

Jacqueline Ludorf
Chair

Latha Thompson
District Manager



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The City of New York
Manhattan Community Board 8
Environment & Sanitation Committee Meeting
Hunter College School of Social Work
129 East 79th Street, 4th Floor
September 28, 2010 at 6:30 PM

Community Board Members (Present): Roy Carlin, Larry Hockert, Jackie Ludorf, Mary Pike, Ellen Polivy, Teri Slater, Debbie Teitelbaum

Community Board Members (Excused): Michael Auerbach, David Kleckner

Total Attendance: 20

Discussion of NYS legislative proposals S.8129B which would suspend hydraulic fracturing in New York State with no drilling or permits being issued until May 15, 2011 and A.10490A/S.7592A that would establish a moratorium on hydraulic fracturing until 120 days after the U.S. EPA issues its study on hydraulic fracturing's potential impact on drinking water, human health and the environment.

Our meeting began with a presentation by Dr. Stephen Corson, Investigative Policy Analyst for Borough President Stringer. Dr. Corson began by weighing the merits of two bills that are presently being admitted into the legislature about various moratoriums regarding hydraulic fracturing in upstate NY. The first bill is Senate 8129B. This bill has passed the Senate but has not yet been voted on in the Assembly. S.8129B would suspend hydraulic fracturing in New York State with no drilling or permits being issued until May 15, 2011. According to the bill, by delaying the DEC's ability to issue permits until May 15, 2011, the bill provides the legislature additional time to assess the true environmental impacts of horizontal drilling and hydraulic fracturing. The rationale given by the bill's sponsor, Senator Antoine Thompson, is that the moratorium would give the State legislature time to study the DEC's pending SGEIS (Supplemental Generic Environmental Impact Statement) and amend the rules if necessary if they don't find the DEC's SGEIS adequate. The second bill, which BP Stringer's office favors, is A.10490/S.7592A sponsored by State Senator Joseph Addabbo. This bill would enact a moratorium on natural gas drilling and hydraulic fracturing in New York State until at least 120 days after the EPA conducts their nationwide study on the effects of hydraulic fracturing on water quality and public health. There are several reasons why the Borough President's office favors this bill. The first is because they believe the EPA has greater capacity than the NY State DEC to draw on experts, practitioners and academics from across the nation to sit on their scientific advisory board, making their study much more in depth. The BP's office worries about hastily going into this type of drilling as well, considering the dozens of examples where there have been problems with this type of drilling across the country. Finally, the DEC SGEIS was supposed to be completed this Fall, but the DEC is now saying that they have no timeline at all. A.10490/S.7592A has not yet been voted on in the Senate or the Assembly. Dr. Corson then showed clips from the Senate debate on August 3, 2010, before they passed S8129B. Upon concluding his presentation, Dr. Corson took questions from the public and committee. Teri Slater expressed how we should be looking at this issue from a State perspective, not just one that pertains to our drinking water supply.

At the conclusion of the discussion, the following resolution was passed unanimously:

WHEREAS, Manhattan Community Board 8 (CB8) convened a public forum on April 28, 2009 where information and views were shared by staff of elected officials, environmental advocacy organizations, industry, and the general public which highlighted concerns about drilling in upstate New York for natural gas through a process called "hydraulic fracturing;"

WHEREAS, at the May 20, 2009 Full Board Committee Meeting of CB8, a resolution was adopted (by a vote of 38 in favor, 0 opposed, and 2 abstentions) calling for a moratorium on gas drilling by means of hydraulic fracturing at least within the Catskill/Delaware watershed region, unless and until it may be determined by DEC and other decision makers that hydraulic fracturing is safe to practice within NYS, including posing no threat to NYC's water supply;

WHEREAS, the U.S. Environmental Protection Agency (EPA) is now conducting a study on hydraulic fracturing's potential impact on drinking water, human health and the environment;

WHEREAS, a bill was introduced in the NYS legislature sponsored by Assembly Member Englebright and Senator Addabbo ([A. 10490A/ S. 7592A](#)) that would establish a moratorium on hydraulic fracturing until 120 days after the EPA issues the report (PLEASE SEE ATTACHED LEGISLATIVE PROPOSAL);

THEREFORE, be it resolved that Manhattan CB8 supports the intent of NYS legislative proposal A.10490A/S.7592A that would establish a moratorium on hydraulic fracturing until 120 days after the U.S. EPA issues its study on hydraulic fracturing.

