

ADOPTED**Resolution No. 2013-177**

**Urging Continuing the Moratorium on High-Volume Hydraulic Fracturing
and to Advance a Renewable Energy Economy in New York State**

WHEREAS, New York State has historically led the nation in matters of advancing social progress, including the abolition of slavery, women's suffrage, civil rights, and environmental stewardship, and

WHEREAS, scientific evidence shows that the heavy industrial process of unconventional gas extraction by high-volume horizontal hydraulic fracturing (HVHFF) poses serious risk of water contamination^{iiiiivv}, air pollution^{viii}, and health impacts^{viiiix}, and

WHEREAS, the New York State Medical Society, representing 30,000 medical experts, the American Academy of Pediatrics of New York, the American Lung Association of New York, and many independent medical experts and scientists have called on Governor Andrew Cuomo and the New York State Legislature to continue New York's moratorium on HVHFF and to conduct further health studies including a comprehensive health impact assessment^x, and

WHEREAS, data from Pennsylvania and the gas industry on well-casing integrity show an immediate 5% or higher failure rate^{xi} and as much as 50% or more over 30 years^{xii} raise serious concerns of water contamination, and

WHEREAS, HVHFF threatens to negatively impact property values^{xiiiiv}, disrupt municipal tax bases, and could effectively create an additional unfunded state mandate - as has been raised by the New York State Association of Counties^{xv} - by imposing costs and strains on municipalities such as road damage^{xvi} and increased demands on municipal services, etc., and

WHEREAS, research on the economic and social impacts of hydraulic fracturing raises concerns regarding increased crime rates^{xvixviii} and hazards for first responders, as well as an influx of workers^{xix} who send their paychecks out-of-state while raising local rental housing prices and disrupting existing businesses and economies, and

WHEREAS, in addition to emissions of carbon dioxide and other heat-trapping gases associated with gas development activities, HVHFF gas development releases methane in the atmosphere, which is at least 72 times more potent in the atmosphere than carbon dioxide on a 20-year timescale and 25 times on a 100-year timescale^{xx}, thereby making the process potentially disastrous for climate change^{xxi}, and

WHEREAS, New York communities have been significantly affected by the impacts of Hurricanes Irene and Sandy as well as lesser storms including Tropical Storm Lee, extreme weather events that are connected to/exacerbated by climate change due to increases in heat-trapping gases in the atmosphere^{xxii}, costing New Yorkers tens of billions of dollars in damages and lost business opportunities^{xxiii}, and

WHEREAS, significant action is necessary to address climate change, action that the federal government has to date failed to take, including energy conservation and advancing a clean energy infrastructure and making a significant economic transition to renewable energy sources, and

WHEREAS, we need to expand local employment opportunities in our communities and for our

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young people in sustainable, safe, long-term jobs and careers, and invest in industries that will create jobs for decades to come - in contrast to reliance on the “boom to bust” economic cycle associated with extraction of non-renewable resources^{xxivxxv}, and

WHEREAS, expansion of renewable energy and energy efficiency present the opportunity to create a significant number of jobs for New Yorkers and for New York State^{xxvi} to lead the nation on a visionary energy policy that will protect our water, air, land, and public health while developing climate solutions, and

WHEREAS, Governor Cuomo’s Administration has already demonstrated leadership on innovative clean energy programs including the investment of \$1.5 billion in New York Sun^{xxvii}, opening 360 electric vehicle charging stations that will be available for both the public and county fleet vehicles^{xxviii}, and establishing the active Regional Economic Development Councils, now therefore be it

RESOLVED, on recommendation of the Planning, Energy, and Environmental Quality Committee, That Tompkins County urges Governor Cuomo and the New York State agencies in the Executive branch that he leads to continue the de-facto moratorium on high-volume horizontal hydraulic fracturing, complete and disseminate all studies, especially the New York State Department of Health review/assessment/study on public health impacts of HVHFF, allot sufficient time for public comment on new studies, take into account such public comment, and focus on taking swift action in developing and adopting an economic development plan that will significantly reduce the State’s greenhouse gas emissions as well as rapidly create and deploy renewable energy and energy-efficiency programs throughout municipalities in New York State,

RESOLVED, further, That Tompkins County stands ready to work with the Governor to achieve these goals that will in the process create safe, sustainable jobs for New Yorkers and pioneer the path forward for the nation to solve the climate crisis and provide real, clean solutions for generations to come,

RESOLVED, further, That copies of this resolution will be sent to Governor Andrew Cuomo, the appropriate State and Federal Representatives and Department Heads, New York State Association of Counties, New York State Association of Towns, and New York State Conference of Mayors.

