

Lakewatch

A Publication of Seneca Lake Pure Waters Association, Inc. Serving the Seneca Lake Watershed Region

SLPWA

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PRESIDENT'S MESSAGE

Currently under development, the *Seneca Lake Watershed Management Plan* is a study that will build on the 1999 plan, "*Setting a Course for Seneca Lake: the State of the Seneca Lake Watershed.*" The development of this plan is funded by a three-year grant awarded to the city of Geneva by the NYS Local Waterfront Revitalization Fund with funds provided under Title 11 of the Environmental Protection Fund. The plan is to serve as a long-term strategy for the protection and restoration of water quality and ensure compatible land use and development. The goal of this effort is to be a workable management plan for the protection and enhancement of Seneca Lake.

The grant provides multi-year funding for the partners developing the Seneca Lake Watershed Management Plan who include:

- *City of Geneva*
- *Genesee/Finger Lakes Regional Planning Council*
- *Southern Tier Central Regional Planning and Development Board*
- *The Finger Lakes Institute*
- *Hobart and William Smith College*

This plan will be the basis for setting action priorities for counties and municipalities and should also identify opportunities for future state-funded projects in the watershed.

There are significant challenges in both the development of such a plan and its implementation. First, the Seneca Lake Watershed is HUGE, includes five Counties: Chemung, Ontario, Schuyler, Seneca and Yates and 41 municipalities.

- ⇒ Chemung County
Towns of: Big Flats, Catlin, Horseheads, Veteran; Villages of: Horseheads, Millport
- ⇒ Ontario County
City of: Geneva; Towns of: Geneva, Gorham, Phelps, Seneca
- ⇒ Schuyler County
Towns of: Catharine, Cayuta, Dix, Hector, Montour, Orange, Reading, Tyrone
Villages of: Burdett, Montour Falls, Odessa, Watkins Glen
- ⇒ Seneca County
Towns of: Covert, Fayette, Lodi, Ovid, Romulus, Varick, Waterloo
Villages of: Lodi, Ovid
- ⇒ Yates County
Towns of: Barrington, Benton, Milo, Potter, Torrey, Starkey,
Villages of: Dresden, Dundee, Penn Yan

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Drilling in the Marcellus Shale: November 2012 Update

Ed Przybylowicz, Chairman, Marcellus Shale Committee

In a letter to Governor Cuomo dated August 8, 2012, SLPWA urged the governor to “get it right” by not allowing high volume hydraulic fracturing (HVHF) for natural gas in New York State until the following conditions were met:

- (1) A comprehensive health assessment of the impact of HVHF on the residents of the Empire State has been carried out and shared with the public;
- (2) There are proven disposal or remediation processes in place to deal properly with the solid and liquid wastes generated by HVHF;
- (3) The greenhouse gas footprint of the total process is lower than that of competing fossil fuel footprints through control of emissions throughout the total commercialization process;
- (4) A robust regulatory process with adequately trained staff is in place within the DEC to control the environmental impact process;
- (5) The results from the EPA study of HVHF and its impact on drinking water supplies is completed and the results have undergone the scientific scrutiny of peer review.
- (6) There is a “fiscally neutral” set of regulations in place far as the average taxpayers are concerned regarding who pays for environmental and infrastructure remediation that will be necessary to repair the damage done by HVHF to New York State’s air, water, emergency response systems, roads etc.

These were the same major issues that SLPWA cited in their January, 2012 input to the New York State Department of Environmental Conservation (NYSDEC) on the 2011 draft Supplemental Generic Environmental Impact Statement (dSGEIS) and the proposed regulations, for not allowing HVHF to proceed in New York State.

On September 20, 2012, New York State DEC Commissioner Martens announced in a press release,

“DEC has been reviewing approximately 80,000 comments submitted concerning the Department's review of high volume hydraulic fracturing (hydrofracking). While a wide variety of issues are addressed by the comments, many focus on the potential public health impacts of high volume hydrofracking.”

