HOROWITZ: R-O-S-S,
20 H-O-R-O-W-I-T-Z. I'm a member of the Danby
21 Gas Drilling Task Force. We've reached a
22 point where polite panel discussions about
23 the impending doom are out of place. The
24 DEC's record on the issue of gas drilling

1 as shown by Walter Hang at Toxics
2 Targeting, involves denial and ignoring.
3 This continues as the rdSGEIS attempts to
4 mitigate, not by risk analysis, but again
5 by ignoring.

6 The DEC and Governor Cuomo didn't
7 realize an issue of this magnitude required
8 the Departments of Health, Agriculture,
9 Transportation, the PSC and every state and
10 federal office concerned with water
11 quality, hydrology and the geology of the
12 Appalachian Basin to be at the table from
13 the outset. And that input from health
14 professionals, from wine and tourist
15 industries, organic farmers and engineers
16 who are familiar with fracking should have
17 been mandatory.

18 Governor Cuomo didn't realize that an
19 issue of this magnitude requires regional
20 planning at the most comprehensive level
21 and not divisive distinctions that pit one
22 area against another. This issue involves
23 the entire region.

24 The gas industry knows that the

1 proven to be without threat to public
2 health, without threat to the region's
3 fresh water supply and without committing
4 New York State to decades of greenhouse gas
5 degradation. Until that time there is only
6 one choice, get on with the serious
7 business of building sustainable
8 industries, protecting water, our most
9 valuable resource and ban fracking in New
10 York State.

11 MODERATOR: Thank you. Our next
12 speaker is number 40. He already told me
13 he wasn't going to be here. Sorry about
14 that. Next speaker is number 41, Jeff
15 Andrysick.

16 MR. ANDRYSICK: I'm Jeff Andrysick,
17 A-N-D-R-Y-S-I-C-K. I'm Jeff and my wife's
18 Jodi and we are farmers turned filmmakers
19 against frack and produced "All Fracked UP
20 1 and two.

21 Several years ago I heard that frack
22 was safe, responsible, clean, green and
23 patriotic. Then around two years ago
24 Chesapeake Energy wanted to dump, for

1 starters, one billion gallons of toxic
2 frack waste fluid from Pennsylvania under
3 our town of Pulteney, only half a mile from
4 Keuka Lake. I felt like I was hit in the
5 head with a true brick.

6 How can frack be safe, responsible,
7 clean, green and patriotic when Chesapeake
8 Energy has to haul their waste out of PA
9 into New York? Pulteney won its battle
10 against Chesapeake and after making two
11 documentaries, we came to these
12 conclusions:

13 Fracking is a crime since 70,000
14 proposed wells in New York will use up a
15 volume of water that is equivalent of Keuka
16 Lake to do all the fracks and in the
17 process contaminate this fresh water.

18 Fracking is a crime since fracking
19 fluids have a much greater chance of being
20 released into water supplies in Eastern US
21 black shales since these shales are much
22 more fractured than Western black shales.

23 Fracking is a crime since fracked
24 areas have the worst air pollution in the

1 whole USA.

2 Fracking is a crime since it destroys
3 tourism which is already a healthy,
4 sustainable and growing economy.

5 Fracking is a crime since it uses
6 water as a medium to get gas and only gets
7 a fraction of the recoverable reserve for
8 the lease holder and permanently ruins the
9 reserve for future safe responsible
10 promising technologies.

11 Fracking is a crime since venting and
12 flaring waste the resources and short
13 changes the lease holder.

14 Fracking is a crime since gas workers
15 are not protected and are misled as to how
16 dangerous the chemicals are that they use.

17 Fracking is a crime since the bulk of
18 New York gas will go to foreign markets --

19 Fracking is a crime since it ruins
20 people's water wells and property values.

21 Fracking is a crime since the cost of
22 gas has fallen by two-thirds and gas
23 companies hustle lease holders giving them
24 a fraction of what it is worth.

1 Fracking is a crime since gas
2 corporations wreck roads and bridges with
3 hollow promises to fix them when they are
4 done.

5 Fracking is a crime since one-third
6 of concrete well casings fail immediately
7 and two-thirds eventually, thus polluting
8 ground water.

9 Fracking is a crime since gas
10 companies only treat a small fraction of
11 their colossal waste while the bulk of it
12 is run through sewage treatment plants that
13 are not designed to process toxic waste, or
14 it is illegally dumped or it is passed off
15 as a safe alternative for snow removal and
16 dust control for roads.

17 Fracking is a crime since there is a
18 ten-fold increase in drug trafficking in
19 fracked areas.

20 DEC, you don't regulate crime.
21 Please DEC, do not be an accomplice to the
22 crimes of the fracksters or you will lose
23 your remaining authority. Listen to the
24 wise voices within your organization and

1 protect New York State from the dangers of
2 fracking. Why are three Finger Lakes
3 protected while the rest of us remain open
4 season for the gas gangsters? We demand a
5 ban. Jodi and I have 100 movies here to
6 donate for groups or town libraries. As we
7 walk up the aisles, just raise your hand if
8 you want a movie.

9 MODERATOR: Our next speaker is
10 number 42, Mary Jane Uttech.

11 MS. UTTECH: My name is Mary Jane
12 Uttech. I'm from the Cortland County
13 Health Department and I'm representing the
14 health department in my comments. We have
15 many concerns about the SGEIS, but I will
16 focus on just two tonight.

17 The first is our ongoing concerns
18 that the SGEIS states such things as
19 setbacks and water well testing on
20 arbitrary distances rather than the unique
21 hydro geology of any given area. We had
22 one instance in our county where brine from
23 a holding pond migrated 3,200 feet to
24 contaminate the wells of 14 families. This

1 is beyond the testing distance proposed in
2 the SGEIS. Just yesterday I spoke with a
3 woman from Maryland, New York who told me
4 that multiple people in her area have been
5 having problems with their water ever since
6 a vertical well was drilled there two years
7 ago. Most of those people live at least a
8 mile from the drilling site.

9 Based on the hydro geology of an area
10 where testing and setbacks the DEC has
11 proposed will sometimes be woefully
12 inadequate. Local health departments have
13 a wealth of knowledge of the hydro geology
14 in the county as well as other critical
15 information about their jurisdictions. For
16 this reason we propose the local health
17 departments be involved in the permitting
18 process.

19 Another concern is enforcement.
20 Although adherence to regulations cannot
21 prevent a catastrophe, we know that lack of
22 adherence to regulations increases the
23 likelihood of accidents. Dr. Goldstein,
24 director of the University of Pittsburgh

1 Center for Healthy Environment in the
2 Community pointed out in his presentation
3 that the number of violations per well for
4 different gas companies in Pennsylvania
5 ranged widely from zero to 2.7. For some
6 companies it's less expensive to pay for a
7 violation than it is to correct a problem
8 and a culture of ignoring the rules
9 persists. Such companies should not be
10 given permits to drill in New York. Alcoa
11 Corporation was able to reduce their
12 already good track record for workplace
13 accidents to almost zero all due to a no
14 tolerance policy for managers having
15 workplace accidents on their watch. This
16 shows how much corporation policy can
17 dramatically reduce accidents. DEC must
18 hold corporations responsible. The air we
19 breathe and the water we drink and
20 ultimately the public's health are at
21 stake.

22 There also must be serious
23 consequences for inspectors who do not
24 enforce the regulations. Some people have

1 expressed concerns about DEP inspectors in
2 Pennsylvania using their positions as a
3 training ground for a higher paying job
4 with the gas company that they are charged
5 with overseeing. The DEC needs to insure
6 that this doesn't happen in New York.

7 Thank you.

8 MODERATOR: Next speaker is number
9 43, Tompkins County Legislator Carol Chock.

10 MS. CHOCK: Carol Chock, C-H-O-C-K.
11 I'm on the Tompkins County Legislature
12 where I chair a subcommittee for our
13 Council of Governments examining impacts on
14 our tax assessment rolls and land values.

15 We found that New York State allows
16 drilling to occur only 100 feet from homes.
17 And we learned from banks, appraisers and
18 attorneys that our ability to buy a home or
19 get a home equity loan is threatened if
20 lenders cannot meet basic standards to sell
21 those loans to the secondary market.

22 The lenders have been quite clear
23 they are not coming from an environmental
24 perspective. Setting the minimum of 200 or

1 300 foot setbacks they need will not
2 provide an environmentally safe distance
3 between industry and our homes.

4 But the bankers made it clear that
5 New York State must set a bigger distance
6 between buildings and any kind of drilling
7 activity for them to continue doing
8 business.

9 So our committee brought those
10 bankers to Albany seven months ago. They
11 gave the same message to the DEC and
12 Governor's office. The answers are not in
13 the new EIS.

14 There are conflicts in the SGEIS, the
15 proposed regulations and even existing law
16 with decades-old requirements of
17 residential mortgage lending and secondary
18 market standards established by Fannie Mae,
19 Freddie Mac, FHA, VA and even New York
20 State's own SONYMA Mortgage Agency. They
21 were wrong.

22 Surface or subsurface lease rights
23 within 200 feet of a residential structure
24 are not acceptable to Fannie Mae or Freddie

1 Mac, (Section 39.4 of the Freddie Mac
2 manual).

3 FHA won't accept surface or
4 subsurface leases within 300 feet of the
5 home or even property boundary lines
6 (Section 4150.2).

7 Those setbacks can't just apply to
8 the well head. They must apply to storage
9 of chemicals, pipelines and other ancillary
10 activities.

