

Buffalo to Cuomo: Ban Fracking Now! New York's Second Largest City Stands Up Against Drilling

Amidst reports that New York State might green light hydraulic fracturing this year, the Buffalo Common Council today passed a resolution to support S4220 and A7218, bills that would prohibit fracking and wastewater treatment in New York.

The resolution states that fracking's negative impacts could affect Buffalo and other Great Lakes communities.

The Common Council also urged Governor Cuomo not to move forward with plans to open New York to fracking, explaining that regulation cannot protect against mistakes, some of which have recently come to light through EPA investigations in Pennsylvania and Wyoming.

"It is important that Buffalo sends a clear message to the State that we are unified in our request to pass a ban on hydrofracking in New York," said Councilmember David Rivera. "We took action to ban hydrofracking in Buffalo and we now want the State to follow suit."

"The Buffalo Common Council voted to ban fracking in the City of Buffalo due to its negative effects on groundwater and neighboring properties," added Council President Richard Fontana. "This must be any government's top priority to protect the water supply and the health of the residents in the area."

In February 2011 Buffalo became the first city in New York State to protect residents from drilling and waste disposal by passing municipal legislation opposing fracking and fracking waste in order. Buffalo has led the statewide fight against fracking with their municipal legislation, with over 60 municipalities having passed some sort of local ordinance restricting fracking since. Now, the second largest city in New York is standing up again, this time to protect its neighbors.

"The council recognizes that New York's urban centers would be sacrificing its rural towns in order to tap into shale gas," said Rita Yelda of Food & Water Watch. "This is a monumental and historic day not only for Buffalo, but for all of New York State, and for communities everywhere affected by gas drilling."

The city is the home district of the Senate Environmental Conservation Committee, where the ban bill, SB4220, is currently stalled. "There has been overwhelming support for this resolution and letter in the community. We were there cheering on the local ban and now we're here packing council chambers to again show our support. However, it's also disappointing to see that at the state level, legislators have not taken our side," said Yelda.

Fracking has been cited as a threat to surface and ground water throughout the

region, and has been blamed for fatal explosions and the contamination of drinking water, local streams, the air and soil.

Collateral damage includes lost property value and drying up of mortgage loans for prospective homebuyers. On January 11, the Department of Environmental Conservation (DEC) closed the public comment period on their fracking study, the Supplemental Generic Environmental Impact Statement (SGEIS).

Overwhelming opposition to fracking in New York has been expressed throughout the DEC's public comment period on their study, with more than 60,000 people submitting written comments. "Tens of thousands of people and dozens of major advocacy organizations across New York have told the DEC and Governor Cuomo that regulations won't make fracking safe," said Yelda. "Many public comments across the state have instead asked for a permanent ban on fracking. Buffalo has joined in on asking Governor Cuomo to reject the flawed environmental impact study and instead pass a bill banning fracking in New York."

Western New York could be hit the hardest if fracking moves forward in the state. The DEC's study currently recommends that horizontal drilling be banned entirely in the New York City and Syracuse watersheds, but no Western New York watersheds have been protected. Western New York watersheds would be susceptible to contamination from drilling operations, and local residents may be forced to rely on outdated filtration systems as a line of defense.

"This resolution really shows how far we have come to protect the citizens of this community. For the longest time, there had been a stigma attached to the Buffalo area due to the high contamination from the former heavy industries that have since left the area," said Councilmember Joseph Golombek Jr.

"This resolution shows that our local elected officials are willing to stand up to protect our citizens, and our environment, from being a dumping ground for hydro-fracking waste. Many see this as just the newest form of heavy industrial contamination."

"As supplies of fresh water in the U.S. are dwindling, New York State should conserve its most envied and abundant supplies of fresh water for future human consumption and not use it as a vehicle to extract toxic-laden natural gas buried thousands of feet below the Earth's surface.

We support the Buffalo Common Council and urge Governor Andrew Cuomo to support the ban on hydraulic fracturing in New York State," said Charley Bowman, Executive Director of the WNY Peace Center.

