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Lure of jobs doesn't sway lawmakers

by Felicia Krieg

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State lawmakers' opinions on hydrofracking in the Marcellus Shale have remained largely unchanged since the release of the final version of an environmental impact statement by the DEC last week.

The Supplemental Generic Environmental Impact Statement released last Wednesday highlights the number of jobs expected to be created in New York and the economic benefits if hydraulic fracturing is expanded.

But some lawmakers are still urging caution before fracking permits are issued.

Sen. David Carlucci, D-Clarkstown, chairman of Administrative Regulations Review Council, and the youngest sitting senator in the state, said, "I still have the same concerns," in response to the new environmental impact statement.

The DEC is extending the comment period from 60 days to 90 days. The comment period is scheduled to end December 12.

Carlucci, who has been following the hydrofracking debate for about a year, is most concerned about the potentially negative environmental impact of hydrofracking.

Another specific concern the senator has is there are no locations established yet for the hearings that will serve as a forum for public comment. The DEC said hearing schedules and their location will be released at the end of October.

It is unclear whether New Yorkers will benefit from job creation associated with the new hydrofracking projects as much as other states in the Marcellus Shale region, Carlucci said. The DEC's ability to enforce hydrofracking regulations has been questioned by some lawmakers because of budget cuts that have affected most state agencies, Carlucci said. Many environmentalists and their allies in the Legislature say the DEC has been hit especially hard by staff cuts in recent years.

And Carlucci said it is also unclear whether the projected amount of natural gas that can be collected by the hydrofracking process is as high as it was originally thought to be.

"Hydrofracking ... is something we can't rush into and I think that's what we're doing," Carlucci said.

There has been vertical drilling in New York state for years, Carlucci said, but horizontal hydrofracking is a relatively new procedure in the state. Horizontal drilling will require large amounts of fluid being pumped under high pressure underground, and the procedure could have

several consequences that are unknown or unclear at this time, Carlucci said.

Carlucci acknowledged that New York has high energy costs and that needs to be addressed, but not at the expense of the health of citizens, he said.

"We have to make sure we look out for long-term costs of what we're doing" but also try to keep utility costs for New York residents as low as possible.

There are many conflicting reports that address the safety and hazards of the chemicals used in drilling, Carlucci said. But even if the chemicals prove not to be a threat to public health, it is not worth the risk to begin drilling when this is not known for sure, he said.

Carlucci sponsored a hydrofracking-related bill, S.5592, last session. The bill aimed to put a moratorium on hydrofracking in place until June 2012. Its justification stated: "The potential development of natural gas drilling in low permeability natural gas reservoirs such as the Marcellus and Utica Shale formations has led to robust debate regarding the safety of the process and the protection of the environment."

Carlucci's bill never made it to the floor.

Carlucci has shown the documentary film "Gas Land" at forums in his district to get New Yorkers thinking about the issue and to provide information to help constituents form their own opinion on hydrofracking and the possible risks and benefits associated with it.

While Carlucci said he will do everything he can to inform the public about the possible dangers of hydrofracking, the final decision about whether to allow hydrofracking in the Marcellus Shale region in New York lies with the Legislature and the governor.

He hopes that one day New York will have "the strongest regulations in the country" related to hydrofracking.

In a press release, Assemblyman Kevin Cahill, D-Kingston, Assembly Energy Committee chair, cited the recent devastation caused by Tropical Storm Irene and how this relates to the newly extended comment period.

"The schedule for public comments simply does not allow for enough time to give the Department's proposal the scrutiny it deserves. The people living in these areas are going to be spending the next several months, and most likely much longer, focused on rebuilding their lives, not assessing the serious environmental impacts of hydraulic fracturing," Cahill said.

Many lawmakers and environmentalists had hoped for a 180-day comment period.

Ali Skinner, director of operations for the office Sen. Greg Ball, R-Patterson, said the DEC's most recent impact statement is "an open door for the gas companies ... it's not holding the companies accountable."

Ball, after a tour of Pennsylvania where hydrofracking is already taking place, wants more

stipulations to hold gas companies liable for potential damages before any drilling starts, Skinner said.

In a press release, Ball called the impact statement "a Christmas present to big oil and gas" because drilling permits could be issued after the comment period ends Dec. 12. Ball wants the comment period extended to 180 days.

Ball said in the statement, "The gas industry stands at the precipice of earning billions of dollars from New York's natural gas resources and has yet to sit down and answer tough questions about how they plan to protect our state."

He is especially concerned about how drilling could affect property owners. Ball held a hearing on hydrofracking in Katonah, Westchester County recently but there was no representation from the gas industry at the hearing, according to his office.

Senate Environmental Conservation Committee Chair Mark Grisanti, R-Buffalo, was not ready to comment at press time.