

Ontario County

Board of Supervisors

Canandaigua, New York 14424

Supervisor Baker offered the following resolution and moved its adoption:

RESOLUTION NO. 762-2010

PROHIBITING HYDROFRACKING ON PROPERTY OWNED BY ONTARIO COUNTY UNTIL SUCH TIME AS POTENTIAL IMPACTS ARE IDENTIFIED AND ADDRESSED

WHEREAS, Horizontal drilling and high volume hydraulic fracturing (hydrofracking) are technologies that allow for the extraction of natural gas from areas of shale formation, including the Finger Lakes Region of New York; and

WHEREAS, Hydrofracking involves drilling deep wells and pumping large quantities of fluid mixed with sand and chemicals into the underground shale to release the natural gas; and

WHEREAS, While there is potential for these technologies to have positive economic impacts, questions have been raised regarding the need for further study to evaluate the potential long term environmental and community impacts of hydrofracking, particularly with respect to water use and management and the composition of the fluids used to fracture the shale; and

WHEREAS, The New York State Department of Environmental Conservation has released an environmental study (Draft Supplemental Generic Environmental Impact Statement) on hydrofracking, and various interested parties have responded with comments and concerns; and

WHEREAS, The New York State Water Utility Council, while supporting the development of natural gas resources, has raised concerns about potential water quality impacts, including potential contamination of groundwater and surface water during the hydraulic fracturing process, and has urged New York State to impose environmentally responsible safeguards to protect our water resources, the environment and public health; and

WHEREAS, The Environmental Protection Agency (EPA) has stated that the State needs to further address the cumulative and indirect impacts of hydrofracking, needs to place greater emphasis on the potential health impacts that may be associated with hydrofracking, and needs to provide for further mitigation of potential adverse environmental impacts associated with the withdrawal of surface or ground water; and

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WHEREAS, Additional issues raised with respect to hydrofracking include the potential financial burden on the taxpayers for monitoring and tracking water quality and flow back water, the cumulative impacts on greenhouse gas emissions, the impacts on local roads from increased traffic and use of heavy machinery, the potential impact on the local landscape, and the possible adverse impact upon personal property rights; and

WHEREAS, It is necessary to balance environmental and public health concerns with the desire for adequate energy resources and economic development, and to take appropriate measures to protect the long term viability of our natural resources; and

WHEREAS, Until such time as the potential long term, cumulative and indirect environmental and public health impacts are adequately addressed and appropriate mitigation measures are identified, it is the desire of this Board that no hydrofracking be permitted on county owned property; and

WHEREAS, The County’s Landfill Operator Casella Waste, Inc., has agreed in writing that no drill tailings, backflow waters, or other waste materials generated by Natural Gas exploration or extraction activities shall be accepted or permitted to be deposited in the Ontario County Landfill without expressed written approval of the Ontario County Board of Supervisors; now, therefore, be it

RESOLVED, That this Board hereby declares as its policy that hydrofracking shall not be allowed on property owned by Ontario County until potential environmental and economic impacts are identified and addressed; and further

RESOLVED, That landfill sites owned, maintained, or operated by Ontario County will not accept any waste materials resulting from hydrofracking activities, including but not limited to drill tailings, backflow waters, or other waste materials without prior notice, appropriate analysis of the material intended for disposal as may be required by this Board, and written permission from this Board; and further

RESOLVED, That certified copies of this resolution be sent by the Clerk of this Board to the Commissioner of the New York State Department of Environmental Conservation, and Finance Department.

STATE OF NEW YORK }
COUNTY OF ONTARIO }



I do hereby certify that I have compared the preceding with the original thereof, on file in the Office of the Clerk of the Board of Supervisors at Canandaigua, New York, and that the same is a correct transcript therefrom and of the whole of said original; and that said original was duly adopted at a meeting of the Board of Supervisors of Ontario County held at Canandaigua, New York, on the 16th day of December, 2010.

Given under my hand and official seal December 17, 2010.

Karen R. DeMay

Clerk, Board of Supervisors of Ontario County, NY