Petitioning the Governor and the Legislature of the State of New York to Ban Hydrofracking Pending Further Independent Scientific Assessments to Determine the Risks Associated With Hydrofracking

WHEREAS, the Central New York region faces a potential environmental crisis in the form of hydrofracking, which involves drilling deep horizontal wells into areas of shale, and infusing massive quantities of water and potentially toxic chemicals into the wells to fracture the shale and release the gas; and

WHEREAS, companies are buying land rights from landowners across Central New York with the expectation that New York State will quickly finalize its environmental review and issue regulations allowing hydrofracking in our region; and

WHEREAS, the recently released state environmental review raises serious questions about the ability of the proposed state regulations to protect our natural resources and prevent permanent damage to our environment; and

WHEREAS, the New York State Environmental Conservation Law supersedes local regulation of the gas and solution mining industries, thereby precluding Cortland County or any other city, county, town or village from regulating gas and oil well drilling operations; and

WHEREAS, the proposed state regulations fail to adequately monitor groundwater near gas wells and fail to detect or remediate contamination of aquifers, thereby posing a threat to individual and public supply wells; and

WHEREAS, the proposed state regulations further fail to provide for an adequate analysis and public disclosure of the chemicals used in the fracking fluids, allowing the use of substances that may be carcinogenic, mutagenic or endocrine disrupters; and

WHEREAS, frequent and heavy truck traffic from hydrofracking operations may cause significant damage to local roads and infrastructure as trucks pass through local municipalities to conduct drilling operations; and

WHEREAS, the constituents of the flowback water from the hydrofracking operations may be unsuitable and unsafe for disposal at local wastewater treatment plants, resulting in potential holding ponds of waste across Central New York; and

WHEREAS, the large quantities of water that must be withdrawn for hydrofracking operations pose a serious threat to our ecosystem; and

WHEREAS, the potential for contamination of our municipal and individual well-based drinking water, Cortland County's aquifers, and the potential water quality impacts from the migration of chemicals and improper discharge of wastewater directly to the watershed are causes of deep concern to this legislative body; and

WHEREAS, the potential damage to local landscapes and wildlife is incalculable, and the possible threat to air quality and public health from drilling operations is immeasurable; and
WHEREAS, it is necessary to pursue further independent scientific assessments of hydrofracking regarding risks to ground and surface water, air quality, public health, wildlife, agriculture, economic development, etc.; and

WHEREAS, the US Environmental Protection Authority (EPA) is now undertaking a “Research Study on Potential Relationships Between Hydraulic Fracturing and Drinking Water Resources” and is currently developing the scoping framework for said Study; now, therefore be it

RESOLVED, that the Cortland County Legislature hereby requests that the State ban hydrofracking operations pending further independent scientific assessments; and, be it further

RESOLVED, that the Cortland County Legislature hereby requests that the Honorable David A. Paterson, Governor, withdraw from SEQRA review the Draft Supplemental Generic Environmental Impact Statement On The Oil, Gas and Solution Mining Regulatory Program-Well Permit Issuance for Horizontal Drilling And High-Volume Hydraulic Fracturing to Develop the Marcellus Shale and Other Low-Permeability Gas Reservoirs, pending further independent scientific assessments to determine the aggregate protection provided therein concerning the public health, environment and economy of New York State; and, be it further

RESOLVED, that the Clerk of this Legislature hereby be directed to transmit a copy of this resolution to Governor David A. Paterson, Congressman Michael Arcuri, NYS Health Commissioner Richard Daines, DEC Commissioner Peter Grannis, NYS Dept. of Agriculture & Markets Commissioner Patrick Hooker, the NYS Association of Counties, State Senator James L Seward, Assemblywoman Barbara Lifton, Assemblyman Brian M. Kolb and Assemblyman Gary Finch.

STATE OF NEW YORK) SS:
COUNTY OF CORTLAND

This is to certify that I, the undersigned, Clerk of the Cortland County Legislature of the County of Cortland have compared the foregoing copy of the resolution with the original resolution now on file in this office, and which was passed by the Cortland County Legislature on the 22nd day of April, 2010 and that the same is a correct and true transcript of such original resolution and of the whole thereof.

IN WITNESS WHEREOF I have hereunto set my hand
And the official seal of the CORTLAND COUNTY LEGISLATURE, this 23rd day of April, 2010.

[Signature]

Jeremy D. Boylan, Clerk of the Legislature
Cortland County