VOTE: 7-0-0 (Yes) Carlin, Hockert, Ludorf, Pike, Polivy, Slater, Teitelbaum

There being no further business the meeting was adjourned.

David Kleckner and Debbie Teitelbaum
Co-Chairs Environment and Sanitation

S7592: Establishes a moratorium on conducting hydraulic fracturing for the extraction of natural gas or oil until 120 days after federal EPA issues report thereon

Sponsor: [ADDABBO](#)

Same as: [A10490](#)

Co-sponsor(s): [ADAMS](#) [DILAN](#) [DUANE](#) [HASSELL-THOMPSON](#) [HUNTLEY](#) [KLEIN](#) [KRUEGER](#) [KRUGER](#) [MONTGOMERY](#) [ONORATO](#) [OPPENHEIMER](#) [PADAVAN](#) [Peralta](#) [PERKINS](#) [SAVINO](#) [SCHNEIDERMAN](#) [SERRANO](#) [SQUADRON](#) [STAVISKY](#) [STEWART-COUSINS](#)

Committee: [ENVIRONMENTAL CONSERVATION](#)

Law Section: Environmental Conservation

S7592 Summary

Establishes a moratorium on conducting hydraulic fracturing for the extraction of natural gas or oil until 120 days after federal Environmental Protection Agency issues a report on the effects of hydraulic fracturing on water quality and public health.

Act: AN ACT to establish a moratorium upon conducting hydraulic fracturing pending the issuance of a report thereon by the federal Environmental Protection Agency; and providing for the repeal of such provisions upon the expiration thereof

S7592 Actions

S7592A - AMEND AND RECOMMIT TO ENVIRONMENTAL CONSERVATION - Jun 2, 2010

S7592A - PRINT NUMBER 7592A - Jun 2, 2010

S7592 - REFERRED TO ENVIRONMENTAL CONSERVATION - Apr 23, 2010

S7592 Memo

BILL NUMBER: S7592

TITLE OF BILL :

An act to establish a moratorium upon conducting hydraulic fracturing pending the issuance of a report thereon by the federal Environmental Protection Agency; and providing for the repeal of such provisions upon the expiration thereof

PURPOSE OR GENERAL IDEA OF BILL :

This bill seeks to place a moratorium upon the activity of hydraulic fracturing until such time as the environmental protection agency has released their report on the effects of hydraulic fracturing on ground-water and freshwater supplies.

SUMMARY OF SPECIFIC PROVISIONS :

Establishes a moratorium on conducting hydraulic fracturing for the extraction of natural gas or oil until 120 days after federal environmental protection agency.

JUSTIFICATION :

On March 18, 2010 the EPA announced that it will be conducting a comprehensive two-year research study to investigate the potential adverse impacts that hydraulic fracturing may have on water quality and public health. Hydraulic fracturing, a process that involves vertical and horizontal drilling and fracturing of underground formations to facilitate withdrawal of natural gas or oil from shale and other geological formations, injects fresh water, fracturing fluids and sand into the formation, which in turn withdraws the gas and separates leftover waters. The fracturing fluid is composed of dozens of chemicals that acts as a lubricant for the sand. These chemicals can include potentially dangerous petrol compounds. Millions of gallons of water, sand and fracturing fluids are needed to fracture a natural gas well.

New York State must continue to be vigilant where questions of water quality and public health are concerned and must have all available information before allowing a questionable practice - such as hydraulic fracturing - to take place without fully knowing the potential dangers. This legislation shall place a moratorium on such activity until the EPA study has been completed and the results are known and made available to the public.

PRIOR LEGISLATIVE HISTORY :

New bill.

FISCAL IMPLICATIONS :

None.

EFFECTIVE DATE :

This act shall take effect immediately, and shall expire and be deemed repealed on the one hundred twentieth day after the federal Environmental Protection Agency issues a report on the effects of hydraulic fracturing on water quality and public health.

S7592 Text

S T A T E O F N E W Y O R K

7592

I N S E N A T E

April 23, 2010

Introduced by Sen. ADDABBO -- read twice and ordered printed, and when printed to be committed to the Committee on Environmental Conservation

AN ACT to establish a moratorium upon conducting hydraulic fracturing pending the issuance of a report thereon by the federal Environmental Protection Agency; and providing for the repeal of such provisions upon the expiration thereof