11 DEC ignored that, but the National
12 Press and even the New York State Bar
13 Association have looked. FHFA, which now
14 oversees Fannie and Freddie, has confirmed
15 that it is the lender's responsibility.
16 New York State must respond if we want our
17 residents to own homes, finance, buy and
18 sell and take equity out when we need it.

19 Those of you in the room here with
20 leases, regardless of whether you are pro
21 or anti-drilling for other reasons, it is
22 important to go home and check out your
23 leases. A 200 foot clause in your lease is
24 not good enough unless it has those other

1 stipulations. There's a lot of
2 misinformation about that out there. Check
3 with your bank, you may be in violation of
4 your mortgage. Know that when you go to
5 buy, sell or get a loan, you will each need
6 to renegotiate the terms unless New York
7 State sets those parameters across the
8 board at the state level.

9 The fact that New York State was
10 clearly unaware and chose to ignore the
11 specific needs of this competing and
12 essential industry and undermines our
13 confidence that New York State has done its
14 due diligence to protect the basic
15 homeownership rights of New Yorkers and the
16 needs of our existing businesses. Let's
17 help them stay in business.

18 This industry looks to transfer costs
19 and risks to other industries, particularly
20 the real estate industry, the taxpayers at
21 local and state levels and to homeowners of
22 New York State. Do not let that happen.

23 MODERATOR: Our next speaker is
24 Tompkins County Legislator Pamela Mackesey.

1 MS. MACKESEY: Pam Mackesey,
2 M-A-C-K-E-S-E-Y. So here we are at the
3 SGEIS hearing about the proposed rdSGEIS.
4 Even after enumerable hearings and
5 discussions, major gaffs and woeful
6 inadequacies remain. For example, the
7 inadequate groundwater monitoring,
8 mitigation measures that are suggested but
9 not required. Inadequate regulations of
10 fracking fluids that contain carcinogens,
11 mutagen and endocrine disrupters.
12 Inadequate methods of disposal of flow back
13 water and fracking fluids. The document
14 still does not address in any meaningful
15 way the cumulative impacts of hydrofracking
16 and the list goes on.

17 Article 14, Section 4 of the New York
18 State Constitution reads: The policy of
19 the State shall be to conserve and protect
20 its natural resources, scenic beauty and
21 encourage the development and improvement
22 of its agricultural land for the production
23 of food and other agricultural products.
24 The legislature implementing the policy

1 shall include adequate provisions for safe
2 air and water pollution and excess and
3 unnecessary noise, the protection of
4 agricultural land, wetland and shore land
5 and the development and regulation of water
6 resources. If it implements the dSGEIS,
7 our state government will be violating its
8 responsibility to protect its citizens and
9 its environment. In fact I believe our
10 natural resources, scenic beauty and
11 agricultural lands will all be compromised
12 when it's put into effect. In addition,
13 air and water pollution will inevitably
14 increase as it has in every other state
15 where hydrofracking is allowed.

16 The stakes are very high for New York
17 State residents. Our economic, social,
18 environmental future are jeopardized if we
19 allow hydrofracking to move forward.

20 Destroying our communities and farms by
21 allowing our aquifers, lakes and streams to
22 be sucked dry or polluted is a real threat
23 to all New York State residents. However,
24 the stakes are also high in those of Albany

1 who have ambitions. I hope our Albany
2 politicians are not so enamored by the
3 river of money from the oil and gas
4 industry flowing in their direction. If
5 they fail to see the armies of people who
6 have stood up and will continue to stand up
7 to speak out against the travesty we will
8 encounter if this SGEIS is implemented.
9 DEC has been working on this document for
10 three years and still huge gaps and
11 omissions remain.

12 My comment to DEC and to our elected
13 Albany leaders is thank you for your hard
14 work, but I believe it's time to throw the
15 document into the recycling bin. The truth
16 is that horizontal hydrofracking is unsafe
17 and should be banned. It's unsafe for New
18 York City. It's unsafe for Skaneateles
19 Lake. It's unsafe for Tompkins County,
20 Chemung County, Yates County, Schuyler
21 County, Steuben County and every county in
22 New York State.

23 MODERATOR: Thank you. Our next
24 speaker is number 35, Arthur Hunt.

1 MR. HUNT: My name is Arthur Hunt.
2 A-R-T-H-U-R, H-U-N-T. Our family owns Hunt
3 Country Vineyards in Branchport, New York
4 on Keuka Lake. We and our neighbors'
5 wineries produce world class wines because
6 of the unique, pristine cool climate of the
7 Finger Lakes. We live on land that's been
8 in the family for seven generations. We
9 are one of the larger private employers in
10 our area with over 30 employees. I believe
11 I speak for the majority of the wineries in
12 the Finger Lakes. Agriculture and tourism
13 drawn by the wineries and the lakes is the
14 economic engine of the Finger Lakes
15 economy. The wine and grape industry alone
16 has an economic impact in the State of over
17 \$3.76 billion.

18 There was no thorough unbiased
19 economic study done by the DEC on the
20 effects of hydraulic hydrofracking on local
21 businesses in the Finger Lakes.

22 As soon as the fracking trucks start
23 rolling, roads will deteriorate. Tourism
24 will be drastically reduced. Wineries,

1 that all depend on tourism, will soon be
2 out of business. Many other businesses in
3 the area are also heavily dependent on
4 visitors. They will likely be bankrupt as
5 well. Hundreds of sustainable businesses
6 and thousands of local jobs will be
7 permanently lost. Permanently lost because
8 property values will plummet due to the
9 industrialization and pollution of our
10 farms, pollution of our air, pollution of
11 our soil and likely our precious water.

12 The gas industry says it will create
13 jobs. These are only temporary. Most are
14 filled by out-of-state workers. When they
15 move on, history shows local economies are
16 devastated.

17 As a seven generation family farm, we
18 take a long view and consider ourselves
19 stewards of the land. Most of the produce
20 and grain grown in America is grown out
21 west. The western US is running out of
22 water. Experts agree that within a
23 generation most of that food will have to
24 be grown somewhere else. Since the Finger

1 Lakes region has some of the cleanest air,
2 abundant clean water and fertile soil, it
3 will once again become the vital
4 breadbasket for the northeast. We can't
5 afford to lose another acre of our precious
6 farmland to any kind of development.

7 Allowing high volume hydrofracking in
8 the Finger Lakes may likely prove to be one
9 of the biggest economic and environmental
10 disasters ever made in the history of the
11 State of New York.

12 This will likely bankrupt not only
13 the Finger Lakes, but possibly the whole
14 state economy. How will that go over,
15 Governor? Why not instead promote
16 sustainable, local jobs. People can live
17 without gas. They cannot live without
18 clean water, clean air and safe food. As
19 currently written your sdGEIS will not
20 safeguard our future. You're the
21 Department of Environmental Conservation.
22 What happened to your moral responsibility
23 to the environment? What are you thinking?

24 MODERATOR: Next speaker is number

1 46, Mike Morris.

2 MR. MORRIS: Mike Morris, M-I-K-E,
3 M-O-R-R-I-S like the cat. I apologize for
4 the disjointed nature of this. I just
5 wrote this down. I wasn't planning on
6 coming tonight. I wanted to spend time
7 with my kids, but here we are again.

8 I'd decided to come because I live in
9 the Village of Groton. And villages like
10 Groton where the town stands no chance at
11 least at present of passing a ban, the
12 towns are just going to be overrun. The
13 villages are going to be overrun. And
14 literally in the Village of Groton there
15 are people that have leased in the village
16 boundaries, like one percent. Literally 99
17 percent of us are going to suffer the
18 consequences of this if it happens.

19 The draft SGEIS is sort of on its
20 face, if you just look at it, the positives
21 and negatives, even if you took it at face
22 value, it's a loss for all of us. Our
23 whole communities will be ruined and
24 destroyed. And that's if we take all of

1 their assumptions and everything on face
2 value and say that that's true. So, you
3 know, this is, we're starting out in the
4 hole on this even by their own language.

5 And so if it does pass, little
6 municipalities like Groton need time to
7 gear up and get ready for this because
8 right now they are not ready. And we have
9 a municipal water supply. And I would like
10 to see the rules strengthened for that.
11 Let's see.

12 Just by their own numbers on the
13 recent news, what they are claiming we're
14 going to see in revenues won't even cover
15 the cost of DEC regulation. So even if the
16 gas companies repair the roads, but what
17 next? What are we going to see out of
18 this? Are we going to see any municipal
19 centers, new public buildings, new schools,
20 anything? No. We're just going to see
21 nothing. I hate the term Marcellus
22 playing, because it's as though it's
23 gambling. That it's a game. And it's not.
24 This is real for us. And the gas companies

1 they came in -- excuse me. I'm out of
2 breath. They signed their leases ahead of
3 time. They didn't have permits. They
4 didn't have regulations. We owe them
5 nothing. They gambled. They lose. We
6 don't owe them a thing. We need to protect
7 our communities. And, you know, the drill
8 baby drill is a great slogan for the
9 carpenters union, but it should not be the
10 slogan for the DEC.

11 MODERATOR: Our next speaker is
12 number 47, Jonas Pur year. Before you
13 begin, speakers number 49 through 56 can
14 come up.

15 MR. PURYEAR: Hello. My name is
16 Jonas Puryear. I'm from Trumansburg, New
17 York. I'm 11 years old. And I've been
18 having a hard time understanding the SGEIS
19 and tonight I see that I'm not alone. When
20 I'm your age, I hope I don't have to drive
21 to New York City to get a clean glass of
22 water. When I have kids, I hope my kids
23 have a clean future. Why shouldn't we let
24 outsiders come to New York and sell our gas

1 to China. The gas is in the ground and has
2 been for millions of years. We can afford
3 to wait until there's a proven safe way to
4 get it out. Thank you.

