

RESOLUTION NO. 86-09

RESOLUTION REQUIRING TOWNS TO BE INVOLVED AGENCIES IN GAS DRILLING ACTIVITIES

WHEREAS, It is estimated that the geologic rock formation known as Marcellus Shale may contain up to several trillion cubic feet of natural gas under a large portion of the southern tier of New York State; and

WHEREAS, the Town of Lebanon has been experiencing a significant increase in gas well development since 2002, and

WHEREAS, the high percentage of acreage currently leased with gas companies within the Town of Lebanon has led to the development of numerous gas wells permitted within the Town's boundaries by the New York State Department of Environmental Conservation (DEC) with more anticipated, and

WHEREAS, the Town of Lebanon has approximately 55 gas wells that have already been drilled and another 30 in various stages of exploration or development anticipated, and

WHEREAS, drilling into the Marcellus Shale will require millions of gallons of water plus tens of thousands of gallons on chemicals, many toxic and carcinogenic, for each hydrofracturing episode where this liquid mixed with special sand is injected into the ground under high pressure; and

WHEREAS, the injection and subsequent removal of this toxic mixtures from hydrofracturing is just one human error from contaminating drinking and surface water; and

WHEREAS, the transport of this massive amount of water and produced fracturing fluid creates a significant public hazard and potential wear/impact to Town roads as well as transportation issues for waste disposal, and

WHEREAS, the sound, vibration, and light from the drilling operation will continue to have a notable impact on the residential and farming community of our town and region; and

WHEREAS, most rural towns, including the Town of Lebanon, have no industrial development to date, yet with the continued onset of gas drilling could become home to potential industrial sites, and

WHEREAS, unlike every other industry that would want to site within a Town, gas wells are sited by the industry and permitted by the state DEC, and not the community that hosts it, and

WHEREAS, the draft Supplemental Generic Environmental Impact Statement for drilling in the Marcellus Shale does not address the cumulative impacts of more than one well, yet the impacts to the Town of Lebanon's property values and assessment, roads, water supply, landscape, and community could continue to be significant as the drilling of gas wells continues, and

WHEREAS, the New York State Department of Environmental Conservation (DEC) is not in a position to assess the cumulative impacts of many gas wells, but Municipalities, who best know and can evaluate these impacts are, so all local governments must be part of the review process for natural gas drilling permit

applications and the comments of municipalities should be considered and given Involved Agency weight when determinations relating to natural gas applications are involved,

**NOW THEREFORE BE IT RESOLVED,** , that the Town of Lebanon requests that the Department of Environmental Conservation promulgate regulations with regard to the Supplemental Generic Environmental Impact Statement for drilling in the Marcellus Shale and all other geological areas of the state permitted for gas development for the state to require that local government be designated as Involved Agencies for State Environmental Quality Review Act (SEQRA) proceedings relating to natural gas permit applications for proposed sites within the boundaries of the local governments, and

**BE IT FURTHER RESOLVED,** that local governments' statements be solicited and given significant weight when determinations relating to all natural gas applications are made; and

**BE IT FURTHER RESOLVED,** that the Town of Lebanon Town Board directs the Town Clerk to forward copies of this resolution to Commissioner Pete Grannis, New York State Department of Environmental Conservation, Governor David Paterson, 23<sup>rd</sup> District Congressman William Owens, United States Senator Charles Schumer, United States Senator Kirsten Gillebrand, State Senator David Valesky, State Assemblyman William Magee, the NYS Association of Towns (ATONYS) and the New York State Association of Counties (NYSAC).

On Motion Of

  
James Goldstein, Supervisor, Chair, Administration and Oversight

Seconded by

  
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Vote: King ☒ Hartshorn ☒ Morgan ☒ Wilcox ☒ Goldstein ☒

Approved ☒ Defeated \_\_\_\_\_

Dated: Nov. 9, 2009