

Bruce Rosen Meeting Notes 3.1.11

NYC City Council Environmental Protection Committee Oversight Hearings on Plans to Use Hydrofracking Techniques for the extraction of Natural Gas in the Marcellus Shale
The hearing lasted from 1:45 to just shy of 7:00.

There were a number of requested presentations including those of NYC's Department of Environmental Protection and the New York State Water Resources Institute at Cornell.

No one spoke in favor of the project. In the very least, an extended ban was sought in the absence of data & enforcement resources. The exchange was toward a total ban.

The leadership of Mayor Bloomberg was praised. The absence of leadership from Governor Cuomo & the Delaware River Basin Commission, including the failure to hold hearings in NYC & Philadelphia (the water systems of which represent 11 of 15 million users), the non-presence of a Delaware River Basic Commission (DRBC) representative, the presence of a single person... not through the entire hearing, from NYS Department of Environmental Conservation or anyone else from NYS were repeatedly noted, including by the Committee Chair, Councilmember James Gennaro.

The strongest and most cogent voice among the presenters was former NYC Environmental Commissioner Al Appleton who noted the industry's losses, the inability to treat damage to the water supply and landscape, its desire for rising prices, the need for a subsidy through regulatory exemption & the orientation toward an export market.

There were many speakers from the watershed itself, most notably the Damascus Citizens. The most distant presenters came from Washington DC and Minnesota.

In addition to the New York Times article being repeatedly cited – this was a Pentagon Papers-like rallying point – apparently NYC seeks not only a ban on fracking within its watershed but also Syracuse and Buffalo have banned the activity in their watersheds. Also noted several times was that the USEPA informed a Wyoming County community that its water was no longer drinkable due to fracking and that residents should seek bottled water. It would seem we are sitting on the cusp of propelling green energy &

conservation, sustainable local agriculture, the expansion & nurturing of forests & getting the capable, responsible civil service the reformers of a century ago sought...

I was not at any of the previous City Council hearings, unaware that there were any and I did not go upstate to the DRBC or USEPA hearings. That said, I think the state is not being helpful. The Hudson Riverkeeper and Catskill Mountain Keeper were represented and it was my sense that this was their view as well. It's a testimony to the groundwork apparently laid by former City DEP Commissioner Marilyn Gelber that there were so many watershed residents present and they were looking for the City to lead.

I was the last speaker and spoke under the two-minute limit. I opened by noting The Hill posting of a letter from ranking House Democrats to the Secretary of Interior seeking a thorough assessment of health impacts from fracking on public lands. Then, I segued to the use of sodium and potassium compounds in hydrofracking to create an ion exchange to break the clay level and the untreatable residue left.

Finally, I testified about the National Kidney Foundation's estimate that 20-30 million Americans are unaware they have kidney disease and that I'm one of those diagnosed with chronic kidney disease and, as such, have to watch my sodium and potassium intake because sodium causes water retention and places one's lungs at risk and in very high doses it triggers kidney failure, In high amounts, potassium places me at risk for heart arrhythmia – a heart attack. I closed with a comment that was placing this information out there for all who have chronic diseases whose vulnerability may increase with changes to the water composition. The Councilmember and his counsel dropped their jaws. He thanked me. The session ended.

Afterthought: A bit of demography – there were virtually no persons of color in attendance. Exceptions were the Mr. Gennaro's counsel, two of the speakers and a support person with one of the presenters. I am not sure how committee members are selected but this committee panel was all white. I wonder what the New York City Environmental Justice Alliance thinks of this and whether it has voiced any concerns. While there were many young people in attendance, the hearing room was awash with members of the Depression Era Baby Bust generation that preceded the Boomers. Obviously, they have the free time.