

Seneca Lake Pure Waters Association, Inc.

# LakeWatch

SPRING, 2010

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**We Have Been Busy!** *by Phil Cianciotto, President*

During the past quarter, Seneca Lake Pure Waters Association’s Marcellus Shale Committee chaired by Board member Ed Przybylowicz, continued following the developments regarding drilling for natural gas in our area. Three significant actions were taken as a result of their work. As mentioned in our Winter Issue of LakeWatch SLPWA was asked to develop a set of minimum requirements that would provide for what SLPWA believes is environmentally and fiscally responsible drilling for natural gas in New York State. Those minimum requirements were sent out to our federal, state and local government representatives, NYS Governor Paterson and DEC Commissioner Grannis and EPA Administrators Jackson in Washington and Enck of Region 2. The minimum requirements are posted on our website [www.senecalake.org](http://www.senecalake.org) if you are interested in the details of our report. Soon after, we became aware of a proposal by Chesapeake Energy to develop a deep injection well in the Town of Pulteney, to dispose of waste water as a result of drilling and hydraulic fracturing of gas wells. SLPWA and a number of other groups made it known that a waste water well within 3000’ of Keuka Lake was not a good idea. Chesapeake Energy shortly thereafter withdrew their proposal because new water recycling technology had reduced the need for these wells and the Pulteney site was “no longer required”. Most recently, the committee provided public comments on EPA’s study to investigate the potential adverse impact that hydraulic fracturing may have on water quality and public health. SLPWA has asked to participate in the study as a stakeholder. Our input to the EPA can also be found on our website.

In other activities, SLPWA co-sponsored a forum on Marcellus Shale natural gas drilling with the Geneva League of Women Voters. Participants included the Finger Lakes Institute, Prof. Tony Ingraffea of Cornell University and SLPWA. At the SLPWA Board meeting in April, it was agreed that SLPWA would provide additional funding to FLI and Dr. John Halfman of HWS to support a Seneca Lake watershed educational program for area school districts and additional water quality testing on Seneca Lake. We are currently seeking additional funding to support and enhance these programs on a continuing basis. In September we are planning to partner with one or more area pharmacies and County Health Departments to conduct an unused/expired pharmaceutical collection program. Look for more details on our website or by email for those of you on our email distribution list as they become available.

For the artists out there, you will see an article in this newsletter announcing a fund raising event, called SOS (Save our Seneca), that we will have in conjunction with our Annual Meeting in mid-August. We’d appreciate your support of this fun event and your help to protect Seneca Lake.

Finally, I’d like to point out another opportunity that you can help us get the word out regarding what SLPWA is doing. In this issue of LakeWatch we are offering current members of SLPWA the ability to a nominate friend, neighbor or relative to receive a non-voting membership to SLPWA for one year. Look for details on this offer in this issue. We encourage you to send us a nomination.

As always, thank you for your continued support of SLPWA and remember to attend one of our monthly membership meetings. Our calendar is posted on our website and meetings are held in both north and south locations on the Lake. Please remember you can always contact us at [slpwa@senecalake.org](mailto:slpwa@senecalake.org) with your comments.

**Inside this issue:**

LSOS – Calling All Artists Fundraising Event	<b>2</b>
About Our Neighbors—Keuka Lake Association	<b>3-4</b>
Good Info on Compact Fluorescent Bulbs and Mercury	<b>5</b>
SLPWA is on Facebook!	<b>5</b>
Should You Test Your Water Before Gas	<b>6</b>
Marcellus Shale Update	<b>6-7</b>
SLPWA Meeting Dates	<b>7</b>
Recommend Someone for Membership	<b>8</b>

# Seneca Lake Pure Waters Association, Inc. (SLPWA) is Putting Out an SOS to Finger Lakes Area Artists!



Help us **SAVE OUR SENECA (SOS)** with a donation of your art created on a life preserver!



All art will be displayed online and at our annual meeting in late August with a Silent Auction...(proceeds to benefit the mission of SLPWA).