"All of New York is grateful for the Buffalo Common Council's leadership in calling for a statewide ban on fracking," said Jessica Roff, a volunteer with Food & Water Watch

in New York City. "We urge the New York City Council and other local officials to follow Buffalo's example in standing up for the safety of our state's water, air and food."

"There is a growing recognition that the state's proposed regulations will fail to protect New York residents and the state's drinking water supply from the toxic chemicals used in fracking. The question is now whether Governor Cuomo will listen to the oil and gas industry or the people of New York. There is a strong mandate for the Governor to put a stop to the process of opening up New York to fracking," said Yelda.

On Monday March 5th, following Buffalo's lead, the Niagara Falls Common Council passed a similar resolution supporting a statewide ban on fracking as a message to Governor Cuomo. They also passed legislation to prohibit fracking and fracking waste from entering the city. This legislation makes Niagara Falls the latest municipality to pass local legislation protecting their residents

Copy of Buffalo Common Council letter to Governor Cuomo:

The Honorable Andrew M. Cuomo
Governor of New York State
NYS State Capitol Building
Albany, NY 12224

March 6, 2012

Dear Governor Cuomo,

As you may know, the City of Buffalo Common Council passed a local law that prohibits natural gas drilling and the disposition of natural gas exploration and production wastes within our city in February 2011. Recently, on March 6, 2012 we also passed a resolution in support of prohibiting hydraulic fracturing in New York State. We feel that a law to prohibit natural gas drilling in New York will protect our residents and neighbors from the harmful effects of drilling, as well as safe-guarding our air, our land, and our local waterways.

The time has come to be realistic on how big of a risk we want to take for New York State's people, environment, and economy. With a slashed DEC budget and lax industry oversight, we do not feel drilling can be done safely in New York. Fracking in its current form shouldn't be permitted, and as evidence of its unintended consequences grows, so do the uncertainties in our ability to prevent them. Furthermore, there has never been a long-term analysis of fracking's impact on health and the environment.

Our city also lies atop a portion of Marcellus shale, and Utica shale, which would also require fracking to extract the natural gas. Both urban and rural communities are potential targets for drilling and wastewater disposal. Neighboring Niagara Falls is considering treatment of fracking waste water. We share the Great Lakes region with each other and many other communities. The chemicals used in drilling are not biodegradable and solids from the waste could enter local landfills. Chemicals used in hydraulic fracturing have adverse health effects to the endocrine system and can lead to cancer.

Widespread natural gas extraction threatens the regional character of Upstate New York with high-frequency, high impact truck traffic destroying our roads and causing traffic congestion, fragmentation of our forests, loss of agricultural lands, and consumptive use of immense quantities of fresh water. The quality of air, water, and land often plummets when drilling begins in a community.

Whether it's the U.S. Environmental Protection Agency's (EPA) recent findings potentially linking fracking to groundwater contamination in Pavilion, WY., the EPA's finding of arsenic, barium, and other drilling chemicals in water in Dimock, PA, the over estimate of shale reserves and jobs, or the absence of a framework to adequately indemnify those adversely affected-- fracking's risks to the public remain too high. This injection of known carcinogens and other toxic compounds into the ground, and their inefficient recovery and treatment, is unsuitable for NYS. In the case of damages, loss of use of property or to the health of family members, arising out of or in any way connected with fracking, the residents of Western New York and the entire state are those who will have to pay.

Please join us in taking a lead in saying NO to continued expansion of fossil fuel use and its negative impacts on our health and environment. Let's not turn New York into an industrialized wasteland. Stand up with us in passing legislation to prohibit natural gas drilling and drilling waste from coming in to our beautiful state.

Thank you for focusing on this extremely pressing and important issue.

Sincerely,

The Buffalo Common Council

Richard A. Fontana, Council President, Lovejoy District
Demone A. Smith, Majority Leader, Masten District
Bonnie E. Russell, President Pro Tempore, University District
Joseph Golombek, Jr., North District
David A. Franczyk, Fillmore District
Darius G. Pridgen, Ellicott District
Michael P. Kearns, South District
Michael J. LoCurto, Delaware District
David A. Rivera, Niagara District