SEQR ACTION: TYPE II-20

ⁱ Christopher Crockett, “Methane in Pennsylvania Groundwater May Originate in Fracked Gas Wells,” *Scientific American* (June 28, 2013), Available <<<http://www.scientificamerican.com/article.cfm?id=methane-in-pennsylvania-duke-study>>>

ⁱⁱ Stephen G. Osborn, Avner Vengosh, Nathaniel R. Warner, and Robert B. Jackson. “Methane Contamination of Drinking Water Accompanying Gas-well Drilling and Hydraulic Fracturing.” *Proceedings of the National Academy of Sciences of the United States of America*. N.p., n.d. Web.

<<http://www.nicholas.duke.edu/hydrofracking/Osborn%20et%20al%20Hydrofracking%202011.pdf>>

ⁱⁱⁱ Legere, Laura. “Sunday Times Review of DEP Drilling Records Reveals Water Damage, Murky Testing Methods.” *The Times-Tribune.com*. The Times-Tribune, 19 May 2013. Web. 28 Aug. 2013.

<<http://thetimes-tribune.com/news/sunday-times-review-of-dep-drilling-records-reveals-water-damage-murky-testing-methods-1.1491547>>

^{iv} Gerken, James. “Texas Barnett Shale Study Finds Elevated Levels Of Heavy Metals Near Natural Gas Extraction Sites.” *The Huffington Post*. TheHuffingtonPost.com, 26 July 2013. Web. 28 Aug. 2013.

<http://www.huffingtonpost.com/2013/07/26/texas-barnett-shale-study_n_3659907.html>

^v Lustgarten, Abraham. “Buried Secrets: Is Natural Gas Drilling Endangering U.S. Water Supplies?” *Pro Publica*. Propublica.org, 13 Nov. 2008. Web. 28 Aug. 2013.

<<http://www.propublica.org/article/buried-secrets-is-natural-gas-drilling-endangering-us-water-supplies-1113>>

^{vi} Weinhold, Bob. “The Future of Fracking: New Rules Target Air Emissions for Cleaner Natural Gas Production.” *EHP*. Ehp.niehs.nih.gov, 2 July 2012. Web. 28 Aug. 2013. <<http://ehp.niehs.nih.gov/120-a272/>>

^{vii} Song, Lisa. “Hazardous Air Pollutants Detected Near Fracking Sites.” *Bloomberg.com*. Bloomberg, 03 Dec. 2012. Web. 28 Aug. 2013.

<<http://www.bloomberg.com/news/2012-12-03/hazardous-air-pollutants-detected-near-fracking-sites.html>>

^{viii} Finkel, Madelon L., PhD, and Adam Law, MD. “The Rush to Drill for Natural Gas: A Public Health Cautionary Tale.” *National*

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Center for Biotechnological Information. Ncbi.nlm.nih.gov, May 2011. Web. 28 Aug. 2013.

<<http://www.ncbi.nlm.nih.gov/pmc/articles/PMC3076392/#bib8>>.

^{ix} Brown, David. "Assessing the Risks of Fracking." *Times Union*. Timesunion.com, 9 Mar. 2013. Web. 28 Aug. 2013.

<<http://www.timesunion.com/opinion/article/Assessing-the-risks-of-fracking-4342593.php>>.

^x "Letters to Governor Cuomo." *Concerned Health Professionals of NY*. Concernedhealthny.org, 27 Feb. 2013. Web. 28 Aug. 2013.

<<http://concernedhealthny.org/letters-to-governor-cuomo/>>.

^{xi} Ingraffea, Anthony R., Ph.D, P.E. "Fluid Migration Mechanisms Due to Faulty Well Design And/or Construction: An Overview and Recent Experiences in the Pennsylvania Marcellus Play." *Physicians Scientists & Engineers for Healthy Energy*. Psehealthyenergy.org, Jan. 2013. Web. 28 Aug. 2013.

<http://www.psehealthyenergy.org/data/PSE_Cement_Failure_Causes_and_Rate_Analysis_Jan_2013_Ingraffea1.pdf>.

^{xii} Claudio Brufatto et al, "From Mud to Cement - Building Gas Wells," *Oilfield Review* 15.3 (Autumn 2003, 62-74.

^{xiii} Notte, Jason. "Fracking Leaves Property Values Tapped out." *MSNMoney*. Msn.com, 21 Aug. 2013. Web. 28 Aug. 2013.

<<http://money.msn.com/now/post--fracking-leaves-property-values-tapped-out>>.

^{xiv} Muoio, Danielle. "Duke Researchers Show Dip in Home Value Caused by Nearby Fracking." *The Duke Chronicle*. Dukechronicle.com, 16 Nov. 2012. Web. 28 Aug. 2013.

<<http://www.dukechronicle.com/articles/2012/11/16/duke-researchers-show-dip-home-value-caused-nearby-fracking>>.

^{xv} *Elected Officials to Protect New York*. "Elected Officials to Protect NY Declares Fracking a New Unfunded Mandate." Nyelectedofficials.org, 6 Feb. 2013. Web. 28 Aug. 2013.

