



NEW YORK STATE SENATOR

James L. Seward

Senator Seward's Testimony - Natural Gas Drilling Forum

JAMES L. SEWARD November 21, 2011

ONEONTA, 11/10/11 – State Senator James L. Seward (R/C/I-Oneonta) today presented the following statement at a forum organized by the City of Oneonta, Otsego 2000, and the Otsego County Conservation Association regarding proposed natural gas drilling regulations:

“Thanks to City of Oneonta, Otsego 2000 and the Otsego County Conservation Association for organizing tonight’s hearing.

“Hydrofracturing and natural gas drilling have implications for generations to come and it is vital that everyone have an opportunity to be heard on this matter.

“This is a topic on which people of good conscience, and intent, disagree.

“I have met with a great number of people on this topic, representing very different viewpoints.

“ have studied the revised DEC regulations and remained in close contact with DEC Commissioner Martens throughout the lengthy process of developing the proposed drilling rules.

“I have also visited drilling operations in Pennsylvania – there is no doubt that mistakes were made there. Drilling was allowed before thoroughly contemplating its effects or enacting serious regulatory oversight.

“Therefore, I have focused my attention on two primary goals:

- **Ensuring the safety of our water and natural resources;**
- **Clarifying state law allowing local governments to address drilling as a function of home rule, and local land use planning and zoning.**

“The DEC’s proposed regulations are designed to address the former, and I have introduced legislation to focus on the latter. I have also contacted the commissioner directly, in person, to say that the dsGEIS and its regulations need to be changed in two ways.

“First – there is no reason why the regulations themselves cannot include a strong ‘home rule’ provision. The current self certification provision is weak and needs to be revised. I have stated so to the commissioner and gone on record in that regard.

***Second - I resent the fact that the water of New York City and Syracuse is deemed by the DEC to be more important than the water of the rest of the state. The proposed rules prohibit a drilling site within 2,000 feet of a public drinking water supply well or reservoir; but in the New York City or Syracuse watersheds it’s 4,000 feet from the watershed’s protective buffer. If drilling is safe, then it is safe everywhere, including the New York City watershed. Conversely, if it poses a threat to the New York City water supply, then it poses a threat to ours as well. Creating two classes of water meriting differing protection, with New York City at the top of the list, is unfair and represents a political decision, not a scientific one.**

“The final rules must be uniform in their treatment of all watersheds and water sources. Upstate resources are no less worthy of care than other watersheds serving major cities.

“It is vital that environmental protections are in place and that local values are fully respected.

“Thank you again.”