5 MODERATOR: Our next speaker is
6 number 48, Chris Tate.

7 MR. TATE: Thanks a lot for doing
8 this. I'd like to thank Lawrence McKennan
9 and Tompkins County Council of Governments
10 for doing this. And really what I would
11 just like to say there needs to be a
12 comprehensive health risk assessment
13 associated with vertical and horizontal
14 hydrofracking included in the SGEIS and I
15 think it's criminally negligent to exclude
16 this. And I think the DEC is exposed on
17 this and you better cover your asses and do
18 one.

19 With that I'd like to introduce,
20 concede the rest of my time to Linda
21 Lavine, one of the newly elected town board
22 members of Dryden, one of the members of
23 our movement. Let's get behind the towns.

24 MS. LAVINE: Hi. I'm proud to be

1 here representing Dryden and everyone has
2 already said all the important things, but
3 I want to add what I'm about to say is a
4 little bit on the funny side, is about the
5 fact we really need to respect the science
6 in this. So Cornell's motto is I would
7 build a institution where anyone can find
8 study in any subject and the classic '60s
9 joke about this was Ezra, you can't really
10 mean that. Where would you put all those
11 people? And the answer was not to worry.
12 Wait until you see where I put it. Nobody
13 got that joke. It's okay.

14 The new joke going around also speaks
15 to our cow country location. That is the
16 gas industry must have mistakenly thought
17 that if they wrote off the New York City
18 watershed, Upstate New York would be easy
19 prey because we're just a bunch of hicks in
20 the middle of nowhere with no political or
21 intellectual clout. Well, the joke is on
22 them.

23 Someone should have warned them that
24 all these hicks around these parts are

1 informed citizens who will fight with real
2 science and fierce determinations. By the
3 way, we should not be surprised if they
4 don't know who we are because they are not
5 from around here. They're from Mumbai,
6 Beijing and maybe as close as Texas. So
7 tonight we would like to introduce
8 ourselves and say, don't waste your time
9 here.

10 Wonderful people like Senator Richard
11 Gottfried learned to think critically at
12 Cornell and spoke powerfully at the DEC
13 hearing in New York City yesterday. Local
14 internationally known scientists like
15 Ingrafina and Haworth do necessary research
16 exposing industry lies and we know that the
17 science is not ready.

18 We thank Governor Cuomo and Governor
19 Markell for recognizing in the recent DRBC
20 decision. They acknowledge the science is
21 not ready and the risk much too great.

22 On a final note I want to hand in
23 evidence of fraud published in PNAS by the
24 industry in which two scientists were paid

1 by the industry to say they had no
2 conflict. They signed that statement with
3 the facts of Osborne, Duke methane study.
4 In fact they lied and are paid by the
5 industry.

6 MODERATOR: And just to keep things
7 clear to help with the flow of things. Odd
8 number speakers come to this side and even
9 numbers on this side.

10 SPEAKER: After sitting and listening
11 to a lot of comments, I have less and less
12 confidence in the DEC. What I did find
13 today in a very short time flaws that I
14 found very easily when I actually read part
15 of the SGEIS. The current DEC regulations
16 require, this is a quote from the SGEIS,
17 "evaluate the use of alternative additives
18 that pose less potential risk to water
19 resources." So this is the DEC suggesting
20 that the gas companies look for
21 alternatives that are less toxic.

22 Now if they can't even answer an
23 e-mail, how are they going to put any teeth
24 behind a comment like this. Nowhere in the

1 document are there any parameters for what
2 that evaluation should entail. Without
3 specific standards we know that all we'll
4 get from the gas companies is oh, we tried
5 that. It didn't work. We demand safety of
6 our irreplaceable resources. It is much
7 more cost effective to have strict
8 standards now, than attempt to clean up
9 contamination later if that's even
10 possible. For example the use of benzene
11 and other petroleum distillates should be
12 disallowed since many drilling companies
13 phased out their use in the 1990s.

14 I ask the DEC to ban the use of known
15 and expected toxic agents, cancer causing
16 agents, teratogens, mutagens and endocrine
17 disruptors from all gas drilling
18 procedures. If they can't do it without
19 these dangerous chemicals, let them figure
20 it out and go somewhere else, but no
21 drilling in New York until they do. The
22 shale deposits have been here hundreds and
23 thousands of years. They are not going
24 away. There's no rush.

1 Contamination can also come from flow
2 back and produced water, both of which
3 would be considered hazardous waste were it
4 not for the Halliburton loophole. Call it
5 what it is and force the gas companies to
6 deal with it for what it is, hazardous
7 waste.

8 Even if the gas companies did not add
9 any toxic chemicals, the by-product of
10 their industrial process is hazardous
11 waste. No municipal wastewater treatment
12 facility can deal with elevated levels of
13 radium or other radioisotopes and extremely
14 high concentrations of salts. No private
15 treatment plants exist in New York State
16 that can deal with this waste either. The
17 process of pretreating the liquid waste to
18 concentrate it to a solid form only moves
19 the hazard from a liquid form to a solid
20 form and there is nothing in the DEC's
21 SGEIS to address this issue at all.

22 The Federal Department of Energy
23 found that radiation levels higher than 50
24 pCi/gm can lead to increased health risk.

1 Estimates by the Water Resource Institute
2 of New York at Cornell have estimated based
3 on DEC's own data of up to 5,000 pCi/l of
4 water from Marcellus Shale flow back could
5 result in solid waste at least 500
6 pCi/gram, which is ten times the DOE level
7 in their study.

8 There needs to be a moratorium on
9 hydraulic fracturing in New York State.

10 MODERATOR: Thank you. Our next
11 speaker is number 50, Barbara Kane Lewis.

12 MS. LEWIS: That B-A-R-B-A-R-A,
13 K-A-N-E, L-E-W-I-S. I live in the Town of
14 Barker in New York State. It's on the very
15 edge of Broome County about 35 miles
16 southeast of Ithaca.

17 I have many concerns about
18 hydrofracture drilling for natural gas in
19 New York State. The SGEIS does not provide
20 enough protection for the citizens of New
21 York and our watersheds.

22 The rules are unclear about fracking
23 in floodplains. Much of New York is very
24 vulnerable to serious flooding. Fracking

1 here could lead to contamination, not just
2 of groundwater, but in areas of runoff and
3 standing water as well.

4 There are inadequate assessments of
5 the potential effects of fracking on our
6 health. Work done by the Endocrine
7 Disruption Exchange has determined that
8 serious health problems occur in areas of
9 drilling. We need to protect the health of
10 all New Yorkers. We need to be prepared
11 and to plan on how to protect our citizens
12 instead of learning how to treat serious
13 health problems after they occur. Our
14 children don't deserve this.

15 No comprehensive assessment has been
16 done of the cumulative impacts of major
17 industrial development on rural areas. No
18 provision has been made for assistance to
19 those communities to keep roads safe, to
20 help with increased emergency response and
21 the possible need for additional living
22 facilities. Many areas already hard hit by
23 flooding are in a housing crisis which
24 could be worsened by an influx of workers

1 needing places to live.

2 No adequate plans have been developed
3 for the transport and treatment of
4 dangerous fracking waste. These facilities
5 should be in place and ready for operation
6 before any drilling takes place, not after.

7 All New Yorkers deserve safe drinking
8 water. Although major watersheds receive
9 some protection, hundreds and thousands of
10 New Yorkers have private wells and are not
11 geographically close enough to use any
12 water treatment facilities. If their water
13 is contaminated, they will have no safe
14 water. This issue must be addressed by the
15 dSGEIS. It is not reasonable to expose the
16 Southern Tier and the Finger Lakes to the
17 dangers of drilling when it has been ruled
18 unsafe for other areas.

19 We all deserve the protection of safe
20 water, breathable air and the right to
21 personal safety. We should not sacrifice
22 these for an influx of money that is not
23 even certain. Money cannot fix ruined
24 water or ruined health. It is not fair to

1 ask rural New Yorkers to pay that cost in
2 order for large energy corporations to rape
3 a property. Thank you.

4 MODERATOR: Our next speaker, number
5 51, Julia Walsh.

6 MS. WALSH: Hello, everybody. I'm
7 the campaign director for Frack Action.
8 And I thank you, Ithaca, for hosting this
9 hearing. It's because of all the work that
10 you've done here, that we've been able to
11 hold off this industry for the past three
12 years.

13 And I come bearing some good news.
14 We have won these hearings. We have
15 outnumbered the gas industry in Dansville,
16 in Binghamton, in Locke-Sheldrake, in New
17 York City and in large numbers. There have
18 been thousands and thousands of people that
19 have come out across the state, everyday
20 New Yorkers and for the millions of dollars
21 for the pleading e-mails of landowner
22 coalitions and groups begging the thousands
23 of people to come out and support the
24 fracking industry opening up in New York,

1 they have only managed to get a couple
2 hundred people and many of the same faces
3 in every single region. We've heard that
4 after Binghamton, the Elmira Airport was
5 very much alive with many people flying out
6 from wherever they came from to come and
7 show their faces in New York as if they are
8 New Yorkers.

9 It's very important right now, you've
10 heard that some people have said over the
11 course of these hearings there are
12 thousands of reasons why this document is
13 insufficient. It's important to note that
14 this is not a scientific document. This is
15 a political document that will be used to
16 justify a rush to drill in this state. We
17 need to make sure that we keep our energy
18 and spirit alive here in order to stop this
19 from moving forward.

