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Environment, Public Health, and Public Safety Committee
March 18, 2009
PUBLIC HEARING

Resolution calling on the New York State Legislature, the New York State Department of Environmental Conservation, and New York State Governor David Paterson to PROHIBIT DRILLING FOR NATURAL GAS WITHIN NEW YORK STATE.

Whereas, Natural gas exploration and production companies, and mineral rights owners, are interested in developing a potentially significant gas resource in the Marcellus Shale through the use of horizontal drilling and a hydraulic fracturing technique known as “slick water fracturing” which requires large volumes of water; and

Whereas, the State Environmental Quality Review Act requires the Department of Environmental Conservation to review the methods used while accessing this natural gas that’s located deep within the Earth; and

Whereas; We heard presentations from experts on this issue, among them: James Gennaro, Chair of New York City Council Environmental Protection Committee; Dr. Stephen Corson, Policy Analyst for Manhattan Borough President and lead author of the Borough President’s report on this issue; Jared Chasow, Legislative Aide for Senator Tom Duane; Deborah Goldberg, Managing Attorney for Earth Justice’s Northeast Office; Craig Michaels, Watershed Program Director for Riverkeeper; and Joe Levine, Co-founder of NY-H2O; and

Whereas, Our committee screened a film segment by Josh Fox showing recent destructive consequences/affects of this process; and

Whereas, Siobhan Watson spoke for New York City Council Speaker Christine Quinn and said the Speaker was keenly aware of this issue and hasn’t taken a position yet; and

Whereas, Matthew Borden spoke for New York State Assembly Member Deborah Glick to say she is entirely opposed to this dangerous drilling activity and he distributed copies of her public testimony on the matter; and

Whereas, over 70 people attended this Public Hearing, including board members of Manhattan Community Boards 3, 6, & 7; and

Whereas, Hydraulic Fracturing mixes water with sand and 250+ toxic chemicals; and

Whereas, the 2005 Energy Policy Act exempts companies who employ Hydraulic Fracturing methods from having to comply with many public health laws which were specifically written to protect our natural resources and well being (e.g. Safe Drinking Water Act, Clean Water Act, Emergency Planning & Community Right-to-know Act); and

Whereas, Chapter 376 of the Laws of New York State of 2008 streamlined the permitting process for horizontal wells that use hydraulic fracturing, allowing the development of natural gas drilling sites within Marcellus Shale in New York to proceed more quickly; and

Whereas, the New York State Department of Environmental Conservation Division of Mineral Resources, Bureau of Oil & Gas Regulation held scoping hearings upstate for a Draft Supplemental Generic Environmental Impact Statement, but failed to hold any hearings within New York City despite the fact 90% of our water supply comes from the Catskill and Delaware watersheds; and

Whereas, Chemicals contained in hydraulic fracturing fluids cause a variety of irreversible and catastrophic damages to the air, water, public health, wildlife, and integrity of local communities; and

Whereas, Hydraulic fracturing presents risks of water contamination during drilling operations and during the storage and disposal of millions of gallons of the water and chemical additive mixture required for each well that is created; and

Whereas, Hydraulic fracturing has resulted in contaminated water supplies in other states, including Wyoming and New Mexico; and

Whereas, No amount of careful planning and operation can guarantee that there will be no chemical spills that could flow into reservoirs, underground migration of fracturing fluids toward the water supply, or other accidents resulting from drilling operations; and

Whereas, If the water supply should be contaminated, the City of New York would be required by the Environmental Protection Agency to build and operate a water filtration plant, the cost of which has been estimated to be approximately \$10 billion, which would be borne by New York City taxpayers; and

Whereas, Absolutely no evidence has been shown by any organization that fluids used during Hydraulic Fracturing can be completely filtered out of drinking water; and

Whereas, Council Member Gennaro has introduced Resolution No. 1850 in the New York City Council that calls for a ban for drilling within our Watershed Area; and

Whereas, There is no possible remedy once contamination has occurred; and

Therefore let it be resolved, this method for accessing natural gas is FAR TOO DANGEROUS to the air, water, public health, wildlife and integrity of local communities to be approved by any Federal or New York State entity; and

Therefore be it further resolved, Manhattan Community Board 2 calls on the New York State Legislature, the New York State Department of Environmental Conservation, and New York State Governor David Paterson to prohibit Hydraulic Fracturing drilling for natural gas within New York State.

Committee vote: Unanimous approval

Full board vote: Unanimous approval

Respectfully submitted,



Jason Mansfield
Chair
Environment, Public Safety, Public Health Committee



Brad Hoylman
Chair
Manhattan Community Board 2