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**Testimony of Council Member Gale A. Brewer (D-Manhattan) Before the New York State Department of Environmental Conservation Public Hearing on Hydraulic Fracturing
November 30, 2011**

My name is Gale A. Brewer and I represent the Upper West Side and northern Clinton in the New York City Council. Thank you for the opportunity to testify regarding the New York State Department of Environmental Conservation's draft SGEIS on high-volume hydraulic fracturing, or "fracking." Despite the best efforts of the DEC, which faces immense challenges in issuing the draft SGEIS and proposed rules, New Yorkers remain deeply concerned about allowing fracking in our state. I will address those concerns and outline my objections to some of the issues I see with the draft SGEIS and proposed rules.

First, I want to thank the DEC for announcing today that the public comment period will be extended for an additional thirty days. Providing extra time to study the data, technical assumptions, and conclusions behind the proposed rules is a wise decision, and one that will benefit all interested parties in the state.

Our foremost priority must be the protection of the watersheds providing drinking water to nearly 12 million residents of the New York City metropolitan area. There must be no risk to the state's drinking supply. Because the NYC watersheds provide clean, unfiltered water special protections must be provided for them. The proposed 4,000 foot buffer is insufficient and subject to fatal exceptions: it applies only to high-volume hydraulic fracturing, and allows for traditional vertical drilling or low-volume hydraulic fracturing within the boundaries of the watersheds. A larger buffer needs to be created for these areas, and ALL drilling activities should be banned, not just high-volume fracturing.

Another area of grave concern is the wastewater created by fracking. By the DEC's own admission, New York State currently has no wastewater treatment plant capable of treating the wastewater created by fracking, and treatment plants in neighboring states have expressed concern about their ability to handle New York's waste. It is astonishing to me that the dSGEIS does not require a plan for treating wastewater created by fracking in New York. No drilling permits should be issued until a comprehensive wastewater plan is developed and reviewed; aside from drilling, wastewater disposal presents the greatest environmental threat posed by fracking.

I welcome the DEC's decision to require chemical disclosure of all chemical additives used by drilling companies, but full disclosure should be required of all chemicals used in every aspect of fracking, with the exception of proprietary "trade secrets." In the case of "trade secrets," I would recommend a narrowly tailored

definition that provides the public with all information essential to their safety and that of the environment. As we have seen from accidents and pollution in other states, these chemicals pose a significant risk and they should be precisely identified and their risks studied and published.

My testimony today only summarizes my concerns about hydraulic fracturing, and I leave the technical analysis to others more qualified to address it.

The DEC holds the health and well-being of millions of New Yorkers and the viability of the world's most important economic center in its hands. There must be no rush to judgment, and no hurried, politically driven comment period. The DEC must put public safety and health and environmental protection above short term economic or political interests. I urge you in the strongest terms to reflect upon the fact that the costs of remediating the pollution of New York's drinking water would dwarf by many magnitudes any profits claimed by proponents of hydraulic fracturing. In light of that sobering fact, I look forward to your efforts to prevent all harm to our state's well-being, and I will continue to work constructively with DEC on this and related issues of human health and environmental safety. Thank you again for the opportunity to testify.

