

4/15/13

## DEC: Hemlock-Canadice Draft Unit Management Plan –

### Comments by Brighton Supervisor William Moehle

To Whom It May Concern:

I am the Supervisor of the Town of Brighton, Monroe County, New York. I wish to add my comments to those of the many other people with concerns about the Draft UMP for the Canadice and Hemlock Lake watersheds. I appreciate the effort that has gone into the development of the UMP, and I recognize the mandate for State Forest land to provide for multiple uses, including watershed management, but for the reasons set forth in this letter, I believe the UMP remains insufficient to protect the watershed. Specifically, I wish to address the failure of the UMP to address the impact of water withdrawal from those lakes, if hydrofracking were to be allowed in New York, or for that matter, if efforts continue to use New York situs water through purchase to facilitate hydrofracking in Pennsylvania, as was recently the case in the Village of Painted Post. I also wish to address my concerns, as a consumer of Hemlock Lake sourced water, and the leader of a community that derives water from Hemlock Lake, that hydrofracking in the Hemlock Lake watershed headwaters in Steuben County would risk devastating impacts to Brighton's water supply that are not adequately addressed in the UMP. Thus, because of the importance of this land, the mission of multiple use management for State Forests, including not only watershed management but also mineral resource management, is not appropriate for the magnitude of risk that hydrofracking could cause to watershed management of the area, and the only appropriate response is to designate these areas as Historic and Nature Preserve.

The Painted Post litigation shows the tremendous potential negative impact of massive water purchases. In that case, Judge Fisher determined that the SEQRA review of a railroad spur and the actual water sale were impermissibly segmented for purposes of SEQRA review. Judge Fisher's decision, and the efforts by the Village of Painted Post to sell off so much of its water without adequate environmental review, shows how various actions that appear on their face to be unrelated, are in fact very much related, and can impact the environment in a holistic way. If the draft UMP were to go into effect, and massive purchases of water for hydrofracking support purposes were allowed, the impact on these lakes would be devastating. One million gallons of water per day, over a five year period, from a single village, to support out of state hydrofracking. Multiply these sales by many other municipalities, add additional water demand from potential New York hydrofracking, and the impact on aquifers, and on these two lakes could be devastating. The UMP does not adequately address this risk, and for that reason, the draft UMP is insufficient to protect this area and our watershed.

In addition, the headwaters of Hemlock Lake, in Steuben County, are within the area being considered for fracking in Steuben County. The Town of Brighton receives water, through the Monroe County Water Authority, from Hemlock Lake. The UMP suggests that hydrofracking in the Hemlock Lake watershed is unlikely, but it gives no authoritative basis for such opinion or suggestion. The UMP does not adequately address the necessary protections for the watersheds from fracking. In fact, it appears to me that the UMP implicitly recognizes that hydrofracking spills or other ancillary impacts caused by increased hydrofracking activity in the area WOULD negatively impact the watersheds and that there is no adequate means of protecting the area; hence no clear mitigation is suggested by the draft UMP.

Based on these and other concerns, which have been addressed by other commenters, I respectfully request that the Hemlock-Canadice State Forest be designated as a State Historic and Nature Preserve, in

order to truly recognize that the watershed use is truly the highest and best use for the area, and to effectively protect those areas and those of us who depend on water from the area.

Sincerely,

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