

V. CONCLUSION AND CERTIFICATION

The prospect of high-volume hydraulic fracturing development in the State of New York has generated immense levels of public interest and concern. The over 80,000 public comments on the draft and revised draft SGEIS constitute the most comments, by far, that the Department has received on an environmental impact statement which it has prepared. Additionally, the 180,000 public comments the Department received on the draft regulations (which have since expired) were similarly unprecedented. The vast majority of the over 260,000 comments received urged the Department to severely restrict the practice of high-volume hydraulic fracturing or to prohibit it altogether.

These findings are the culmination of a nearly seven-year process to fully and exhaustively evaluate the environmental impacts of this activity, determine the measures and controls that would minimize such impacts, review and understand the science and experiences observed in other parts of the country, and understand the risks and uncertainties arising from the activity.

In the end, there are no feasible or prudent alternatives that would adequately avoid or minimize adverse environmental impacts and that address the scientific uncertainties and risks to public health from this activity. The Department's chosen alternative to prohibit high-volume hydraulic fracturing is the best alternative based on the balance between protection of the environment and public health and economic and social considerations.

Having considered the 1992 GEIS, the 2009 dSGEIS, the 2011 rdSGEIS and the Final SGEIS, and having considered the preceding facts and conclusions relied upon to meet the requirements of 6 NYCRR 617.9, this Statement of Findings certifies that:

1. The requirements of 6 NYCRR Part 617 have been met;
2. Consistent with the social, economic and other essential considerations from among the reasonable alternatives available, the No-Action alternative avoids adverse environmental impacts to the maximum extent practicable; including impacts disclosed in the supplemental environmental impact statement (and in Section II of this Findings Statement), and;