20 As many people have already said
21 there's no public health impact study.
22 There's no cumulative environmental impact
23 study. There's no real socioeconomic
24 impact study. In fact at the DEC

1 Hydrofracking Advisory Panel meeting with
2 environmental advocates, Executive Director
3 Rob Lord asked E&E Consultants that put
4 together the socioeconomic study where are
5 the costs to New Yorkers? They said the
6 DEC did not hire us to look at the cost.
7 They only hired us to look at the benefits
8 to this state. This is an outrage.

9 Right now the AP has reported and
10 it's been in several newspapers that
11 Senator Libous is lobbying our governor to
12 create a strong alliance with Governor
13 Cuomo and DEC to ask them to move forward
14 in opening up the Southern Tier, Broome,
15 Chenango and Tioga Counties this spring for
16 fracking. It is so critical right now that
17 all of you here in Ithaca and across the
18 state that we realize that opening up the
19 Southern Tier means opening up our entire
20 state. The people in the Southern Tier are
21 outraged. They are upset. And some of
22 them are very much literally terrified of
23 the thought of it starting and it will be
24 up to all of us to work together as a state

1 wide movement to make it very clear to our
2 governor that this is a politically
3 unacceptable move and we will not allow
4 fracking in New York and that we will
5 prevail in being the first state to ban
6 fracking in this country.

7 MODERATOR: Our next speaker is Ms.
8 Harber.

9 MS. HARBER: Hi, Becca Harber
10 B-E-C-C-A, H-A-R-B-E-R. And I'm a pretty
11 tired speaker right now. I live in the
12 Newfield area. I've lived in this county
13 for about 30 years and I'm mostly
14 commenting on what is not in the SGEIS.

15 First I want to say I heard some
16 people speak about gas drilling on WSKG
17 this week and one person pointed out that
18 he didn't know about this version, but the
19 first version of this document was
20 coauthored by the lawyer who works for
21 Anschutz who is now suing the Town of
22 Dryden and he was one of the coauthors of
23 the first version of this document. And
24 that all of the information and numbers,

1 information about gas drilling is
2 completely gas industry source information.
3 So, you know, that's one of the huge flaws
4 of this document and I think it needs to be
5 rejected for all the reasons everybody has
6 been mentioning so far.

7 I want to say that my own view of an
8 Environmental Impact Statement is that it
9 can't really have much chance of accurately
10 evaluating the environmental impacts
11 without very specific locations for
12 whatever it is that is being proposed,
13 specific conditions, specific factors
14 regarding site and area specific conditions
15 and existence of water, weather, soil,
16 topography, air currents and directional
17 flow, who lives there, human and nonhuman,
18 what grows there and the current and
19 upcoming threats and impacts from other
20 sources like climate change trends and
21 invasive species to mention just some.

22 The approach of the generic SGEIS is
23 absurd in my opinion. So I do not find my
24 home or neighborhood included in this

1 statement. And I think even if all these
2 things were done -- okay, one minute.
3 Where I live is in a valley with a road
4 through it, going down through it going
5 down to a stream valley with steep hills
6 rising up and there's hundreds of acres
7 above and the top of each of the sides of
8 those that have been leased. And even if
9 we had 2,000 feet, I do not believe that
10 the setbacks for the Syracuse and New York
11 City watersheds are sufficient. I think
12 that is la la land right there. If you
13 have contaminated water uphill, even
14 thousands of feet, it's going to come down
15 and get into these streams and wells. We
16 live off of wells and springs on our road.
17 So the whole thing is just a bunch of you
18 know what and it's totally unsafe.

19 15 seconds. Well, anyway, you know,
20 I won't be able to sleep with the trucks
21 going 24/7 for probably over a year. Lots
22 of things like that. Thank you.

23 MODERATOR: Next speak is Joanne.

24 MS. EICPOLLA-DENNIS:

1 E-I-C-O-L-L-A-Dennis, Joanne. Thank you,
2 TCCOG. I'm an American. That's why I'm
3 here. But I'm fortunate to be a resident
4 of Dryden. I'm well protected there. Mr.
5 Libous, all of New York is my back yard and
6 I care for all of it. I started building
7 my dream home in 2007 literally with my
8 blood, sweat and tears and many tears. We
9 learned my neighbors signed leases, so I
10 stopped building my home halfway through.
11 We've been in limbo for three years. We
12 won't be able to live in our new house.
13 The social and financial damages are
14 already being felt. There's nothing about
15 that in SGEIS.

16 Landowners haven't had the benefit of
17 knowing the consequences of their signature
18 or the collateral damage to their
19 neighbors. I'm now put in a position that
20 I must sue my neighbors, not the industry.

21 No one is telling the farmer he can't
22 farm methane and food. It's food or fuel.
23 You can't have both. Sure, the farmer owns
24 the property, pays the taxes, but is forced

1 to become a gas whore for the duration of a
2 never ending contract, a never ending
3 lease. And their pimp, Phillip Anschutz
4 who is suing Dryden. He wants our back
5 yard.

6 Shale energy extraction makes homes
7 uninhabitable even if the water stays good,
8 people can't live there. Leases are
9 forever. Friendship should be, but having
10 a hand in ruining your neighbor doesn't
11 make good conversation. There will be no
12 do-overs. Farmers are being deceived and
13 in a sick and diabolical game. The raping
14 of innocent people's lands by grooming them
15 like pedophiles groom their next victim,
16 being set up for failure by terrorist and
17 ties is disgusting, despicable and immoral.

18 Compulsory integration, the taking of
19 my property by industry and my neighbor is
20 unconscionable in America. It is just
21 plain BP, beyond preposterous. It's a
22 Ponzi scheme. I'm just going to go right
23 to the end. Sorry.

24 New York residents have committed to

1 a nonviolent pursuit of a national ban on
2 fracking. New Yorkers have a history of
3 starting things. The Women's Right
4 Movement, Seneca Falls and the Declaration
5 of Independence was signed here in New York
6 by John Adams. New Yorkers lead. We don't
7 follow. We are the people America is
8 watching and waiting for. It is the
9 governor of New York that must keep his
10 promises to the people and we expect him to
11 announce a statewide ban any day now. New
12 York is famous for many things, kindness,
13 attitude, strength and spirit.
14 Occasionally we must use the F word.
15 Industry pick up your trash.

16 MODERATOR: Thank you. Our next
17 speaker is Number 54, Laura Kerrigan.

18 MS. KERRIGAN: L-A-U-R-A,
19 K-E-R-R-I-G-A-N. I'm a former employee of
20 the New York State DEC at the Environmental
21 Educational Camp, Camp Rushford. I loved
22 working with youth from all across New York
23 State teaching about environmental
24 solutions all summer long.

1 However I wasn't allowed to speak
2 about fracking with the kids. I have been
3 frustrated with the DEC' inability to fully
4 conserve the environment with this stance
5 on fracking as noted in their SGEIS.

6 I'm currently a student at Ithaca
7 College, but I'm also a City of Ithaca
8 employee at the water treatment plant. I'm
9 speaking with urgency to protect the
10 civilians and the environment in New York
11 State from the detrimental threat that
12 hydraulic fracking presents. I'm concerned
13 for several reasons. As an employee of the
14 water treatment plant, I know that our
15 infrastructure is unable to treat the types
16 of wastes such as biocides and radioactive
17 waste that have potential to runoff into
18 our watershed at Six Mile Creek.

19 Let it be known we are no more able
20 to protect ourselves from this waste than
21 Syracuse and New York City.

22 With the rapid and vast increase in
23 large truck traffic, the ground will become
24 more susceptible to runoff at a more rapid

1 rate. The other issue I am concerned with
2 about the increased truck traffic is the
3 potential of spills from the trucks
4 themselves. The times the City of Ithaca
5 water treatment plant was having to shut
6 down their operations in the past have
7 mainly been due to large truck spills.
8 With the increase in truck traffic, these
9 spills will become more frequent and the
10 water treatment plant would have to shut
11 down on a more frequent basis putting a
12 extreme strain on the surrounding
13 municipalities involving an increasing
14 chance of contamination of finished tap
15 water going out to the thousands that live
16 and depend on the City of Ithaca water.

17 I'm also speaking with concern about
18 the radioactive waste that would be
19 produced from fracking. I know the City of
20 Ithaca wastewater treatment plant is not
21 able or equipped to deal with that sort of
22 waste. Where would you put it? I also
23 know that the health effects associated
24 with this radioactive waste have not fully

1 been studied and there is no right to put
2 the people of New York State at risk with
3 this waste.

4 In other states it's been proven to
5 create neurological damage to humans who
6 aren't even drinking the water. They are
7 just using it to shower and wash dishes. I
8 would like to think New York State has been
9 in the forefront of environmental action in
10 the United States in the past and we have
11 the opportunity to do so now. We need to
12 stop hydrofracking and pursue alternative
13 energies for the future. It's the only way
14 to continue our lifestyle without being
15 completely destructive to ourselves and the
16 environment.

17 MODERATOR: May I propose I'll offer
18 you a one minute break. Number 55, Amy
19 Puryear.

20 MS. PURYEAR: My name is Amy Puryear.
21 I live in Perry City, New York in the Town
22 of Hector. I'm opposed to fracking. The
23 revised SGEIS does not have any mention of
24 my three year old son, the air he breathes

1 and the water he drinks, bathes and swims
2 in. The revised SGEIS does not have any
3 mention of the soil which grows our organic
4 foods and our many neighbors who have farms
5 and vineyards.

6 The revised SGEIS does not have any
7 mention of people like myself who already
8 have health issues related to endocrine
9 disrupters which may become worse if
10 fracking comes here.

