

[REDACTED]

RESOLUTION NO. 309-11

Dr. Dennis offered the following resolution and moved its adoption, seconded by Mr. Paddock.

DISCUSSION:

Dr. Dennis stated this is a slightly edited version of a resolution that we had passed earlier and actually refers to the protection of the environment through the proposed hydro-fracking of the Marcellus shale natural gas. Mark Morris has worked on this and brought it forward to us again. The reason it comes again is we are in a new phase of comments on the supplement draft environment investigation statement.

Mr. Morris stated that unfortunately the DEC and the Legislature and the Governor did not heed our request the first time around, that we would be treated like the New York City and Syracuse watershed. That is why we are putting this in again and asking them to please reconsider.

CALLING ON THE GOVERNOR AND LEGISLATURE OF NEW YORK STATE TO APPLY THE SAME STANDARDS TO YATES COUNTY AND THE FINGER LAKES WATERSHEDS THAT THE DEC HAS INDICATED IT WILL APPLY TO THE NEW YORK CITY AND SYRACUSE WATERSHEDS.

WHEREAS, in 2011 the NYS Department of Environmental Conservation has just issued a revised Generic Environmental Impact Statement (DSGEIS) on high volume, slickwater hydraulic fracturing (HVSWHF) with horizontal drilling as proposed for the Marcellus Shale, and more than 14,000 comments on the Dsgeis were submitted, many pointing out significant defects and a reliance on incomplete or flawed studies, and

WHEREAS, New Yorkers' concerns include questions about the ability of the NYS Department of Environmental Conservation, with its current staffing levels and its

proposed regulations, to protect our natural resources and prevent permanent damage to our environment, and

WHEREAS, recent accidents and incidents in Pennsylvania and at the drilling rig in the Gulf of Mexico highlight the dangers inherent in extractive mining and

WHEREAS, based on experience in other states where this drilling has been underway for years, the concerns include but are not limited to:

- threats to groundwater and surface water supplies from accidents on the surface, as well as subsurface failures of casings and the hydrofracking process itself;
- depletion and degradation of New York's lakes, rivers, streams, and wetlands;
- dangers from drill cuttings and flowback water, which may be unsuitable and unsafe for disposal in New York's landfills and wastewater treatment plants;

WHEREAS, rigorous scientific investigations of these issues are just beginning, including a study of the full life-cycle emissions of shale gas, the social and economic costs and benefits of the industry, and the federal Environmental Protection Agency's study of potential relationships between hydraulic fracturing and water resources; and

WHEREAS, New York State has acknowledged the dangerous potential for negative impacts with its determination that the New York City and Syracuse watersheds will be exempted, and

WHEREAS, the Finger Lakes are a unique geological feature, and

WHEREAS, recent flooding in the area highlights our steep slope risks,


WHEREAS, the Finger Lakes are the sole source of water for many municipalities and adjacent landowners (more than 1.5 million people), and

WHEREAS, the economic health and vitality of the area are integrally linked to these bodies of water be it

RESOLVED, that the Yates County Legislature hereby strongly urges New York State to apply the same standards to Yates County and all of the Finger Lakes watersheds that the DEC has indicated it will apply to the New York City and Syracuse watersheds, and be it further

RESOLVED, that copies of this resolution will be sent to Governor Andrew Cuomo, Assembly Speaker Sheldon Silver, Senate Leader Dean Skelos, NYS Health Commissioner Nirav Shah, DEC Commissioner Joe Martens, NYS Dept. of Agriculture & Markets Commissioner Darryl Aubertine, the NYS Association of Counties, State Senator Thomas O'Mara, Assemblyman Phil Palmesano and Attorney General Eric Schneiderman.

VOTE: Unanimous



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[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

RESOLUTION NO. 325-10

Dr. Dennis offered the following resolution and moved its adoption, seconded by Mr. Paddock.
DISCUSSION:

Chairman Fitch stated that he would like to complement Mr. Morris who could not make the meeting today as he is in Washington D.C. Mr. Morris has been working on this resolution for several months. He finally developed one that was acceptable to the entire legislature and Chairman Fitch wanted to recognize the work that he did on this.

Dr. Dennis stated that he was also going to speak on that. In Committee Mr. Morris did a lot of on this and several members of the Legislature and the Committee offered counsel and we came up with what Dr. Dennis feels is a very pointed resolution.

Mr. Wilson stated that he would also support that statement.

CALLING ON THE GOVERNOR AND LEGISLATURE OF NEW YORK STATE TO APPLY THE SAME STANDARDS TO YATES COUNTY AND THE FINGER LAKES WATERSHEDS THAT THE DEC HAS INDICATED IT WILL APPLY TO THE NEW YORK CITY AND SYRACUSE WATERSHEDS.

WHEREAS, in 2009 the NYS Department of Environmental Conservation issued a Draft Generic Environmental Impact Statement (DSGEIS) on high volume, slickwater hydraulic fracturing (HVSWHF) with horizontal drilling as proposed for the Marcellus Shale, and more than 14,000 comments on the Dsgeis were submitted, many pointing out significant defects and a reliance on incomplete or flawed studies, and

WHEREAS, New Yorkers' concerns include questions about the ability of the NYS Department of Environmental Conservation, with its current staffing levels and its proposed regulations, to protect our natural resources and prevent permanent damage to our environment, and

WHEREAS, recent disasters in West Virginia's coal mines and at the drilling rig in the Gulf of Mexico highlight the dangers inherent in extractive mining and

WHEREAS, based on experience in other states where this drilling has been underway for years, the concerns include but are not limited to:

- threats to groundwater and surface water supplies from accidents on the surface, as well as subsurface failures of casings and the hydrofracking process itself;
- depletion and degradation of New York's lakes, rivers, streams, and wetlands;
- dangers from drill cuttings and flowback water, which may be unsuitable and unsafe for disposal in New York's landfills and wastewater treatment plants;

WHEREAS, rigorous scientific investigations of these issues are just beginning, including a study of the full life-cycle emissions of shale gas, the social and economic costs and benefits of the industry, and the federal Environmental Protection Agency's study of potential relationships between hydraulic fracturing and water resources; and

WHEREAS, New York State has acknowledged the dangerous potential for negative impacts with its determination that individual environmental assessments will be required for any wells in the New York City and Syracuse watersheds, and

WHEREAS, New York State has so far not committed itself to a course of action with respect to shale gas drilling in the Marcellus Shale or the Utica Shale, and

WHEREAS, the Finger Lakes are a unique geological feature, and

WHEREAS, the Finger Lakes are the sole source of water for many municipalities and adjacent landowners, and

WHEREAS, the economic health and vitality of the area are integrally linked to these bodies of water be it

RESOLVED, that the Yates County Legislature hereby urges New York State to apply the same standards to Yates County and all of the Finger Lakes watersheds that the DEC has indicated it will apply to the New York City and Syracuse watersheds, and be it further

RESOLVED, that copies of this resolution will be sent to Governor David A. Paterson, Assembly Speaker Sheldon Silver, Senate Leader John Sampson, NYS Health Commissioner Richard Daines, DEC Commissioner Peter Grannis, NYS Dept. of Agriculture & Markets Commissioner Patrick Hooker, the NYS Association of Counties, State Senator George Winner, Assemblyman James Bacalles and Attorney General Andrew Cuomo.

VOTE: Unanimous