

WESTCHESTER COUNTY BOARD OF LEGISLATORS

COMMITTEE ON ENVIRONMENT

MINUTES: March 15, 2010

MEMBERS: Chair: Harckham; Legislators: Abinanti, Kaplowitz, Maisano, Myers, Rogowsky, Testa.

IN ATTENDANCE: STAFF: C. Crane, M. Berard, P. Pepe (BOL); K. Delgado, B. Murnane (CEO); K. McLoughlin (Hon. S. Galef); C. Michaels, J. Simpson (Riverkeeper); S. Leifer (Sierra Club); M. Morgan (FCWC); S. Bernson (LWV-New Castle); Z. Wojnar (PECC); M. Wallach (CCE) [list of other attendees on file]

Committee on Environment called to order at 3:20 pm.

Item(s) Discussed: **Marcellus Shale Gas Drilling**

Chair Harckham opened the meeting by distributing a recent NY Times article regarding the need for clean water infrastructure funding. He then commenced a discussion on proposed natural gas drilling in the Marcellus Shale reserves and welcomed Mr. Craig Michaels and Mr. James Simpson to brief the committee. The Marcellus Shale comprises substantial areas in the New York southern tier and Pennsylvania, including areas within the New York City watershed. Mr. Michaels

Mr. Simpson described the horizontal drilling and water injection process, termed "hydrofracturing" or "hydrofracking", and noted instances where the process had produced significant environmental impacts. Riverkeeper has called for a complete ban on natural gas drilling on lands within the New York City watershed. Mr. Michaels described the challenges in state administration and monitoring of the drilling program and noted many deficiencies in the environmental impact statement (SGEIS), prepared by NYSDEC. He noted that, unlike other states, New York did commence an environmental review before permitting shale drilling.

Chair Harckham requested Riverkeeper's comments on the draft SGEIS, any quantification of impacts prepared by Riverkeeper, and a list of problems found in other

states where hydrofracking process has occurred. Mr. Michaels expressed Riverkeeper's interest in working with other stakeholders to identifying safeguards and best management practices to mitigate impacts.

Mr. Kaplowitz expressed an interest in hearing NYSDEC's perspective on the proposal, especially as NYSDEC representatives suggested a bi-furcation of the drilling program between NYC and non-NYC watersheds at a recent NYSAC meeting. Mr. Rogowsky commented that NYSDEC's environmental review is not for the purpose of promulgating regulations but is rather for updating the existing EIS and to assist in program administrations (e.g., permit, license issuance).

Ms. Morgan emphasized the importance of drinking water as an irreplaceable resource. Ms. Leifer stated that the natural gas industry has had an uneven (transient) economic record; thus, the drilling program will not lead to permanent jobs. As well, she identified several different subsidies that federal, state, and local governments are providing to drilling program participants. Mr. Wallach stated that Citizens Campaign has worked with some upstate governments to develop resolutions in opposition to the program. CCE also prepared a white paper on the proposal.

Chair Harckham closed the discussion, noting his interest in developing a resolution for consideration by the entire County Board on this subject. Upon the motion of Leg. Rogowsky, seconded by Leg. Testa, the Committee approved the meeting minutes of February 22 and March 1 (all in favor). Upon the motion of Leg. Rogowsky, seconded by Leg. Testa, the Committee voted to adjourn (all in favor). The meeting ended at approximately 4:30 p.m.

[audio recording of the meeting is on file]