Commissioner Martens went on to point out that the state government has a responsibility to carry out “the most thorough review possible when it comes to public health concerns.” He then announced,

“Accordingly, I have asked and NYS Health Commissioner Nirav Shah has agreed to assess the Department's health impact analysis. I have also asked Dr. Shah to identify the most qualified outside experts to advise him in his review. While the review will be informed by outside perspectives on the science of hydrofracking, the decision-making will remain a governmental responsibility. Only after this evaluation is completed will a decision be made about whether to permit high volume hydraulic fracturing in New York. Obviously if there was a public health concern that could not be addressed we would not proceed. The process to date has been designed to maintain public trust in the integrity of DEC's review, and Dr. Shah's assessment will assure New Yorkers that we have thoroughly examined all the issues before making a final decision. The review will also ensure the strongest possible legal position for the Department given the near certainty of litigation, whether the Department permits hydrofracking or not.”

The SLPWA Board is concerned with this position for three reasons: (1) the health impact assessment (HIA) is to be carried out by an agency which is politically controlled and nothing has been said about public review of this assessment; (2) the motivation for the review seems to be focused on having the “strongest possible legal position for the Department (DEC)”;

and (3) the fact that to date, the New York State Department of Health (NYSDOH) has had relatively little input into the 2011 dSGEIS and proposed regulations for HVHF.

SLPWA filed a Freedom of Information Law (FOIL) request in January, 2012 to learn what input the NYSDOH had provided the NYSDEC in drafting the dSGEIS and regulations. After initial refusal of SLPWA’s FOIL request, an appeal produced 500 pages of material, much of which were public reports from other organizations on how to carry out an HIA, but contained little or no guidance on what should be included in the dSGEIS or HVHF regulations. SLPWA is very concerned that a HIA carried out under the auspices of the NYSDOH will not provide a comprehensive, objective answer to the health concerns surrounding HVHF, despite the protestations to the contrary by NYSDEC. This issue is under current review by SLPWA for further action.

An Evening on Seneca Lake Annual Dinner, 2012



On September 13th at the Harbor Hotel in Watkins Glen, approximately 80 SLPWA members joined the Board of Directors for “An Evening on Seneca Lake”.

The evening began with President Mary Anne Kowalski presenting a summary of SLPWA’s progress and a synopsis of the goals for the next year. Recognition awards were presented to two organizations: **Gas Free Seneca** for their efforts to educate and inform the general public, elected officials and government administrators on the potential threats to Seneca Lake from the proposed LPG storage facility near Watkins Glen and **Committee to Preserve the Finger Lakes** for their efforts to educate and inform the general public, elected officials and government administrators on the potential threats to Seneca Lake of high volume hydraulic fracturing.

Pictured at left (top) accepting their recognition award from the **Committee to Preserve the Finger Lakes** are: (L-R) Steve Coffman, Melanie Steinberg, and Peter Gamba with President Kowalski.



Pictured at left (middle) are Joseph Campbell and Yvonne Taylor from **Gas Free Seneca** being presented their award by President Kowalski.

Silent Auction proceeds brought in approximately \$2,000 from generous bidders. SLPWA gratefully thanks the following businesses for their contributions to our silent auction:

Atwater Vineyards, Belhurst Castle, Crow’s Nest, Dano’s, Finger Lakes Times, Glenora Winery, Geneva On The Lake, Hazlitt 1852 Vineyards, Watkins Glen Harbor Hotel, MacKenzie Childs, Seneca Sailing Adventures, Captain Bill’s, CS Burrall Insurance, Stivers Seneca Marine, Stonecat Café, Geneva Bicycle Center, Zotos, Stomping Grounds, Life in the Finger Lakes, Red Newt Cellars, Studio Salon, Sunrise Landing B&B, Keukaview Photos. Beautiful centerpieces were designed by Alyssa Bromka. New Board Members, Addie Mason and Janet VanDine were elected.



Tom Wilber, (above) author and journalist was our keynote speaker presenting “Fracking in NY”, a reporter’s perspective and a recap of his book, *Under the Surface*, that investigated the hydrofracking industry. Thanks to all our members and guests who joined us!