## **SOS - PROJECT IMPORTANT DATES**

- MAY 15:** **DEADLINE TO REGISTER**—IF YOU NEED SLPWA TO PROVIDE YOU WITH A LIFE RING/PRESERVER. CONTACT INFO: [lhiestand@rochester.rr.com](mailto:lhiestand@rochester.rr.com); call at 315-535-7768
- MAY 30:** **DEADLINE TO REGISTER**—IF PROVIDING YOUR OWN LIFE RING OR A REPLICATION OF ONE THROUGH YOUR CHOICE OF MEDIUM
- JUNE 1:** **DELIVERY & DISTRIBUTION** OF LIFE RINGS (IF REGISTERED FOR ONE)
- AUGUST 1:** **DEADLINE FOR LIFE RING ART TO BE DELIVERED** TO SLPWA (place TBA)
- LATE AUGUST:** (TBA) **SLPWA ANNUAL MEETING AND SILENT AUCTION**

**For more information about the SOS Guidelines, please visit our website: [www.senecalake.org](http://www.senecalake.org) or contact Linda Hiestand at [lhiestand@rochester.rr.com](mailto:lhiestand@rochester.rr.com); 315-535-7768**



Art by Kit Cali

**PLEASE SHARE THIS INFORMATION WITH THE ARTISTS IN YOUR NEIGHBORHOOD!**

**INFORMATION ALSO FOUND ON FACEBOOK AT OUR SENECA LAKE PURE WATERS PAGE, AND ON UTUBE AT:**

**<http://www.youtube.com/watch?v=tZbBgFapUso>**

## ABOUT OUR NEIGHBORS

### Keuka Lake Association

For more than 50 years, the Keuka Lake Association (KLA) has been at the forefront of advocating for the preservation and protection of Keuka Lake and its watershed. Prompted in part by particularly severe annual spring flooding in 1956, a small group of lake property owners recognized the need to form an association they hoped would be able to find solutions to this and other problems then confronting the lake. Areas initially targeted for improvement included: flood control (lake level), pollution (water quality), zoning (land use), motor boat control (navigation) and conservation. Today's standing committees of the Keuka Lake Association still reflect these concerns.

Over the next 25 years the Flood Control Committee (now called the Lake Level Committee) persisted in its goal to obtain additional gate capacity with which to respond to high water events. This need was underscored in 1972 when Hurricane Agnes brought several days of sustained rain to the region, resulting in severe flooding as the lake rose more than five feet within a three-day period before cresting at 719.7 feet. In 1992 additional flood control capability was finally achieved with the addition of three large aluminum slide gates to the Main Street dam, thereby increasing the discharge capability by 150%.

Today, the responsibility for managing lake level rests with the Keuka Lake Outlet Compact (KLOC). This inter-municipal organization, established in 1990 with strong support from the Keuka Lake association, owns the gate system and contracts with the Village of Penn Yan to maintain and operate the gates according to a control plan provided by the Army Corps of Engineers. The lake level target curves have been slightly modified since their inception to accommodate such factors as delaying the fall draw down of the lake to extend the boating season, etc. In 2005 the KLA assisted KLOC with the installation of an automated lake level monitoring system that allows anyone with internet access to monitor lake levels on a real time basis 24 hours a day, 7 days a week. This system records lake levels every few minutes and then posts an average value on the KLA website every 2 hours. Also, in 2006 the KLA allocated a grant to KLOC for the capital improvement of the gates as well another grant in 2007 to the Friends of the Outlet Trail for the stabilization of the banks along the Keuka Outlet.

It was also recognized early on that the growing number of seasonal and permanent residences around the shore of the lake posed a pollution threat. At that time, all of these properties utilized septic systems for processing of wastewater and there was little or no regulation for their design and construction. Verification of their performance was also an issue. The Pollution Committee (now Water Quality) mounted a campaign urging the adoption of uniform lake-wide pollution regulations. In 1963 an Inter-municipal Perimeter Committee was established, composed of representatives from the various lake municipalities, to develop wastewater regulations. The following year, a uniform watershed regulation was adopted. In the years that followed, it became apparent that there was a need for better management of wastewater around the lake along with an ongoing program for water testing. Extensive discussions were held with each of the towns regarding an acceptable model for uniformly managing wastewater throughout the district. In 1993, accord was reached with the adoption of an Inter-municipal Agreement calling for local enforcement by each town of a uniform wastewater regulation.

*(Continued on Page 4)*

The program would be directed by the Keuka Watershed Improvement Cooperative (KWIC) through a Watershed Manager hired to coordinate septic inspection activities of the various town inspectors.

