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THOMAS F. O'MARA
SENATOR
53RD DISTRICT

January 11, 2012

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Honorable Joe Martens, Commissioner
New York State Department of Environmental Conservation
625 Broadway
Albany, New York 12233-6510

Dear Commissioner Martens:

As you and your staff close the official public comment period on the future of the Marcellus Shale natural gas industry in New York State, I appreciate this opportunity to submit this correspondence for the public record.

In particular, I write to share my support for at least a couple specific revisions to the current Revised Draft Supplemental Generic Environmental Impact Statement (SGEIS).

I have appreciated the cooperation and willingness of you and your staff to directly provide information and updates on the ongoing regulatory process, every step of the way, and I remain confident that the administration will continue to carefully and deliberately examine the industry's future in order to ultimately reach the goal of ensuring environmental safety, above all else, while securing the potential for job creation, economic growth and energy independence.

My first purpose in submitting this correspondence for the public record, however, is to focus on the following: the establishment of a "buffer zone" safeguarding the 10 Finger Lakes left unprotected by the current SGEIS.

Your current draft impact statement proposes a minimum 4,000-foot buffer zone for the New York City and Syracuse watersheds (which includes Skaneateles Lake, the state's 11th Finger Lake). Since your release of this latest draft SGEIS last July, I have questioned, as have many of my Finger Lakes constituents, why all of our Finger Lakes weren't provided similar protection nor, for that matter, recognized by the DEC in any way in the determination of which watersheds may be granted special protections. In my view, it's a glaring omission and an unreasonable and serious shortcoming that needs to be addressed.

Consequently, I'll make this point for the record: I can't urge you strongly enough to revise the SGEIS so that it includes a minimum 4-000 foot, no-drilling buffer zone protecting the

remaining 10 Finger Lakes (Canadice, Canandaigua, Cayuga, Conesus, Hemlock, Honeoye, Keuka, Otisco, Owasco and Seneca).

The 53rd Senate District which I represent covers all or part of five counties – Chemung, Schuyler, Steuben, Tompkins and Yates, including all of Keuka Lake, the southern half of Seneca Lake and the southern portions of Cayuga and Canandaigua Lakes – and protecting the quality of all of our Finger Lakes is essential to the short- and long-term future of this region's culture and economy.

The environmental quality of the Finger Lakes has defined this part of New York State for centuries. The quality of this natural resource has been a mainstay of our way of life. It remains fundamental to the well-being of our nationally recognized tourism and recreational economies, our world-class grape and wine industries and all of our varied and renowned agricultural interests, as well as the sole source of private and public drinking water for so many communities and residents. I can't stress this concern simply or straightforwardly enough: the preservation and protection of the Finger Lakes is fundamental to our health and safety, economic security, and overall well-being. The SGEIS must be revised to include a no-drilling buffer zone that reflects this priority.

Additionally, I will utilize this opportunity to share concerns which have also been raised by the New York Farm Bureau and thousands of farm families across my legislative district that the SGEIS, and particularly Section 7.4 as it currently stands, would alarmingly and seriously undermine sound and efficient agricultural practices. Indeed, its implementation could prove devastating to many farms already on the brink of survival. I fully share the belief that there are dramatic (and therefore misleading) misunderstandings contained in the current draft on the relationship between agricultural and the gas industry and the impact on the preservation of open space and wildlife habitat. I feel that the issues concerning grasslands within Section 7.4 are out of character and out of place with the SGEIS. I would urge you to reexamine this relationship and, in turn, revisit and revise the analysis on which you've based Section 7.4. I have included a copy of the comments submitted by the Chemung, Steuben, Schuyler, Tompkins and Tioga County Farm Bureaus for further detail of this concern.

As always, thank you for your consideration. Most importantly, I look forward to continuing to work with you and your staff as you move forward with this difficult but vital regulatory process and seek to address all of the other key challenges and concerns in carrying out the DEC's short- and long-term administrative and oversight functions and responsibilities across the Marcellus Shale region.

Sincerely,

A handwritten signature in black ink, reading "Thomas F. O'Mara". The signature is fluid and cursive, with the first name "Thomas" and last name "O'Mara" clearly legible.

Thomas F. O'Mara
New York State Senator, 53rd District