Financial Report

By Bob Kayser, Treasurer



The financial position of SLP-WA continues to be strong. As of October 31, 2012, cash on hand in checking and savings stood at \$23,427.62 with no outstanding liabilities.

Thank you Members for your continued support!

The sale of donated property is anticipated to conclude before the end of the year which will further enhance our financial position.

Watkins Glen Salt Cavern LPG Storage

By Phil Cianciotto

We are still waiting for word from the DEC regarding the permit requested by Inergy for LPG storage in the salt caverns north of Watkins Glen in the US Salt facility.

According to comments by the DEC, if and when the DSEIS is accepted and the application is deemed complete, a comment period and meeting maybe held to review the project and DEC's decision.

We will continue to follow developments as they occur so that Seneca Lake is represented.



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(PRESIDENT'S MESSAGE continued)

Each county and municipality has its own individual challenges, priorities and fiscal limitations. In New York State, the power to control land use (as we have learned from Marcellus Shale), rests with the towns. Counties have additional responsibilities.

The **Seneca Lake Watershed Management Plan** encompasses seven stages:

- Outreach and Education
- Watershed Characterization
- Watershed Evaluation
- Intermunicipal Coordination
- Assessment of Local Laws
- Current Management Practices
- Seneca Lake Plan Steps for Implementation



Steps 1-3 of this plan were completed during the past year and drafts have been available for public comment. Steps 4-8 are being addressed by the planning team this year.

We anticipate that the planners will identify priority threats to Seneca Lake, to focus discussion and garner support for the implementation stage of the plan.

The planners are looking for guidance from organizations and individuals on the Planning Advisory Committee, which includes SLPWA, for input on these steps. Building consensus among a diverse group of counties, towns and municipalities on a variety of protective measures for Seneca Lake is very difficult. Some have likened it to “herding cats.”

What is clear, even at this early stage, is that there is a need for the creation of an intermunicipal organization (IMO), like the one established around Cayuga Lake, to oversee the protection of Seneca Lake. Accomplishing that goal will require the support of grassroots organizations like SLPWA and the efforts of its members at the town and county level, to persuade the local governments to adopt the recommendations in the plan and to join and support the IMO.

The SLPWA Board is working to define its role in the planning process. Efforts are beginning to identify the problems of water quality within our watersheds and Seneca Lake, develop solutions to address these problems and assess and recommend actions to be taken to remedy the problems.

We are also developing plans to have our members work with the local governments to take the necessary steps to protect the lake. Part of that plan includes recruiting more members (as numbers speak volume!). The municipalities will not pay attention to us until we have a consortium of Seneca Lake homeowner-members, so please talk to your friends and neighbors about SLPWA and urge them to join.

We will keep you posted on the progress of our efforts.

President, *Mary Anne Kowalski*

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SLPWA MISSION:

Enhance and Preserve the Quality of Seneca Lake

Seneca Lake Pure Waters Association will further its mission through efforts to:

- *Promote the understanding, preservation and improvement of the water quality, natural habitat and general environmental conditions of Seneca Lake and its watershed;*
- *Sponsor scientific research of the watershed to establish baseline data and monitor changes;*
- *Collect, preserve, publish and disseminate information concerning Seneca Lake and its watershed;*
- *Encourage and support the compliance with laws and regulations;*
- *Collaborate with like-minded organizations; and*
- *Promote patterns of development and technology to further our mission.*

Seneca Lake Pure Waters Association
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Geneva, NY 14456

ADDRESS SERVICE REQUESTED

Lake Level Report

Bob Kayser

Below average precipitation coupled with above average evaporation due to higher-than-normal temperatures this summer led to lower-than-normal lake levels this summer. Despite the fact that the Seneca Falls Power Company drew no water beyond that needed to keep VanCleaf Lake filled, Seneca Lake levels began dropping in mid-July and by the middle of July, it fell below the minimum desired level for summer months. Fall rains were not sufficient to materially increase lake levels, and by the end of September we were at wintertime levels.

NOAA predicts a return to more customary winter temperatures and precipitation for the winter of 2012-2013, and it is anticipated that lake levels will approach normal in the coming summer.