The towns would retain ultimate authority for regulation of wastewater systems while sharing costs associated with maintaining KWIC. This organization has been operating successfully, serving as a model for inter-municipal cooperation in the management of a lake-wide function. The KLA continues to monitor water quality by collecting water samples on a monthly basis at several sites around the lake for evaluation by certified testing facilities. Funding by the KLA to assist KWIC in the development of a web based system to uniformly record and track septic inspections has just been initiated.

Over 50 years ago, there were few zoning ordinances in place around the lake. This deficiency was immediately recognized as a potential source of pollution from runoff caused by unregulated development. The Zoning Committee worked closely with the towns as they established land use plans which eventually resulted in enactment of zoning regulations. Recently, the KLA has joined with KWIC and Yates County Cornell Cooperative Extension in the development of comprehensive land use training. Funded with a grant from the New York State Quality Committees Program and supported by KLA, KWIC, Cornell Cooperative Extension of Yates County, Cornell University Community and Rural Development Institute, Genesee Finger Lakes Regional Planning Council, Pace University Land Use Law Center, Yates and Steuben Counties, this multi-year program was designed to assist local land use leaders learn practical strategies for natural resource conservation, development in appropriated locations and effective land use decision making. The KLA provided an initial \$5,000 cash match to the project as part of the application process and about 70 municipal leaders from throughout the watershed were trained in 2007 and 2008. The resulting Keuka Lake Watershed Land Use Plan will hopefully assist local municipalities as they prepare or update their Comprehensive Plans or local zoning regulations.

The Motorboat Control Committee (now known as the Navigation & Recreation Committee) has worked closely with the Sheriffs' Departments of Yates and Steuben Counties over the years to encourage safe boating on the lake. Each county provides a lake patrol during the boating season, enforcing the state navigation laws and aiding boaters in distress. The KLA successfully sought an amendment to the NYS Navigation Law to require boaters to observe a 5 mph maximum speed limit within 200 feet of shore (rather than within 100 feet of shore as observed on most other lakes). The Association routinely publishes and distribute a summary of the NYS Boating Regulations to inform boaters and promote safe boating.

KLA membership has grown to over 1700 members and is no longer just an association of lake property owners, but also includes watershed residents, recreational users and local businesses. A quarterly newsletter is published as well as a periodic directory of all residences and member businesses. The KLA website ([www.keukalakeassoc.com](http://www.keukalakeassoc.com)) contains extensive information about the organization and Keuka Lake. Also, a Facebook site has been developed to provide further communication to members and other interested parties. Key issues which the KLA has worked on recently have included the implementation of a docks and mooring law to establish uniform standards around the entire lake, proper interpretation of a NYS surface water regulation, identification and removal of invasive weeds, issues related to hydrofracking for gas and most recently an attempt to use an old gas well for waste disposal of fracking fluids (fortunately, this application has been withdrawn). The KLA remains vigilant regarding all issues pertaining to its mission to *preserve and protect Keuka Lake and its watershed*.

## Did You Know?

Switching from traditional light bulbs (called incandescent) to CFLs is an effective. Lighting accounts for close to 20 percent of the average home's electric bill. CFLs use up to 75 percent less energy than incandescent light bulbs, and last up to 10 times longer.

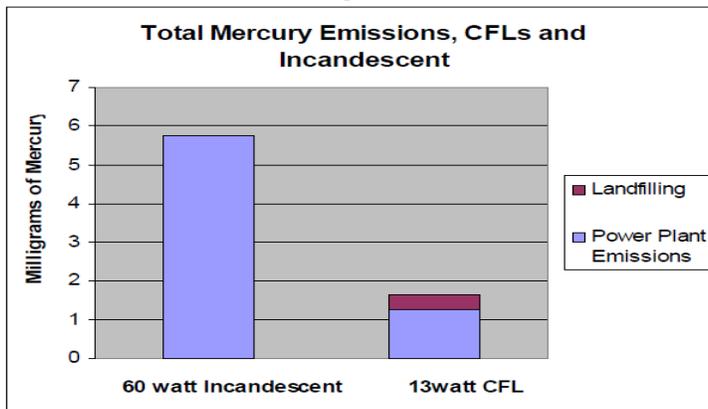
CFLs contain a very small amount of mercury sealed within the glass tubing – an average of 4 milligrams. Most makers of light bulbs have reduced mercury in their fluorescent lighting products. The average mercury content in CFLs has dropped at least 20 percent in the past year. Some manufacturers have even made further reductions, dropping mercury content to 1.4 – 2.5 milligrams per light bulb.

