

**RESOLUTION NO. 148-10 INTRODUCED BY THE PUBLIC WORKS COMMITTEE
DECLARING THE POLICY OF THIS SULLIVAN COUNTY LEGISLATURE NOT TO
ALLOW HYDROFRACKING ON PROPERTY OWNED BY SULLIVAN COUNTY
UNTIL SUCH TIME AS POTENTIAL IMPACTS ARE IDENTIFIED AND ADDRESSED**

WHEREAS, horizon drilling and high volume hydraulic fracturing (hydrofracking) are technologies that allow for the extraction of natural gas from areas of shale formation, including Marcellus Shale; 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 New York State needs to further address the cumulative and indirect impacts of hydrofracking, and needs to provide for further mitigation of potential adverse environmental impacts associated with the withdrawal of surface or ground water; and

WHEREAS, additional issues raised with respect to hydrofracking include the potential financial burden on the taxpayers for monitoring and tracking water quality and flowback 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 Legislature that no hydrofracking be permitted on county owned property.

NOW, THEREFORE, BE IT RESOLVED, that the Sullivan County Legislature hereby declares as its policy that hydrofracking shall not be allowed on property owned by Sullivan County until potential environmental and economic impacts are identified and addressed; and

BE IT FURTHER RESOLVED, that the Clerk of the Sullivan County Legislature is hereby directed to transmit a copy of this resolution to the New York State Commissioner of the Department of Environmental Conservation.

Moved by Mr. Sager, **seconded by** Mrs. LaBuda, put to a vote, unanimously carried and declared duly adopted on motion March 18, 2010.

**RESOLUTION NO. 149-10 INTRODUCED BY THE PUBLIC WORKS COMMITTEE
MEMORIALIZING THE UNITED STATES SENATE AND HOUSE OF
REPRESENTATIVES TO AMEND APPROPRIATE FEDERAL LAWS TO PROTECT
THE ENVIRONMENT AND THE PUBLIC FROM ANY RISKS ASSOCIATED WITH
HYDROFRACKING**

WHEREAS, hydrofracking is a technology for obtaining natural gas and is proposed for use in the Marcellus Shale; and

WHEREAS, hydrofracking involves pumping large quantities of water and additives at extremely high pressures into deep vertical wells, fracturing the rock and injecting sand into the cracks to release the natural gas; and

WHEREAS, there is a concerted effort on the part of drilling companies to lock up rights to drill in the Marcellus Shale area, yet various environmental and health and safety concerns have been raised with respect to hydrofracking; and

WHEREAS, these environmental and health concerns include the potential contamination of aquifers and fresh water supply, the use of massive quantities of water, the disposal of the fracking fluids, the release of chemicals used in the process, and the impact upon local landscapes; and

WHEREAS, concerns have been raised about the potential of hydrofracking polluting our drinking water by injecting unknown contaminants undergrounds; and

WHEREAS, further concerns have been raised about the potential toxicity of chemicals used in the hydrofracking process and the chemicals contained in the fracturing fluids; and

WHEREAS, the actual chemicals being used in the hydrofracking process may be protected as trade secrets, possibly impeding public knowledge of any associated health risks; and

WHEREAS, questions have been raised about the potential threat to human health associated with hydrofracking and whether chemicals such as benzene and other possible carcinogens may be used in the process; and

WHEREAS, questions also have been raised about the safe disposal of hydrofracking fluids and whether there are safe methods for handling and disposing of the fracking fluids without jeopardizing our clean water and without posing a risk to human health; and

WHEREAS, there are concerns about the possible release of airborne chemicals from the drilling process and the potential impacts upon the quality our air, and whether there are human health and safety risks associated therewith; and

WHEREAS, issues have been raised about the requirements and incentives for the hydrofracking industry to restore the land and clean up any waste, creating questions about the possible impact upon our local landscape and the potential impact upon the health of our residents; and

WHEREAS, New York State law prohibits local municipalities, including the County, from regulating the gas mining industry; and

WHEREAS, many federal laws also fail to regulate the gas mining industry, and hydrofracking is not regulated by the federal Safe Water Drinking Act, the Resource Conservation and Recovery Act, the Emergency Planning and Community Right to Know Act of 1986, the Clean Water Act, the Clean Air Act, the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), and the National Environmental Policy Act (NEPA); and

WHEREAS, without the regulatory oversight provided by these federal statutes, and without the authority to regulate at the local level, there are concerns that the potential environmental and health risks associated with hydrofracking will not be adequately addressed at the state level; and

WHEREAS, it is the desire of the Sullivan County Legislature that the United State Senate and United States House of Representatives amend the appropriate federal laws to address any potential environmental health risks associated with hydrofracking.