11 The revised SGEIS does not have any
12 mention of why the New York City and
13 Syracuse watersheds are more valuable than
14 the rest of the New York State watersheds.
15 The revised SGEIS does not mention the
16 peace and quiet which will be disturbed at
17 our country homes if fracking trucks pass
18 by on a daily basis.

19 The revised SGEIS does not have any
20 mention of the recent acknowledgment that
21 there is in fact a link between earthquakes
22 and fracking. The revised SGEIS does not
23 have any mention of what toxic chemicals
24 are even in the hydrofracking fluid

1 proposed to be injected in our beautiful
2 fertile land.

3 Why am I here tonight and not home
4 spending time with my family? This is
5 absolutely ridiculous and should in no way
6 happen. The idea of fracking is extremely
7 offensive, selfish and full of greed.

8 The revised SGEIS has no mention of
9 honoring our land, air, water, community,
10 neighbors, children, peace of body, mind
11 and spirit. Please listen to our voices.
12 We do not want hydrofracturing here in the
13 Finger Lakes region or at all in New York
14 State. We do not want it. Thank you.

15 MODERATOR: We'll take a one minute
16 break to stand up and stretch.

17 MS. APPLGATE: Chris, C-H-R-I-S,
18 Applegate, A-P-P-L-E-G-A-T-E, and I'm from
19 Virgil, New York. As a rural landowner and
20 organic grower, I spent four years
21 educating myself and others about the
22 hazards of gas drilling. I'm one of the 99
23 percent of citizens who choose not to sell
24 out to this destructive industry, but

1 instead choose to consider the impact of
2 drilling on my land, on my neighbors and on
3 my community. To be clear we did not come
4 here and supplicate to the great and
5 powerful Oz. Like Dorothy, we have already
6 done more than our fair share of heavy
7 lifting at the whims of the DEC process.
8 We the citizens of New York came here to
9 demand that the DEC follow its own mission
10 to protect its citizens.

11 The DEC mineral division's
12 sequestered and ill-configured championing
13 of gas drilling in New York State is
14 clearly at odds with the overall mission of
15 the DEC which is, quote, "to conserve,
16 improve and protect New York's natural
17 resources and environment and to prevent,
18 abate and control water, air and land
19 pollution in order to enhance the health,
20 safety and welfare of the people in this
21 state and your overall economic and social
22 well-being. DEC's goal is to achieve this
23 mission to the simultaneous pursuit of
24 environmental quality, public health,

1 economic prosperity and social well-being
2 including environmental adjustment and the
3 empowerment of individuals to participate
4 in environmental decisions that affect
5 their lives.

6 In order to fulfill its mission, the
7 DEC must do the following things: Conduct
8 a comprehensive analysis of the
9 environmental impact, health impact,
10 cumulative impact, socioeconomic impacts
11 and agricultural impacts of hydrofracking.
12 Disseminate to every citizen a full
13 disclosure of the hazards of gas drilling.
14 Disseminate to all landowners guidelines
15 for adequate and protective leases, if
16 there is such a thing similar to the 90
17 page lease that they crafted for the state
18 forest. In doing so the DEC would further
19 its mission to protect all of the land of
20 New York State instead of casting
21 unsuspecting landowners to the mercy of an
22 unregulated and fraudulent gas industry.
23 The known best practice is regulations
24 based on a thorough analysis of the

1 research on repercussions of gas drilling
2 in other states, and extract the DEC from
3 its part in the unjust seizure of land
4 through compulsory integration. I'm going
5 to skip the last two ones that I want to
6 do.

7 We see behind the curtain oh great
8 and powerful Oz and there's a gas man
9 standing there. If you are unable or
10 unwilling to fulfill your mission, we
11 demand a withdrawal of the SGEIS and call
12 for a ban on gas drilling of New York
13 State. We will never be silent and we will
14 never stop watching.

15 MODERATOR: Speaker number 57,
16 Katherine Stevens.

17 MS. STEVENS: My name is Kat, K-A-T,
18 Stevens, S-T-E-V-E-N-S, from Cortland, New
19 York. And I'm representing Occupy Cortland
20 and Occupy Ithaca. Mic check.

21 AUDIENCE: Mic check.

22 MS. STEVENS: We are the 99 percent.

23 AUDIENCE: We are the 99 percent.

24 MS. STEVENS: We will not sit by.

1 AUDIENCE: We will not sit by.

2 MS. STEVENS: While large

3 corporations.

4 AUDIENCE: While large corporations.

5 MS. STEVENS: Team up with government

6 officials.

7 AUDIENCE: Team up with government

8 officials.

9 MS. STEVENS: To exploit our

10 communities.

11 AUDIENCE: To exploit our

12 communities.

13 MS. STEVENS: For monetary gain.

14 AUDIENCE: For momentary gain.

15 MS. STEVENS: We will not tolerate.

16 AUDIENCE: We will not tolerate.

17 MS. STEVENS: Drilling rigs tearing

18 up our land.

19 AUDIENCE: Drilling rigs tearing up

20 our land.

21 MS. STEVENS: Robbing present and

22 future generations.

23 AUDIENCE: Robbing present and future

24 generations.

1 MS. STEVENS: Of their health and
2 economic well-being.

3 AUDIENCE: Of their health and
4 economic well-being.

5 MS. STEVENS: We will not tolerate.

6 AUDIENCE: We will not tolerate.

7 MS. STEVENS: The corporate takeover
8 of our democracy.

9 AUDIENCE: The corporate takeover of
10 democracy.

11 MS. STEVENS: We are seeing a global
12 theme.

13 AUDIENCE: We are seeing a global
14 theme.

15 MS. STEVENS: Of profit over people.

16 AUDIENCE: Of profit over people.

17 MS. STEVENS: The indifference of
18 corporations.

19 AUDIENCE: The indifference of
20 corporations.

21 MS. STEVENS: And political leaders.

22 AUDIENCE: And political leaders.

23 MS. STEVENS: Who violate our rights.

24 AUDIENCE: And violate our rights.

1 MS. STEVENS: And destroy our earth.

2 AUDIENCE: And destroy our earth.

3 MS. STEVENS: There are alternatives
4 to gas.

5 AUDIENCE: There are alternatives to
6 gas.

7 MS. STEVENS: There are no
8 alternatives to water.

9 AUDIENCE: There are no alternatives
10 to water.

11 MS. STEVENS: No alternatives to
12 water.

13 AUDIENCE: No alternatives to water.

14 MS. STEVENS: We will not tolerate.

15 AUDIENCE: We will not tolerate.

16 MS. STEVENS: Our water being
17 poisoned.

18 AUDIENCE: Our water being poisoned.

19 MS. STEVENS: With undisclosed
20 chemicals.

21 AUDIENCE: With undisclosed
22 chemicals.

23 MS. STEVENS: That the industry calls
24 trade secrets.

1 AUDIENCE: That the industry calls
2 trade secrets.

3 MS. STEVENS: We cannot drink money.

4 AUDIENCE: We cannot drink money.

5 MS. STEVENS: Hydrofracking in New
6 York.

7 AUDIENCE: Hydrofracking New York.

8 MS. STEVENS: Would weaken our
9 economic base.

10 AUDIENCE: Would weaken our economic
11 base.

12 MS. STEVENS: By harming agriculture
13 and tourism.

14 AUDIENCE: By harming agriculture and
15 tourism.

16 MS. STEVENS: And depreciate our
17 property values.

18 AUDIENCE: And depreciate our
19 property values.

20 MS. STEVENS: These economic gains.

21 AUDIENCE: These economic gains.

22 MS. STEVENS: Are not sustainable.

23 AUDIENCE: Are not sustainable.

24 MS. STEVENS: For thriving local

1 community.

2 AUDIENCE: For thriving local
3 community.

4 MS. STEVENS: Fracking is not the
5 solution.

6 AUDIENCE: Fracking is not the
7 solution.

8 MS. STEVENS: Ban fracking now.

9 AUDIENCE: Ban fracking now.

10 MS. STEVENS: We won't stop until
11 they stop.

12 AUDIENCE: We won't stop until they
13 stop.

14 MS. STEVENS: People over profit.

15 AUDIENCE: People over profit.

16 MS. STEVENS: We are the 99 percent.

17 AUDIENCE: We are the 99 percent.

18 MS. STEVENS: We are the 99 percent.

19 AUDIENCE: We are the 99 percent.

20 MS. STEVENS: We are the 99 percent.

21 AUDIENCE: We are the 99 percent.

22 MS. STEVENS: People over profit.

23 AUDIENCE: People over profit.

24 MS. STEVENS: Ban fracking now.

1 AUDIENCE: Ban fracking now.

2 MS. STEVENS: Thank you all for being
3 here.

4 MODERATOR: Thank you. Our next
5 speaker is John Gurcht.

6 MR. GURCHT: My name is John Gurcht,
7 G-U-R-C-H-T. And I thought I would just
8 offer a personal perspective on or a
9 personal response to the SGEIS that hasn't
10 been put out.

11 Two years ago I was diagnosed with a
12 malignant brain tumor and I'm very lucky, I
13 consider myself very lucky because I had a
14 really good surgeon and I had radiation
15 after that and there has been no sign of
16 the tumor returning; so I'm very fortunate.
17 Thank you. But what's my path forward?

18 Well, what I'd like to do in my own
19 life is clean up a little bit and eat
20 better and avoid carcinogens if I can. And
21 it strikes me that what we're talking about
22 tonight threatens my freedom to do that.
23 And so what I find lacking in the SGEIS is
24 any protection for a person who wants to

1 follow the path that I'm trying to follow
2 and that's pretty much all I have to say.
3 Thank you.