The EPA estimates the U.S. is responsible for the release of 104 metric tons of mercury emissions each year. Most of these emissions come from coal-fired electrical power. Mercury released into the air is the main way that mercury gets into water and bio-accumulates in fish.

Most mercury vapor inside fluorescent light bulbs becomes bound to the inside of the light bulb as it is used. The EPA estimates that the rest of the mercury within a CFL – about 14 percent – is released into air or water when it is sent to a landfill, assuming the light bulb is broken.

As shown in the graph below, a 13-watt, 8,000-rated-hour-life CFL (60-watt equivalent; a common light bulb type) will reduce the amount of mercury produced by 4.5 mg of mercury due to its lower energy use. The reduced energy use will release less mercury due to coal usage to produce the energy required to produce the same equivalent of light.

Figure 1



**Check us out:**

[www.senecalake.org](http://www.senecalake.org)

## Useful Information on Compact Fluorescent Light Bulbs (CFL's) and Mercury

**Seneca Lake Pure Waters Association**

is on

**Facebook!**

**Become a Fan!**

**Find out about upcoming events, meetings and information!**



## Should you test your well water before drilling for natural gas begins in your area?

by Ed Przybylowicz

It is possible that drilling and hydraulic fracturing associated with natural gas drilling can result in water well contamination in nearby water wells. Claims by energy companies that there has never been a proven case of such contamination are based on the fact that water wells that are presently contaminated were not properly tested prior to the onset of drilling. So the claims of contamination are not accepted by the legal systems as being valid. Recently, however, the State of Pennsylvania Department of Environmental protection took aggressive action against one of the drilling companies who allegedly contaminated the drinking water of a number wells<sup>1</sup>.

***It has been suggested that residents who draw their water from wells for drinking purposes or for water for their livestock establish a current "baseline" for their wells by having the water tested.***

With the strong possibility that drilling for natural gas will come to New York State in the near future, it has been suggested that residents who draw their water from wells for drinking purposes or for water for their livestock establish a current "baseline" for their wells by having the water tested. Such testing will provide a reference point for future comparisons should drilling occur in the vicinity and water contamination is suspected as a result of such drilling. Without a baseline reference point, subsequent claims of well water contamination may not be legally acceptable as evidence.

Testing your well requires that the sample be taken by personnel from a certified laboratory according to a defined protocol and that subsequent analysis be carried out by a certified laboratory. A number of certified laboratories exist throughout the state. The New York State Department of Health Wadsworth Center Environmental Laboratory Approval Program<sup>2</sup> lists certified laboratories along with the tests that they will run.

The cost will depend on the number of components measured and the particular test. There is no standard list of tests, but there are recommended lists of what tests might be done in order to measure possible contaminants from drilling in future samples. For recommendations from the Pennsylvania State University Cooperative Extension Service on testing private water supplies near gas wells, go to <http://resources.cas.psu.edu/WaterResources/pdfs/gasdrilling.pdf>.

The Community Sciences Institute website also has recommendations for such testing<sup>3</sup>.

The SLPWA website will carry more information on well testing in the future. Please check [www.senecalake.org](http://www.senecalake.org) for additional information in the future. SLPWA is also planning to have a presentation on well testing at its June 17, 2010 Members Meeting. Look for information on our website.

<sup>1</sup> <http://www.portal.state.pa.us/portal/server.pt/community/newsroom/14287?id=10586&typeid=1>

<sup>2</sup> <http://www.wadsworth.org/labcert/elap/comm.html>

<sup>3</sup> <http://www.communityscience.org/gaswells.html>

## *Marcellus Shale Drilling: An Update* by Ed Przybylowicz

Drilling in the Marcellus Shale is accelerating in neighboring Pennsylvania and energy companies are anticipating that New York State (NYS) will lift the temporary ban on such drilling. Ray Walker, senior vice president of gas production company Range Resources and chairman of the Marcellus Shale Coalition (in Pennsylvania), indicated that 741 Marcellus wells were drilled in Pennsylvania in 2009 and 1,350 new wells are projected in 2010. Pennsylvania has issued drilling permits for 3,000 wells in the Marcellus Shale<sup>1</sup>. “Positioning” activity is increasing in the NYS Southern Tier. The energy companies and associated business partners are well-organized and promote their point of view on drilling in the Marcellus Shale<sup>2</sup>.

