

RESOLUTION NO. 191

**TITLE: A REQUEST OF THE NYS DEPARTMENT OF ENVIRONMENTAL
CONSERVATION TO NOT ADOPT MORE STRINGENT NATURAL GAS DRILLING
REGULATIONS IN DELAWARE COUNTY WATERSHEDS SUPPLYING WATER TO NEW
YORK CITY
DEPARTMENT OF WATERSHED AFFAIRS**

WHEREAS, the New York City Department of Environmental Protection Commissioner Emily Lloyd has submitted a letter to the New York State Department of Environmental Conservation Commissioner Peter Grannis requesting that the New York State Department of Environmental Conservation (“DEC”) adopt rules or regulations that would regulate natural gas mining within the New York City Watershed more stringently including banning natural gas mines within a one mile radius of any reservoir or reservoir stem; and

WHEREAS, New York City Council’s Chairman of the Committee on Environmental Protection is calling for a complete ban on natural gas drilling in the City’s watershed; and

WHEREAS, the Coalition of Watershed Towns has passed a resolution requesting New York State DEC not to adopt special regulations for the watershed area different from statewide regulations for the remainder of the State; and

WHEREAS, natural gas holds tremendous potential to assist Delaware County communities maintain and improve the quality of life of their residents and economy within their community; and

WHEREAS, the development of domestic natural gas resources is critical to reducing the United State’s dependency on foreign oil; and

WHEREAS, revenues from natural gas leases will assist local farmers and large land owners maintain and preserve their parcels and their livelihood; and

WHEREAS, alternatives to use the natural gas reserves within its communities to provide its residents with low cost electricity and heating fuel are being investigated; and

WHEREAS, residents of rural counties like Delaware County are at greater risk from rising fuel oil and gas prices due to the lack of alternative choices for home heating, the long commuting distances, lack of public transportation and below average per capita income; and

WHEREAS, Delaware County also has significant potential for the generation of renewal energy from wind power and bio fuels; and

WHEREAS, new energy sources, whether renewable (e.g. wind or bio fuel), fossil fuel (natural gas) or nuclear have generated significant controversy and public concern; and

WHEREAS, other natural resources of Delaware County (e.g. drinking water) have been exploited by large out of county metropolitan areas and regulating bodies; and

WHEREAS, Delaware County Board of Supervisors are committed to developing alternatives that will allow the communities, as a whole, to benefit from the natural gas reserves and provide a source of revenue and energy that will create more employment with living wages and health insurance; and

WHEREAS, for example, in the Town of Dimok in nearby Susquehanna County Pa., Cabot Oil and Gas projects annual revenues from gas production would yield nearly \$23 billion with annual royalty payments of \$2.9 billion to local landowners; and

WHEREAS, it is the policy of the State of New York that all groundwater is a potential source of drinking water and protected as a potable water supply; and

WHEREAS, DEC has announced that it is preparing a Supplemental Generic Environmental Impact Statement to evaluate the environmental impacts associated with natural gas mining using horizontal drilling in the Marcellus Shale including potential impact on groundwater and surface water; and

WHEREAS, a ban on natural gas drilling within New York City Watershed, while allowing it in other areas of the State that are source of drinking water including groundwater, will discriminate against private landowners in the watershed depriving them of long-term future income and will deprive the local municipalities of the potential real property tax benefits from the mining of the natural gas; and

WHEREAS, there is no scientific basis to regulate natural gas mining within Delaware County in a manner different or more stringent than elsewhere in New York State.

NOW, THEREFORE BE IT RESOLVED, the Delaware County Board of Supervisors requests that DEC not adopt any special regulations or policies which limit or regulate natural gas mining in Delaware County in a manner different from the restrictions that apply state-wide.

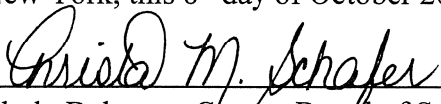
BE IT FURTHER RESOLVED, that if the DEC supports a ban on all watershed lands or private lands within one mile of New York City infrastructure then DEC is in violation of their mandate, pursuant to Environmental Conservation Law 23-0308, to efficiently utilize the State's natural resources and hence must provide funding to landowners in the watershed to mitigate lost income opportunities that a DEC ban would cause.

BE IT FURTHER RESOLVED, that this resolution be forwarded to Governor Patterson, United States Senators Charles Schumer and Hillary Clinton, Congresswoman Kirsten Gillibrand, Congressman Maurice Hinchey, New York State Senator John Bonacic, New York State Assemblymen Clifford Crouch and Peter Lopez, DEC Commissioner Peter Grannis, Mayor Bloomberg, NYCDEP Commissioner Emily Lloyd and James Genarro, Chairman of the NYC Council's Committee on Environmental Protection.

State of New York
County of Delaware

I, Christa M. Schafer, Clerk of the Board of Supervisors of Delaware County, do hereby certify that the above is a true and correct copy of a resolution adopted by said Board on the 8th day of October 2008 and the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Board at Delhi, New York, this 8th day of October 2008.



Clerk, Delaware County Board of Supervisors