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 Section 1. (a) Notwithstanding any provision of law to the contrary,
2 there is hereby established a moratorium upon the conducting of hydrau-
3 lic fracturing in the state. The purpose of such moratorium shall be to
4 afford the state and its residents the opportunity to review a report to
5 be issued by the federal Environmental Protection Agency on the effects
6 of hydraulic fracturing on water quality and public health.
7 (b) For the purposes of this section, "hydraulic fracturing" shall
8 mean fracturing of rock by man-made fluid-driven fracturing techniques
9 for the purpose of stimulating natural gas or oil well production.
10 S 2. This act shall take effect immediately, and shall expire and be
11 deemed repealed on the one hundred twentieth day after the federal Envi-
12 ronmental Protection Agency issues a report on the effects of hydraulic
13 fracturing on water quality and public health. Provided, that the
14 commissioner of environmental conservation shall notify the legislative
15 bill drafting commission upon the issuance by the federal Environmental
16 Protection Agency of the report on the effects of hydraulic fracturing
17 on water quality and public health referred to in subdivision (a) of
18 section one of this act in order that such commission may maintain an
19 accurate and timely effective data base of the official text of the laws
20 of the state of New York in furtherance of effectuating the provisions
21 of section 44 of the legislative law and section 70-b of the public
22 officers law.

EXPLANATION--Matter in *ITALICS* (underscored) is new; matter in brackets [] is old law to be omitted.

LBD16567-02-0

**Manhattan Community Board 8 Attendance
Environment and Sanitation Committee**

Date: Tuesday, September 28, 2010 Location: Hunter College School of Social Work, 129 E. 79th Street, Room 1010

Name	Affiliation	Address	Phone/Fax/E-mail
1. Debbie Teitelbaum	CBS		Ph: Fax: E.M:
2. Roy H. Carlson			Ph: Fax: E.M.
3. Jackie Lander	CBS		Ph: Fax: E.M.
4. Mary Pike	CBSM		Ph: Fax: E.M.
5. Larry Stevens			Ph: Fax: E.M. - l.stevens@earthlink.net
6. Kristin Ellis	BP Stronger		Ph: Fax: not provided E.M:
7. Ellen Polivy			Ph: Fax: E.M:
8. R. Lynch			Ph: Fax: E.M:
9. Steven Lerner	BP Stronger		Ph: 718-461-1111 Fax: E.M:
10. Teri Slater			Ph: Fax: E.M:
11. Low			Ph: Fax: E.M:
12. Roni Rosner			Ph: Fax: E.M: rrosner@verizon.net
13. LORANCE HOCKERT			Ph: Fax: E.M: lhockert@
14. Bonnie Lee Webb			Ph: hockertlaw.com Fax: E.M: BLANEWEBB@aol.com
15. Evelyn Horik	evelyn3@verizon.net		Ph: Fax: E.M: evelyn3@verizon.net
16. Lo van der Valk	(Carnegie/Neighbors)		Ph: 212-996-5520 Fax: E.M: lo.van.der.valk@verizon.net
17. Frank Eadie			Ph: 212-242-4242 Fax: E.M: fadie@verizon.net
18. MAU MOORHEAD			Ph: 212-242-4242 Fax: E.M: mau.moorehead@verizon.net

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Name	Affiliation	Address	Phone/Fax/E-mail
1. Debbie Teitelbaum	CB8		Ph: Fax: E.M:
2. Roy H CARLIN			Ph: Fax: E.M.
3. Jackie L. LARK	CB8		Ph: Fax: E.M.
4. Mary Pike	CB8M		Ph: Fax: E.M.
5. Larry Stevens			Ph: Fax: E.M. - l.stevens@earthlink.net
6. Kathleen BP Strayer			Ph: Fax: Kathleen@manhattanbp.org E.M.:
7. Ellen Poling			Ph: Fax: E.M.:
8. R. Lynch			Ph: Fax: E.M.:
9. Steven Corbin	BP Strayer		Ph: Robert Pres Fax: E.M.:
10. Teri Slater			Ph: Fax: E.M.:
11. Low			Ph: Fax: E.M.:
12. Roni Rasner			Ph: Fax: E.M.: rrasner@verizon.net
13. LORANCE HUCKERT			Ph: Fax: E.M.: LHuckert@
14. Bonnie Lane Webb			Ph: Huckert law.com Fax: E.M.: BLANEWEBBER@AOL.COM
15. Ethelyn Harig	ethelyn3@verizon.net		Ph: Fax: E.M.: Ethelyn@verizon.net
16. Lo van der Valk	(Carnegie/H/Neighbors)		Ph: Fax: E.M.: 212-998-5520
17. Frank Eadie			Eadie Zach Water @aol.com
18. MAU MOORHEAD			MMOORHEAD@VERIZON.NET