In January, SLPWA became aware of a permit application by Chesapeake Energy to use an old gas well (3000’ from the shore of Keuka Lake) in the Town of Pulteney to inject hazardous waste water from hydraulic fracturing in Pennsylvania and potentially New York at a rate of 180,000 gallons per day for ten years. SLPWA response in letters to Town of Pulteney officials, regional organizations and elected representatives can be viewed on our website (SLPWA News Room). Public outcry by the Town of Pulteney residents and supporters caused Chesapeake Energy to withdraw its permit application, with the following explanation<sup>3</sup>

*“Chesapeake did not take this action because we believe our proposed well would have been a threat to the environment or because of vocal opposition to the project. ... Instead, we are withdrawing our application because of the great success we have developed in being able to recycle the water that we use in the hydraulic fracturing and natural gas production processes.”*

In February, SLPWA issued “Proposed Minimum Requirements for the Protection of the Seneca Lake Watershed”<sup>4</sup> as a follow-up to the association’s comments to the New York Department of Environmental Conservation’s draft Supplemental Generic Environmental Impact Statement (dSGEIS), in which the association took the following position:

***“SLPWA supports environmentally and fiscally responsible drilling for natural gas. SLPWA opposes drilling for natural gas under the vague guidelines and monitoring described in NYS DEC’s dSGEIS.”***

This document was sent to the EPA, regional organizations as well as our elected officials in Albany and Washington. EPA responded very favorably to SLPWA input on this issue.

In March, EPA announced a major study of hydraulic fracturing and its impact on drinking water supplies and invited input to the first meeting (April 7-8, 2010) of its Science Advisory Board which is steering this study.

SLPWA provided input and is on the stakeholder list for this study which means that we will be providing input as this study proceeds.

The letter to EPA can be found on the SLPWA website and was also sent to Governor Paterson and NYS DEC Commissioner Grannis with the request that drilling in New York State be banned until the results of the EPA study (which will take 2 years) are available.

<sup>1</sup>[http://www.pittsburghlive.com/x/blairsvilledispatch/s\\_675545.html](http://www.pittsburghlive.com/x/blairsvilledispatch/s_675545.html)

<sup>2</sup><http://www.pamarcellus.com>

<sup>3</sup>Letter from W. C. Fowler, Chesapeake Energy to N. F. Kraft, EPA Region II, Groundwater Compliance Section.

<sup>4</sup>See [www.senecalake.org](http://www.senecalake.org)

### **Come Join Us!**

Join us at one of the future

SLPWA Meetings!

We’d love to have you!

- **May 20, 2010**

Membership Meeting: 7:00 – 9:00 PM,  
Schuyler County Human Services Complex,  
Room 120, Montour Falls

- **June 17, 2010**

Membership Meeting: 7:00 — 9:00 PM.  
Finger Lakes Institute, Geneva

- **July 15, 2010**

Membership Meeting: 7:00 – 9:00 PM,  
Schuyler County Human Services Complex  
Room 120, Montour Falls



**SLPWA MISSION...**

...is to promote the understanding, preservation and improvement of the water quality, natural habitat and general environmental conditions of Seneca Lake and its watershed by sponsoring or undertaking scientific research, by collecting, preserving, publishing and disseminating information Concerning Seneca lake and its watershed and by encouraging and supporting the enforcement of laws and regulations and patterns of development and technology aimed at preserving and enhancing the water quality of the lake.

**Do you know someone who should be a member of SLPWA?**

Send us the name, postal and e-mail address of a friend, associate, relative or neighbor that should be a member of SLPWA. In return, we will enroll your nominee to a one year non-voting membership to SLPWA at no cost to you or them. They will receive our quarterly newsletter LakeWatch as well as an e-mail notice of our meeting announcements and other SLPWA sponsored activities. SLPWA will never share our membership information with anyone outside our organization, but we would ask that you ask your nominee first before you submit their information to us. You can send the information to us at SLPWA, Box 247, Geneva, NY 14456 or by sending us an email at: [slpwa@senecalake.org](mailto:slpwa@senecalake.org). Thank you for helping grow our membership and help to protect Seneca Lake!

**Have you been getting email notices of our monthly meetings?**

If not, please send us your email address at: [slpwa@senecalake.org](mailto:slpwa@senecalake.org).

**Seneca Lake Pure Waters Association  
P.O. Box 247  
Geneva, NY 14456**

**ADDRESS SERVICE REQUESTED**