March 2, 2010

Motion Made By Mr. Buckel, Mr. Kinne, Mr. Stanczyk

RESOLUTION NO.________________________

MEMORIALIZING THE GOVERNOR AND THE LEGISLATURE OF THE STATE OF NEW YORK TO BAN HYDROFRACKING OR, IN THE ALTERNATIVE, TO AMEND STATE LAW TO ALLOW LOCAL MUNICIPALITIES THE OPTION TO BAN HYDROFRACKING WITHIN THEIR MUNICIPAL BORDERS, AND REQUESTING THE GOVERNOR TO PURSUE 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, hydrofracking threatens to contaminate our fresh water, air and soil, and poses a particular threat to the Skaneateles and Owasco watershed areas as well as to freshwater wells in Pompey and other areas in Onondaga County; 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 Onondaga County or any other city, county, town or village from regulating gas and oil well drilling operations and further preventing local governments from taking necessary regulatory measures to protect our natural resources; 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 fail to provide for an adequate analysis 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 a county treatment plant, resulting in potential holding ponds of toxic waste across Central New York; and
WHEREAS, the large quantities of water that must be withdrawn for hydrofracking operations pose a serious and permanent threat to our ecosystem; and

WHEREAS, the potential for contamination of our municipal and individual well-based drinking water 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; and

WHEREAS, it is the desire of Onondaga County for the state to ban hydrofracking operations, or for the County to have the option to ban hydrofracking within the county borders pending such further independent scientific assessments, but the New York State Environmental Conservation Law prohibits the County from issuing such a ban; and

WHEREAS, other local municipalities within the state also should have the option to weigh the attendant risks and act to ban hydrofracking within their municipal boundaries pending such further independent scientific assessments, but such a local option also is precluded by current state law; now, therefore be it

RESOLVED, that this Onondaga County Legislature hereby memorializes the Governor and the Legislature of the State of New York that, pending further independent scientific assessments, to ban hydrofracking in New York State, or, in the alternative, to amend state law to allow cities, counties, towns and villages the option to ban hydrofracking operations within their municipal boundaries; and, be it further

RESOLVED, that this Onondaga County Legislature hereby requests the Governor to pursue further independent scientific assessments of hydrofracking; and, be it further

RESOLVED, that the Clerk of this Legislature hereby is directed to transmit a copy of this resolution to the New York State Governor and to the state legislators representing Onondaga County.