4 MODERATOR: I'd like to thank
5 everyone who has spoken to the keeping to
6 the three minutes rule. I very much
7 appreciate it as does all organizers. Our
8 next speaker is number 59, Louis Damiani.

9 MR. DAMIANI: My name is Lou Damiani,
10 L-O-U-I-S, D-A-M-I-A-N-I, and I'm an owner
11 of Damiani Wine Cellars, a small winery on
12 the east side of Seneca Lake. We and a
13 number of other wineries are putting
14 together a letter to Governor Cuomo and the
15 DEC to stand firmly opposed to
16 hydrofracking in New York State,
17 specifically the Finger Lakes.

18 The wine industry in New York State
19 represents a \$3.76 billion industry that is
20 sustainable and will be able to be handed
21 to future generations. The wine industry
22 in the Finger Lakes stands as the
23 centerpiece to a \$4 billion tourist
24 industry in the Finger Lakes. Can there be

1 any wonder about this? Many tourist
2 publications are calling the Finger Lakes
3 the number one lake tourist spot in the
4 world. This pristine gem, the Finger
5 Lakes, is being called the Napa of the
6 east.

7 These two industries cannot coexist.
8 Industrialization will ruin tourism and the
9 wine industry. People don't have to
10 vacation here. We are within a five hour
11 drive of 30 million people that many of
12 whom like to vacation here, come, enjoy the
13 lakes, buy our wine and we employ many
14 people because of this. Tourism and the
15 wineries have grown exponentially over the
16 last 30 years and will continue to grow if
17 we protect and preserve it for ourselves
18 and future generations.

19 We not only have an economic duty to
20 do the right thing, which is protect this
21 land, the sustainable industries which are
22 overtime dwarf this one time gold rush. We
23 also have a sacred duty to the land, our
24 homes and our children. These two

1 industries cannot coexist. Choose. I know
2 I have.

3 What it takes to grow grapes is a
4 delicate ecosystem. We have the tillable
5 land and fresh water to become once again
6 one of the food baskets of the country.
7 This is especially so as the water supplies
8 in the west disappear or diminish. Thank
9 you.

10 MODERATOR: Our next speaker is Elmer
11 Ewing.

12 MR. EWING: Elmer Ewing, E-W-I-N-G.
13 We hear repeated over and over the decision
14 on hydrofracking must be based on science,
15 not emotion. After 45 years in research
16 involving chemistry and biology, I think I
17 recognize good science when I see it. I do
18 not see it in the SGEIS.

19 One example: Theory becomes dogma if
20 accepted without adequate testing. The
21 dogma is many deep layers of rock separate
22 the fracked zone from aquifers, so it is
23 impossible for fracking fluid or methane to
24 migrate up that far. The supporting

1 evidence is that supposedly no
2 contamination has been proved to occur in
3 60 years of fracking.

4 Not true. And even if it were
5 accurate, not legally proved does not mean
6 it never happened. Especially when legal
7 resources heavily favor the corporation and
8 the potential litigants are pressured to
9 sign nondisclosure agreements. Also the
10 history of high volume slick water fracking
11 of horizontal wells is not 60 years, but
12 less than ten years.

13 There are many potential avenues for
14 of migration including vertical faults,
15 abandoned wells, seismic events and
16 failures in the well casing and cementing,
17 sooner or later concrete fails and steel
18 corrodes.

19 It's quite possible that migration
20 via many of these avenues will be a slow
21 process. It is still more likely that if
22 contamination did occur, it would not be
23 detected for a long time and that when
24 detected, fracking as the source, would be

1 difficult to prove in court. How long did
2 it take to prove tobacco affects health?

3 Also, how often has a researcher
4 looked for aquifer contamination years
5 after a fracking event? How long after the
6 event and over how large an area would one
7 look? What chemicals would be included in
8 the search? Who would pay for the testing?
9 Who would do it?

10 Nevertheless, evidence of migration
11 has already started to show up in peer
12 reviewed papers. Methane was more
13 prevalent in water wells close to fracking.
14 Methane found in water wells showed the
15 geological fingerprint of methane developed
16 deep down in the earth and not that of gas
17 developed in shallow layers. And an EPA
18 study still underway in Wyoming indicates
19 even stronger signs of migration into
20 aquifers.

21 Yes, base the SGEIS on science, but
22 on objective science. Science that brings
23 to bear thorough testing of theory, not
24 mere assumptions of safety and includes the

1 whole range of science from medical to
2 social to environmental science.
3 Especially in relation to human impacts.
4 By the way, in the face of poor science
5 some emotion may be appropriate.

6 MODERATOR: Next speaker is Carolyn
7 Eberhard.

8 MS. EBERHARD: I'm Carolyn Eberhard,
9 like the pencil. C-A-R-O-L-Y-N,
10 E-B-E-R-H-A-R-D. I'm a biologist and a
11 landowner in the Town of Caroline and I'm
12 grateful to TCCOG for this forum. I'll get
13 to the SGEIS in a moment, but first I'd
14 like to relate an incident that happened to
15 me last spring.

16 I was lunching with friends chatting
17 about the recent lobby day in Albany and
18 over comes a gentleman to join our
19 conversation. It turned out he was from
20 Texas and left us with this assessment
21 regarding Texas oil and gas men. If their
22 lips are moving, they are lying.

23 Now with respect to the SGEIS, I have
24 since learned that information about the

1 economic benefits of fracking fall into two
2 levels. The first level is field
3 economics. What actually occurs on the
4 ground. The second is street economics.
5 The hype that oil and gas gives out to keep
6 their stock prices shored up and attract
7 investors.

8 I'm concerned that the SGEIS seems to
9 be depending on street level economics and
10 it needs to sort out, the DEC needs to sort
11 out what is really happening in the field.
12 They should consider the track record for
13 the oldest shale clay, the Barnett Clay in
14 Texas which is the most complete track
15 record and does not agree with the
16 assumptions that are being used by the DEC.

17 By the way, Barnett is already in
18 severe decline according to the analysts.
19 There are a number of examples. I'll just
20 give them briefly. We've heard about the
21 hundred year supply, which has been
22 debunked. We've heard about that we will
23 have much cheaper natural gas. That is the
24 opposite of what would happen because when

1 we have export to other countries with much
2 higher prices, obviously the domestic price
3 is going to go sky high, but then we'll be
4 dependent on natural gas if Picken's plan
5 goes into effect.

6 All parts of the Marcellus are not
7 equally productive, but the DEC assumes
8 that it is. And Barnett, we were told that
9 17, 17 counties were all equivalent when in
10 fact only two and a half counties had most
11 of the concentration.

12 Same thing, the jobs are way over
13 hyped. We have a lifetime of 30 to 40
14 years which is over hyped and worst of all
15 is that it will make us energy independent,
16 but in fact the gas is already being
17 planned to be exported as liquid natural
18 gas.

19 And so the SGEIS is unacceptable
20 because it's based on oil and gas
21 projections and not based on independent
22 analysis.

23 MODERATOR: The next speaker is
24 number 62, Dan Burgevin.

1 MR. BURGEVIN: Hi. My name is Dan
2 Burgevin, B-U-R-G-E-V-I-N. I've not read
3 the entire contents of the current draft
4 SGEIS in regard to high volume slick water
5 hydrofracking the Marcellus Shale
6 formation. I do appreciate the time put
7 into this document by the DEC, flawed
8 science and all. I hope it will not be for
9 naught and that we will be spared from this
10 craven, wanton act of hydrofracking of my
11 state.

12 I went through Bradford County, PA on
13 Route 6 and it took an hour and 45 minutes
14 to get to the county seat, Towanda. One
15 hour and 45 minutes to get through the town
16 the size of Ithaca. I was appalled at the
17 boom atmosphere. Thousands of trucks,
18 truckers leering at women in their cars.
19 The noise and pollution. I tried to
20 imagine my town, Trumansburg, trying to
21 cope with this. I counted 29 trucks at a
22 single traffic light. It was monstrous.
23 But what was in those trucks was even more
24 frightening. Why? Because I didn't really

1 know. I don't see how anyone could ever
2 really know the volume and toxicity of a
3 full scale play for shale natural gas. Men
4 slouched over their steering wheels of
5 their truck for 12 hours a day, coming and
6 going, dumping and spilling, endlessly
7 driving. Like I said monstrous.

8 I talked to a local kid whose
9 brothers got one of these jobs they're
10 talking about. They said they frack 20
11 wells a day. 20 times six to nine million
12 gallons of water equals 100 to 160 million
13 gallons of toxic fresh water a day above
14 and below the ground. In the end it's
15 billions of gallons of toxic fresh water.
16 Where does it go? How can you recycle
17 radionuclides, arsenic and heavy metals,
18 stuff really toxic to kids, carcinogens and
19 endocrine interrupters.

20 But wait. We're protected, aren't
21 we? Our children, grandchildren, my great
22 grandson Parker, our beautiful birds,
23 wildlife are protected by the EPA, right?
24 Environmental Protection Agency.

1 Halliburton and the other big players
2 in this hellish racket are exempt from
3 seven major environmental laws. Clean
4 Water, Clean Air, Freedom of Information,
5 Super Fund Act, etcetera. So waiting at
6 our border to the south, seeping into our
7 state like syphilis are an army of lawless
8 corporate bandits ready to privatize
9 profits with their lacking New York State
10 government, private mostly big landowners
11 and socialize the mess left behind by the
12 rape of our land, air and water. It is
13 irresponsible violent pillaging of our
14 precious land and water and culture. Ours,
15 a culture of stewardship and love for this
16 unique and beautiful place. This sentiment
17 is important to the oiled first.

