



My name is Liana Hoodes, and I am here representing NOFA-NY, the Northeast Organic Farming Association- New York. NOFA-NY is made up of organic farmers and ranchers, organic food processors, distributors, wholesalers and retailers, organic seed and farm equipment and input merchants, organic gardeners, and consumers who value the choice to purchase organic food in the marketplace.

NOFA-NY has adopted a policy that the federal government should end the exemption of hydraulic fracturing in the Safe Water Drinking Act, and require the public listing of all chemicals used in hydraulic fracturing fluid. We also support the EPA taking the time to do a comprehensive study of the effects of hydrofracking on water quality. We believe that the DRBC is issuing regulations prematurely, in advance of the EPA study, and in advance of a full accounting of the chemicals used in the hydrofracking process (many of which are known to be carcinogens and/or endocrine disruptors).

Your proposed regulations, in addition to incorporating the information from the EPA study on water quality impacts, should also:

1. Include a comprehensive **cumulative** impact assessment of the numerous gas wells planned, not limit the consideration of possible impacts to the environment to one well at a time.
2. Include a comprehensive assessment of impacts on human and domestic animal health of numerous gas wells.
3. Include an assessment of impacts on the environment, livestock and human health of a vast pipeline, condenser and compressor system needed to service numerous gas wells.
4. Outline a practical plan for the tracking and disposal of all waste water (currently estimated to be in the billions of gallons) that will be generated by hydraulic fracturing of numerous horizontal gas wells, inclusive not only of fracking fluids, but the radioactive waste that will be generated by drilling and fracking of the Marcellus Shale (which itself is radioactive).
5. Expand the parameters for testing of water from gas well sites, as well as explicitly declare that all mandated water monitoring and testing costs are the financial responsibility of gas companies.

6. Declare that all expenses to the DRBC or county and local governments to provide road, regulatory and other services to implement the development of gas wells be the responsibility of gas companies.
7. Ban the use of water from aquifers for the purpose of hydraulic fracking of horizontal gas wells.
8. Fully disclose to the public the complete list of chemicals to be used in fracking fluids.
9. Ban the use of carcinogenic or suspected carcinogenic chemicals in fracking fluids, as well as chemicals in fracking fluids that act as endocrine disrupters or mutagens.
10. Assure that any DRBC regulations do not supersede local land use requirements, where those land use requirements are more protective of environmental quality than the DRBC regulations. We support the reinstatement of home rule for gas and oil drilling in New York State.
11. We support a moratorium on hydrofracking of horizontal gas wells unless the environment, land and water are fully protected.

The DRBC is chartered to conserve the water resources of the Delaware River Basin. The waters the DRBC is chartered to protect and conserve serve the basic needs of some 15 million people. The DRBC is not organized to grant favor to extractive industries for use of water above competing agricultural or public drinking water uses. Thus far, the east coast, with its abundant rainfall, has avoided the kinds of water battles that have plagued farmers in the West. However, if water resources are poorly stewarded, and vast quantities of water are given over to the gas industry for consumptive use, and further vast quantities of water are allowed to be laced with polluting substances that we lack technologies to safely return to our surface waterbodies, there will be insufficient clean water for the people who depend on it in this region. Organic farmers, who are numerous in the region, and engage in sustainable land use practices that conserve water quality, may well be driven out of business if hydrofracking is allowed in the basin. Consumer groups have already warned that they will attempt to institute preferential buying practices, favoring organic farms in regions in which hydrofracking is not taking place.

Due to the serious industry-threatening nature of poorly-regulated gas drilling for agriculture, we agree with the following policies put forward by the NYS Farm Bureau:

- Any final regulation should prohibit water from aquifers from being used for hydrofracturing natural gas wells.
- All water use should be strictly monitored to provide protections for the surrounding community.
- A practical and protective waste water disposal plan should be established for the hydrofracturing process. [If such can be found; if not, NOFA-NY suggests that hydrofracking should not be allowed.]
- Natural gas companies should provide a list of chemicals used in their hydrofracturing solution as a condition of permit approval.

- An independent baseline water testing protocol, paid by the drilling company, should be utilized before and after drilling to safeguard landowners in the region.

NOFA-NY members believe that hydrofracking is not a compatible land use in areas where organic farming is practiced. Organic agriculture is an existing, rapidly-growing sustainable industry that can provide economic and environmental services over tens and hundreds and thousands of years—if you do your jobs and protect the waters and soils of the basin.

CONTACT:

Lea Kone, Policy Director 585-271-1979

Kate Mendenhall, Executive Director 585-271-1979, cell: 585-944-2503