

II. DESCRIPTION OF PROPOSED ACTION

The purpose of this draft Generic Environmental Impact Statement (GEIS) is to review in a comprehensive manner the Department of Environmental Conservation's program for regulating the oil, gas, underground gas storage, and solution mining industries. This study is prepared according to the State's Environmental Quality Review Act (SEQRA), Article 8 of the Environmental Conservation Law, requiring government agencies to analyze the environmental, social and economic impacts of their actions. Under SEQRA, public review and participation in the development of the final GEIS is required and encouraged.

This draft GEIS is intended as a guideline for environmentally acceptable oil and gas drilling and development, solution salt mining, underground storage of gas, geothermal development, and drilling of stratigraphic and brine disposal wells in all of New York State. Significant beneficial and adverse environmental impacts of the above activities in New York State are addressed. Much of the information contained in this document such as the history, geology and historical industry practices is given as background for a better understanding of the subject, and most of this information never before has been compiled for distribution to the public and to local governments. Also covered are mitigation measures available to minimize negative environmental impacts, and adverse effects that cannot be avoided if the aforementioned activities continue. A review is made of viable alternatives to the State's regulatory program to minimize environmental effects of these regulated activities in New York State. Thresholds will be established under which the above listed activities can continue with minimal adverse environmental impacts. Basic permitting guidelines for the recently authorized regulation of geothermal, brine disposal and stratigraphic wells will also be proposed.

A generic environmental impact statement (GEIS) is used to evaluate the environmental effects of a program having wide application and is required for direct programmatic actions undertaken by a state agency. Since a GEIS evaluates the environmental impacts of a program of wide application, it can serve in part as an EIS for a specific site for those matters which are not unique to that site. Hence, in addition to reviewing the overall regulatory program, this draft GEIS also sets specific conditions and criteria for those actions which will require an additional detailed site specific environmental impact statement or assessment.

The purposes of this draft GEIS have been expanded to include the following:

1. a definitive analysis and assessment of DEC's onshore regulatory program and applicability to the State Environmental Quality Review Act;
2. an information document for the public and for local governments to better understand the oil, gas, underground gas storage, and solution mining industries and how they are regulated by the State; and
3. a framework for major changes to the state's rules and regulations that need to be updated and modernized.

While the document includes suggested changes to existing rules and regulations and new regulations where needed, all regulation changes must be promulgated according to the State Administration's Procedures Act which requires a separate review and approval.

A great deal of effort has been expended to produce a working document that will serve as the basis for public discussion on the way in which the state regulates these industries and on how the process can be improved.

To be as effective a document as possible, public comment and discussion are encouraged and welcomed.