18 (Gestures). Thank you.

19 MODERATOR: Next speaker is number
20 63, Adam Law.

21 MR. LAW: My name is Adam Law and I'm
22 a physician and endocrinologist practicing
23 in Tompkins County.

24 The SGEIS does not adequately address

1 the effects of unconventional shale gas
2 production on human health. This is
3 despite inclusion of human health in the
4 New York State Environmental Quality
5 Review's basic definition of the
6 environment. There is no chapter or
7 section heading in this report specifically
8 addressing human health. Within this
9 report there is no reference to physicians,
10 nurses, nurse practitioners, nor is there
11 any discussion of the training of health
12 care providers or the assessment or
13 management of patients exposed acutely or
14 chronologically to pollutants resulting
15 from this industrial process. There is
16 minimal mention of human disease and no
17 systematic discussion of the pathways of
18 exposure as defined by the ATSDR or the
19 pathogenesis of disease caused by exposure
20 to single toxins or the possibility of the
21 interaction of several toxins. Endocrine
22 and metabolic disruption are not mentioned
23 in this report despite emerging importance
24 of mechanisms in the causation of

1 environmentally mediated disease.

2 Hospitals are referred to five times
3 in this report, four of these are in
4 economic analysis as employers and once in
5 reference to the emergency response plan in
6 a list. This is despite the key role
7 hospitals play in the mitigation of adverse
8 health effects in hydraulic fracturing.
9 There is no discussion of identification of
10 those likely to be at most risk from gas
11 drilling, children and pediatrics are not
12 mentioned.

13 There is a single mention of
14 pregnancy and this refers to xylene
15 toxicology. Yet pregnant women are the
16 most vulnerable population and are
17 susceptible to multiple other toxicants
18 involved in shale gas production. There is
19 no discussion as to how birth defects
20 should be monitored in affected areas and
21 how this problem can be prevented as
22 mitigation is too late.

23 The only reference to occupational
24 health or industrial workers is to MSDSs

1 and there's no provision to monitor or
2 evaluate the workforce for adverse effects.
3 There is no discussion in this document of
4 important strategies for the systemic
5 collection of health effect data to
6 determine areas requiring health
7 mitigation, health registries or
8 inventories or the education of primary
9 care providers in the identification or
10 notification of health effects. Barriers
11 to reporting, such as lack of access to
12 healthcare for socio-economic or geographic
13 reasons and the use of non-disclosure
14 agreements by industry are important topics
15 not mentioned in this report.

16 Because of these glaring omissions
17 with respect to human health, the SGEIS
18 does not provide a way to form a
19 responsible, evidence-based opinion as to
20 how this industrial process will affect the
21 lives of New Yorkers, nor if these health
22 effects can be effectively prevented or
23 mitigated.

24 MODERATOR: Thank you. I'd like to

1 call up at this time speakers 64 to 70.
2 We're on track to get to speaker number 70.
3 Our next speaker, number 64, Janice Carson.

4 MS. CARSON: Janice, J-A-N-I-C-E,
5 Carson, C-A-R-S-O-N. I've lived in
6 Tompkins County for five decades. I'm
7 retired after my career petered out and my
8 only assets are a 23 year old car and a
9 modest home in Enfield. Well, the guy from
10 Tompkins County Trust just shot my plan F
11 of getting a reverse mortgage to kind of
12 supplement my retirement.

13 The reason we are having this meeting
14 is the failure of the federal government to
15 act to protect the environmental by
16 exempting hydrofracking from the Clean Air
17 and Water Act. The state and local
18 governments are our last line of defense.
19 The petroleum industry cannot be trusted to
20 self regulate. The BP Gulf oil spill was
21 caused by deliberate installation of known
22 defective components.

23 While the New York City and Syracuse
24 water sources has special provisions under

1 the currently proposed regulations, my
2 specific requests are; one, as a minimum,
3 all water sources should have equal
4 protection under the law. Two, better yet
5 if the state doesn't have the stones to do
6 it, allow Home Rule to ban this method
7 altogether. And thirdly, to set up a super
8 fund provided by a cash bond before any
9 drilling occurs to buy out the people whose
10 land is destroyed so they can move on.

11 I'll offer my own scientific
12 observations of things I've heard over the
13 years. Janice, I'll still respect you in
14 the morning. Asbestos is a safe and useful
15 and versatile product. Cigarettes haven't
16 been proved to hurt you. And hydrofracking
17 is safe. Really.

18 MODERATOR: Our next speaker is
19 number 65, Danielle Lemaire. Last chance.
20 Next speaker, 66, Ellen Harrison.

21 MS. HARRISON: E-L-L-E-N,
22 H-A-R-R-I-S-O-N. First I would urge
23 everybody who is doing comments on the
24 SGEIS to also comment on the regulations.

1 Just state your same comments and say they
2 are applicable to regulations. I'm cynical
3 enough to believe that DEC will say we
4 didn't get any comments on the regulations.
5 I guess they are okay.

6 I'm here today representing FLEASED,
7 an organization that advocates for people
8 who signed gas leases before we knew about
9 the threat that shale gas exploitation
10 posed to our land, our water, our air and
11 our communities. I signed a gas lease. I
12 realized if I did, I knew a lot of people
13 signed them before they knew what was going
14 on. Many of us are ashamed that we signed
15 gas leases, but we were lied to by the
16 landsmen who stopped at our doors and it's
17 time for us to stop hiding our heads and
18 get angry. We are here today to let the
19 DEC and politicians know that many of the
20 people who signed gas leases are against
21 drilling.

22 For those of us who signed leases
23 there's a meeting this Sunday at the fire
24 hall in Dryden from two to four. We who

1 have leased our land have the most to lose
2 if fracking goes forward in New York State.
3 When we signed gas leases, we had no idea
4 that the land, that we would no longer be
5 able to get mortgages on our property.
6 When we signed leases, we had no idea we
7 could no longer get homeowner's insurance.
8 When we signed leases, we had no idea we
9 would be liable for damages. When we
10 signed leases, we had no idea that the gas
11 company could take our land, any of our
12 land that they wanted to. When we signed
13 leases, we had no idea that our wells were
14 in jeopardy. When we signed leases, we had
15 no idea that toxic chemicals would be
16 exhausted into the air. When we signed
17 leases, we had no idea that thousands of
18 gallons of hazardous chemicals would be
19 injected into our land. We had no idea
20 that we would be subjecting our neighbors
21 to these risks or the increased crime,
22 astronomical increases in rents, broken
23 roads and higher municipal costs. We are
24 sorry we signed and we are angry.

1 There are specific issues in the
2 SGEIS we have to take issue with and I will
3 comment on. Such things as when a permit
4 is applied for on a spacing unit that
5 includes our property, we don't get
6 notified. When we look at the SGEIS they
7 are allowing open ponds of fracking fluids
8 on leased land. There are many, many other
9 specific issues to us, but I would urge
10 people who signed leases to get out there
11 and let people know that we are not in
12 favor of drilling. Thank you.

13 MODERATOR: Thank you. Speaker
14 number 67, Tina Nilsen Hodges.

15 MS. NILSEN HODGES: It's Tina,
16 T-I-N-A. Nilsen Hodges, N-I-L-S-E-N,
17 H-O-D-G-E-S. I'm a lifelong resident of
18 Upstate New York and principal of New Roots
19 Charter School here in Ithaca. Authorized
20 by the State University of New York, our
21 small public high school was chartered to
22 be a living laboratory of innovative
23 educational practices designed to support
24 youth in becoming entrepreneurs and

1 community leaders for a more just and
2 sustainable future.

3 Our school was founded on this
4 premise: As fossil fuels decline and the
5 global climate changes, we must educate our
6 youth to move beyond 20th Century
7 industrial practices and towards a deeply
8 innovative, entrepreneurial approach to
9 economic revitalization and community
10 sustainability.

11 The SGEIS is deeply flawed and will
12 not protect our health, our wellbeing, our
13 community or our quality of life should not
14 come as no surprise to anyone. Time and
15 again our hubris and short-sightedness as a
16 species has lead to the destruction of the
17 human and natural resources and the
18 ecosystem services that we rely upon for
19 our very survival. There is reason to be
20 optimistic that we can change course
21 through the power of education and
22 community action.

23 But there's no time to waste. We are
24 at the end of the fossil fuel era and

1 hydrofracking is a last-gasp attempt of a
2 dying industry to turn a profit while
3 delaying an inevitable. There isn't a lot
4 of gas in those bubbles in the Marcellus
5 shale. Even if it were worth the cost, in
6 too brief a time we would be back where we
7 started, gas tank on empty.

8 This last hurrah would shatter more
9 than the Marcellus shale. It would shatter
10 resources we will depend on for survival
11 and quality of life in an era of rapid
12 economic and climate change, farmland we
13 need to grow vibrant regional food system,
14 clean drinking water, our roadways, our
15 beautiful landscape, the health and
16 vitality of our friends and neighbors.

17 A big price we are already paying is
18 lost time and opportunity. We must imagine
19 and invent a new energy future now. We
20 have no time to waste pretending business
21 as usual is the solution or abraded by
22 hydrofracking. We must preserve the human
23 and natural capital that we depend on and
24 invest our efforts and our resources in

1 innovative and entrepreneurial new ways of
2 revitalizing our economy and sustaining our
3 future.

4 New Roots Charter School is proud to
5 play a part of the State University of New
6 York's bold new strategic initiative for
7 this new era which commits the university
8 system to six big ideas, including an
9 Entrepreneurial Century, A Healthier New
10 York, An Energy Smart New York and A
11 Vibrant Community.

