

Prohibiting The Leasing Of Any County-Owned Lands, Including But Not Limited To County Parks For High-Volume Chemical Slick-Water Hydraulic-Fracturing To Extract Natural Gas

Legislators Zimet, Petit, Aiello, Bernardo, Gregorious and Madsen and Co-Sponsors: Legislators Briggs, Donaldson, Hochberg, Lomita, Loughran, Richard Parete, Robert Parete, Provenzano, Rodriguez, Shapiro, Sheeley and Stoeckeler offer the following:

WHEREAS, it is increasingly clear that drilling for natural gas using slick-water hydraulic-fracturing (hydrofracking) may have severe adverse impacts on communities and the environment, and

WHEREAS, the process of pumping chemicals under intense pressure into an underground shale formation to release gas for extraction may contaminate drinking water supplies, including the New York City system in the Catskills, and

WHEREAS, such activity would undoubtedly place added stress on species that may increasingly come under stress from the impacts of climate change, and

WHEREAS, past Governor David A. Paterson had issued Executive Order 41 - Requiring Further Environmental Review of High Volume Hydraulic Fracturing in the Marcellus Shale directing the Department of Environmental Conservation (DEC) to conduct further comprehensive review and analysis of high-volume horizontal hydraulic fracturing in the Marcellus Shale thereby requiring that high-volume, horizontal hydraulic fracturing would not be permitted until July 1, 2011, at the earliest, and

WHEREAS, Executive Order No. 41 does not include low volume vertical hydraulic fracturing which allows 16 wells for every single horizontal well, and utilizes similar toxic compounds to extract gases, and

WHEREAS, similar extraction practices in a township in Susquehannah County, Pennsylvania, contaminated the drinking water supply and subsequent litigation and a settlement of 4.1 million dollars was awarded to the residents, and

WHEREAS any economic boost to the state's economy from development and sale of natural gas from Marcellus Shale is short term at best, and will foreclose the long-term economic benefit to the county of tourism and agriculture, and

WHEREAS, the Ulster County Legislature adopted Resolution 378 - County of Ulster Energy Policy on December 10, 2008, which included minimizing greenhouse gas emissions, that would be impossible to meet if natural gas drilling occurred on County-owned land, and

Resolution No. 74 March 15, 2011

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WHEREAS, improving and protecting the quality of life, Open Space and Waterways concluded that increased energy conservation and use of renewable energy are important ways to avert the most catastrophic impacts of climate change, now, therefore, be it

RESOLVED, that Ulster County will not lease any county-owned lands, including but not limited to County park lands, for high-volume, **chemical** slick-water hydraulic-fracturing to extract natural gas, and be it further

RESOLVED, that the Clerk of the Ulster County Legislature shall forward copies of this resolution to Governor Andrew M. Cuomo, Senate Majority Leader Dean G. Skelos, Senate Minority Leader John L. Sampson, Assembly Speaker Sheldon Silver, Assembly Majority Leader Ron Canestrari, Assembly Minority Leader Brian M. Kolb, New York State Senators John J. Bonacic and William J. Larkin, Jr., New York State Assemblymen Kevin A. Cahill, Clifford W. Crouch, Peter Lopez and Thomas Kirwan, New York State Department of Environmental Conservation Acting Commissioner Joseph Martens, and the New York State Association of Counties,

and move its adoption.

ADOPTED AS AMENDED BY THE FOLLOWING VOTE:

AYES: 31 NOES: 0
(Absent: Legislators Felicello and Shapiro)

Legislator Zimet motioned, seconded by Legislator Madsen to amend the resolution adding the word “chemical” to the title and the first “RESOLVED” and adding New York State Assemblyman Cahill to the second “RESOLVED”.

MOTION ADOPTED BY THE FOLLOWING VOTE:

AYES: 31 NOES: 0
(Absent: Legislators Felicello and Shapiro)

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FINANCIAL IMPACT:
NONE

0301

STATE OF NEW YORK

ss:

COUNTY OF ULSTER

This is to certify that I, the undersigned Clerk of the Legislature of the County of Ulster have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 15th day of March, 2011, and that the same is a true and correct transcript of said resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of the County of Ulster this 18th Day of March in the year Two Thousand and Eleven.

/s/ Karen L. Binder
Karen L. Binder, Clerk
Ulster County Legislature

Submitted to the County Executive this
18th Day of March, 2011.

/s/ Karen L. Binder
Karen L. Binder, Clerk
Ulster County Legislature

Approved by the County Executive this
22nd Day of March, 2011.

/s/ Michael P. Hein
Michael P. Hein, County Executive