NOW, THEREFORE, BE IT RESOLVED, that this Sullivan County Legislature hereby memorializes the United State Senate and United States House of Representatives to amend pertinent federal laws to adequately safeguard the environment and the public from any environmental and health risks associated with hydrofracking; and

BE IT FURTHER RESOLVED, that the Clerk of the Sullivan County Legislature is hereby directed to transmit a copy of this resolution to the members of the United States House of Representatives and Senate representing Sullivan County.

Moved by Mr. Sorensen, **seconded by** Mrs. Binder , put to a vote, unanimously carried and declared duly adopted on motion March 18, 2010.

RESOLUTION NO. _____ INTRODUCED BY THE HEALTH & FAMILY SERVICES COMMITTEE TO SUBMIT THE COUNTY'S REQUEST FOR A MORATORIUM ON HYDRAULIC FRACTURING TO THE STATE

WHEREAS, pure water, free of any toxic chemicals or other pollutants is essential for life and good health, and

WHEREAS, in Sullivan County substantially all of the water upon which our citizens depend comes from underground aquifers, and

WHEREAS, responsible government officials have an absolute responsibility to scrupulously safe guard our vital water supply against contamination for the protection of the public health and the viability of the County's agriculture, and

WHEREAS, the Sullivan County Legislature is concerned about the possible public health impacts of the hydraulic fracturing which involves the high pressure infusion into deep wells of large quantities of water mixed with a number of chemicals which may or may not be disclosed to the general public and other substances, and

WHEREAS, the New York State Department of Environmental Conservation ("DEC") has acknowledged the potential for negative impacts of hydraulic fracturing with its determination that individual environmental assessments will be required for wells drilled within the New York City and the Syracuse watersheds, and

WHEREAS, the health and welfare of the citizens of Sullivan County are no less important and vital than the health and welfare of the citizens of New York City or Syracuse, and

WHEREAS, Sullivan County's aquifers may be potentially more vulnerable than surface water reservoirs are to contamination by hydraulic fracturing, and

WHEREAS, an environmental engineering report by the engineering firm Hazen and Sawyer has identified numerous risks if hydraulic fracturing is utilized in our region, and

WHEREAS, it has been reported that the Medical Society of the State of New York has called for a moratorium hydraulic fracturing until scientific information on potential health impacts is developed, available and assessed, and

WHEREAS, New York State has not undertaken a health impact assessment to determine possible risks of hydraulic fracturing, and

WHEREAS, it is critical that the State of New York take all necessary and appropriate steps to secure independent and objective evaluations of the potential issues related to hydraulic fracturing and to then carefully assess those evaluations before deep gas well drilling and hydraulic fracturing is allowed to be done in Sullivan County and in any other area dependant on aquifers for its source of essential water.

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Now therefore be it Resolved that the Sullivan County Legislature:

1. Urgently requests that the State of New York impose a moratorium on such gas well hydraulic fracturing until further independent, objective scientific studies and evaluations are conducted and the results of such studies and evaluations can be fully, carefully and properly assessed, and
2. Strongly urges the New York State Department of Health to perform a public health assessment of the possible impacts of hydraulic fracturing, and
3. Strongly urges Governor Andrew Cuomo to support such an aforesaid moratorium until the results of such further studies and evaluations can be fully, carefully and properly assessed, including the assessment of all environmental and public health implications, and
4. Directs the Clerk of the County Legislature to transmit an electronic copy of this Resolution to the Governor of the State of New York, the Speaker of the New York State Assembly, the Majority Leader of the New York State Senate, New York State Senator John Bonocic and New York State Assemblywoman Aileen Gunther, the Commissioner of the New York State Department of Environmental Conservation, the Commissioner of the New York State Department of Health and the Administrator of Region III of the New York State Department of Environmental Conservation.

Moved by _____.

Seconded by _____.

And adopted on motion _____, 2012

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