

RESOLUTION NO. 47

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

Introduced: 2/13/12

By Messrs. Higgins, Mackey, Bullock, Clenahan and Steck:

WHEREAS, Horizontal drilling and high volume hydraulic fracturing are technologies that allow for the extraction of natural gas from areas of shale formation, and

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

WHEREAS, While there is potential for these technologies to have positive economic impacts, there is a need for further study to evaluate the long term environmental and community impacts of hydrofracking, particularly with respect to water quality, the composition of the fluids used to fracture the shale and the containment and disposal of those fluids, and

WHEREAS, It is imperative that the New York State Department of Environmental Conservation address the cumulative and indirect impacts of hydrofracking including, but not limited to, water quality impacts through potential contamination of groundwater and surface water, the greenhouse gas emissions that hydrofracking produces, and the potential health impacts that may be associated with hydrofracking, and

WHEREAS, New York State needs to promulgate regulations that provide environmentally responsible safeguards to protect both the citizens and natural resources of this State and mitigate any potential adverse environmental impacts, and

WHEREAS, For purposes of this resolution the following terms shall be defined as:

“Exploration” – Geologic or physical activities related to the search for natural gas or other subsurface hydrocarbons including prospecting, geophysical and geologic seismic surveying and sampling techniques, which include, but are not limited to, core or rotary drilling or other excavation in the search and evaluation of natural gas deposits.

“Natural Gas” – Any gaseous substance, either combustible or noncombustible, which is produced in a natural state from the earth and which maintains a gaseous or rarified state at standard temperature and/or pressure conditions; and/or gaseous components or vapors occurring in or derived from petroleum or other hydrocarbons.

“Natural Gas Production Wastes” – Any sludge, refuse, garbage, or other discarded materials that result from the exploration, drilling, or extraction of Natural Gas, including, but not limited to, solid, liquid, semisolid, and/or contained gaseous material which are hereby found to be hazardous wastes.

now, therefore be it

RESOLVED, By the Albany County Legislature that no person, corporation or other legal entity shall conduct any exploration for natural gas, drill any well for natural gas; store, transfer, treat, or dispose of Natural Gas Production Wastes; erect any derrick, building, or other structure or employ or locate any machinery or equipment for such purpose on, under or through the property owned by the County of Albany, and be it further

RESOLVED, That the Clerk of the County Legislature is directed to forward certified copies of this resolution to the appropriate County Officials, the Commissioner of the Department of Environmental Conservation, Assemblymen Ronald Canestrari, Robert Reilly, John McEneney and Senator Neil Breslin.

Referred to Law and Conservation and Improvement Committees. 2/13/12