12 Governor Cuomo, follow the lead of
13 New York State's educators and young people
14 at this critical crossroads in our state's
15 history. Take action to ensure that our
16 precious natural and human resources are
17 invested in the big idea of a just and
18 sustainable future, not the dying gasp of a
19 by-gone industrial era and short-sighted
20 solutions that will leave us stranded.

21 MODERATOR: Our next speaker is
22 number 68, Elizabeth Robson.

23 MR. KUNEY: My name is Mark Kuney
24 speaking in the place of Ms. Robson.

1 M-A-R-K, K-U-N-E-Y. When are we as the
2 human species going to wake up and
3 recognize the need of and growing planetary
4 scarcity of fresh, drinkable water, the
5 most essential common shared need of every
6 person on our planet. We in New York State
7 are arguably blessed with the most abundant
8 supply of high quality water of any state
9 in our nation. I live in Syracuse, New
10 York which the DEC and our government would
11 like our city's residents along with New
12 York City's residents to believe that we
13 are safe and protected with a 2,000 foot
14 setback from our watersheds. My
15 understanding is that the horizontal reach
16 of this process is a mile plus which would
17 in fact allow this process to actually
18 reach under Skaneateles Lake while keeping
19 the actual wells themselves out of sight.
20 Unfortunately the rest of the Finger Lakes
21 residents could have drilling rigs almost
22 lakeside and as the SGEIS reads now
23 fracking can, and if the industry has its
24 way, will be conducted under every Finger

1 Lake in our state.

2 So imagine if fracking is allowed.
3 There's a potential of billions of our
4 state's fresh water being withdrawn from
5 the Finger Lakes in the consumptive
6 industry need mixed with toxic frack
7 chemicals and then injected back under the
8 Finger Lakes, our state and possibly if
9 needed in an emergency our country's fresh
10 water reserves, so that industry may
11 profit.

12 Billions of gallons of frack fluid
13 water which the DEC, industry and the
14 majority of state legislatures and our
15 Governor would have us believe would lie
16 harmlessly under these lakes for eons
17 forever to be dormant and safe they would
18 have us believe in a state known to have
19 occasional earthquakes. Using a process of
20 high volume hydraulic fracturing, which in
21 other states is suspected to possibly cause
22 and trigger earthquakes, is believed to be
23 safe by an industry which the Securities
24 and Exchange Commission is investigating

1 for underplaying the risk of this practice
2 to their own investors. Can't happen.
3 Can't happen. Just like the BP oil spill.
4 Couldn't happen. Couldn't be migrational
5 from underneath the Finger Lakes up into
6 the Finger Lakes.

7 So this brings me to my question I
8 would ask the DEC representative here to
9 carry back to Albany, your colleagues, Mr.
10 Martens, Governor Cuomo and President
11 Obama, frack under anywhere near the Finger
12 Lakes, are you out of your blessed minds?
13 Question. As a national and state security
14 interest we the citizens of New York are
15 concerned for the access of fresh water for
16 generations of our children to come demand
17 a state wide ban. Thank you for your time
18 to express my concerns.

19 MODERATOR: I realize that 70 and 71
20 said they wouldn't be speaking so we can
21 get to speaker 72. Next speaker is speaker
22 69, Joan Tubridy.

23 MS. TUBRIDY: J-O-A-N, T-U-B-R-I-D-Y.
24 Good evening. I am here to speak for the

1 children.

2 I live in the Town of Meredith,
3 Delaware County, two hours southeast of
4 here. For 23 years I've farmed on 170
5 acres where my former husband and I raised
6 dairy and beef cows, deer, tilapia,
7 chickens, turkeys, pigs, fingerling
8 potatoes and other market vegetables and
9 hay. We also raised seven kids.

10 As a teacher from the past 17 years
11 I've had the good fortune to spend
12 countless hours in the company of other
13 people's kids.

14 The children we keep company have
15 come to innocently and wholeheartedly trust
16 the adults in their lives to make choices
17 that will protect them and preserve their
18 health and the health of their
19 surroundings. I accept their trust in me
20 and take very seriously the behavior that
21 this trust demands of me.

22 The air our children breathe will be
23 at great risk from fracking. This SGEIS
24 contains no assessment of the amount of

1 methane that will be emitted, nor is the
2 current technology able to contain the
3 methane. Besides methane, the release of
4 volatile organic compounds and diesel fumes
5 are inherent poisons in the gas drilling
6 process from trucks, pipelines and
7 compressors.

8 The water our children drink will be
9 at great risk from fracking. This SGEIS
10 contains no assessment of the risk posed by
11 the methane or toxic chemicals used in
12 fracking, nor of their transmission through
13 fault lines through our water sources.

14 The land our children walk upon and
15 homes they reside in are at great risk from
16 fracking. The SGEIS contains no provision
17 for the safe disposal of the toxic waste of
18 drilling, nor is there an assessment of the
19 effects of fracking on residential property
20 values.

21 Our children's very future is at
22 great risk from fracking. The SGEIS
23 contains no assessment of the cumulative
24 impacts of fracking. As a parent I've done

1 door to the intruder on our doorsteps. We
2 will not stand by as you welcome an
3 invading force to rape and plunder our
4 land. We will not stand by as you turn a
5 blind eye to the poisoning of our children.
6 You have given us no other choice than to
7 act as responsible adults must act when
8 children are threatened and you will have
9 to live with the consequences. We cannot
10 and will not be stopped. Fracking must not
11 only be banned, it must be criminalized.

12 MODERATOR: Thank you. Our next
13 speaker Number 73. Alesis Alexander.
14 Raise your hand if you want to. This will
15 be our last speaker.

16 MS. ALEXANDER: Alesis Alexander,
17 A-L-E-S-I-S, A-L-E-X-A-N-D-E-R. I'm the
18 membership manager at the GreenStar
19 Cooperative Market and have been asked to
20 read an abbreviated version of a letter
21 that we currently have in the store that
22 will be going to Governor Cuomo. Over 550
23 letters have been signed in under two weeks
24 and we're hoping to get over a 1,000

1 letters signed. So please come in and
2 spread the word.

3 Dear Governor Cuomo: I am joining
4 with my fellow GreenStar members and
5 customers to express my grave concerns
6 regarding hydraulic fracturing gas drilling
7 in New York State and to call for a
8 permanent statewide ban.

9 As a natural foods cooperative,
10 GreenStar serves over 8,000 members and
11 hundreds of nonmember shoppers each year.
12 Hydrofracking is a direct threat to our
13 business, our community and the health and
14 welfare of our members and customers.
15 Inadequate regulations, as outlined in the
16 much deficient dSGEIS, serve only to deepen
17 that threat. Below are just a few of our
18 many concerns that threaten our Co-op's
19 survival and health of our greater
20 community and natural environment.

21 An aging drinking and waste water
22 infrastructure: A recent article in the
23 Ithaca Journal revealed that the state
24 needs \$75 billion to repair the "thousands

1 of aging, complex sewer and drinking water
2 systems that serve eight million New
3 Yorkers." And yet the SGEIS proposes
4 insufficient setbacks from aquifers and
5 wells. Wells from Pennsylvania have been
6 contaminated by drilling operations 1,200
7 feet away while the SGEIS proposes a well
8 setback of merely 500 feet. Hydrofracking,
9 a water intensive drilling procedure which
10 produces massive quantities of toxic waste
11 fluid, will overtax our water supplies and
12 municipal treatment facilities and pollute
13 our drinking water.

14 The SGEIS imposes an unlawful double
15 standard. According to the US
16 Constitution's 14th Amendment and New York
17 Constitution Article 1, Section 11: All
18 persons are entitled to equal protection
19 under the law. However, the SGEIS affords
20 protection for the New York City and
21 Syracuse watersheds that it does not
22 provide for other communities. We consider
23 this both unethical and unjust. I'm
24 paraphrasing because of time.

1 As a natural food cooperative, we
2 have built our business around our members'
3 commitment to organic foods and products
4 free from harmful toxic chemicals. Local
5 sustainable agriculture is thriving in our
6 area, with new farms emerging each year.
7 Tainted groundwater and drilling induced
8 air pollution both threaten local crops and
9 the health of both farm animals and people.
10 Organic agriculture will become a thing of
11 the past in upstate New York State as
12 farmland become polluted. Hydrofracking
13 will force GreenStar to get our organic
14 produce from states which do not use
15 hydrofracking, since we will no longer be
16 able to guarantee our members a safe local
17 food supply, raising our costs of business,
18 crippling our sustainable local agriculture
19 community and putting many farmers, young
20 and old, out of business.

21 With no public health assessment
22 completed and industry claims of energy
23 independence -- that's it. Thank you.

24 MODERATOR: Thank you. We want to

1 thank all of our speakers that came out
2 tonight. I'm so sorry we couldn't get to
3 everyone tonight, but you can provide
4 written comments in the back to our
5 volunteers. I would like to thank our
6 stenographer, Delores, and I'd also like to
7 thank our DEC observer, Diane, the State
8 Theatre for hosting including security as
9 well and all of the volunteers and elected
10 officials from the Council of Governments
11 who made this possible. But most
12 importantly thank all of you for staying so
13 long for all of this. Our citizens is what
14 makes our democracy work.

15
16 C E R T I F I C A T I O N

17 I hereby certify that the proceedings and
18 evidence are contained fully and accurately in the
19 notes taken by me on the above cause and that this
20 is a correct transcript of the same to the best of
21 my ability.

22 _____*Elizabeth Brucie*_____

23 _____*Delores Hauber*_____

24