<<http://www.nyelectedofficials.org/elected-officials-to-protect-ny-declares-fracking-a-new-unfunded-mandate/>>.

^{xvi} Reilly, Steve. "Document Estimates Fracking's Toll on N.Y. Roads: Repairs Could Cost Hundreds of Millions Annually, It States." *Pressconnects.com*. Pressconnects.com, 26 July 2011. Web. 28 Aug. 2013.

<<http://www.pressconnects.com/article/20110726/NEWS01/107260384/Document-estimates-fracking-s-toll-N-Y-roads>>.

^{xvii} Kirkpatrick, Rich, and Jack Lewis. "Increased Gas Drilling Activities Bringing New Challenges to Local Governments in Pennsylvania." *PR Newswire*. Pnewsire.com, 24 May 2013. Web. 28 Aug. 2013.

<<http://www.prnewswire.com/news-releases/increased-gas-drilling-activities-bringing-new-challenges-to-local-governments-in-pennsylvania-94774764.html>>.

^{xviii} Needles, Zack. "Must Crime Follow Pennsylvania's Gas Drilling Boom?" *Pittsburgh Post-Gazette*. Post-gazette.com, 15 Aug. 2011. Web. 28 Aug. 2013.

<<http://www.post-gazette.com/stories/business/legal/must-crime-follow-pennsylvanias-gas-drilling-boom-310373/>>.

^{xix} Ellis, Blake. "America's Boomtown: North Dakota Housing Crunch." *CNNMoney*. Cable News Network, 21 Oct. 2011. Web. 28 Aug. 2013. <http://money.cnn.com/2011/10/21/pf/america_boomtown_housing/index.htm?iid=EL>.

^{xx} United States Environmental Protection Agency. "Methane Emissions." *EPA*. Environmental Protection Agency, 31 July 2013. Web. 28 Aug. 2013. <<http://www.epa.gov/climatechange/ghgemissions/gases/ch4.html>>.

^{xxi} Schiffman, Richard. "Methane Leaks of Shale Gas May Undermine Its Climate Benefits." *The Christian Science Monitor*. The Christian Science Monitor, 23 June 2013. Web. 28 Aug. 2013.

<<http://www.csmonitor.com/Environment/Energy-Voices/2013/0623/Methane-leaks-of-shale-gas-may-undermine-its-climate-benefits>>.

^{xxii} "Greenhouse Gas Emissions: Greenhouse Gases Overview." *EPA*. Environmental Protection Agency, 31 July 2013. Web. 28 Aug. 2013. <<http://www.epa.gov/climatechange/ghgemissions/gases.html>>.

^{xxiii} Walsh, Bryan. "The Costs of Climate Change and Extreme Weather Are Passing the High-Water Mark." *Time*. Science.time.com, 17 July 2013. Web. 28 Aug. 2013.

<<http://science.time.com/2013/07/17/the-costs-of-climate-change-and-extreme-weather-are-passing-the-high-water-mark/>>.

^{xxiv} Christopherson, Susan M. "A Comprehensive Economic Impact Analysis of Natural Gas Extraction in the Marcellus Shale." *Green Choices*. Cornell.edu, May 2011. Web. 9 Sept. 2013.

<<<http://cce.cornell.edu/EnergyClimateChange/NaturalGasDev/Documents/PDFs/Comprehensive%20Economic%20Analysis%20project.pdf>>>.

^{xxv} Feser, Edward J., and Stuart H. Sweeney. "Out Migration, Population Decline, and Regional Economic Distress." <<http://geog.ucsb.edu>> <<http://geog.ucsb.edu>>. Ucsb.edu, Jan. 1999. Web. 9 Sept. 2013.

<<http://www.geog.ucsb.edu/~sweeney/q224/EDAdoc.pdf>> <<http://www.geog.ucsb.edu/%7Esweeney/q224/EDAdoc.pdf>>>.

^{xxvi} "Renewable Energy." *NYS Dept. of Environmental Conservation*. Dec.ny.gov, n.d. Web. 28 Aug. 2013.

<<http://www.dec.ny.gov/energy/40899.html>>.

^{xxvii} Chan, Julia. "New York to Inject US\$1.5 Billion in NY-Sun Initiative over 10 Years." *PV-Tech*. Pv-tech.org, 11 Jan. 2013. Web. 28 Aug. 2013.

<http://www.pv-tech.org/news/new_york_to_inject_us1.5_billion_in_ny_sun_initiative_over_10_years>

^{xxviii} Weaver, Teri. "NY to Build at Least 360 Electric Vehicle Charging Stations." *The Post-Standard*. Syracuse.com, 11 Apr. 2013. Web. 28 Aug. 2013.

<http://www.syracuse.com/news/index.ssf/2013/04/ny_to_build_at_least_360_elect.html>.

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