

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

of the

COMMITTEE ON ENVIRONMENTAL PROTECTION

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September 29, 2010

Start: 11:51am

Recess: 12:00pm

HELD AT: Council Chambers
City Hall

B E F O R E:
JAMES F. GENNARO
Chairperson

COUNCIL MEMBERS:
Council Member Elizabeth S. Crowley
Council Member G. Oliver Koppell
Council Member Brad S. Lander
Council Member Stephen T. Levin
Council Member Peter F. Vallone, Jr.

A P P E A R A N C E S (CONTINUED)

N/A

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CHAIRPERSON GENNARO: --long

enough. Thank you, thank you, Sergeant.

SERGEANT-AT-ARMS: Quiet, please.

CHAIRPERSON GENNARO: Good morning and, and welcome. I'm Councilman Jim Gennaro, Chair of the City Council's Committee on Environmental Protection. Today we're having a vote on a Resolution, calling on the Delaware River Basin Commission to refrain from issuing regulations governing gas exploration and production using hydrofracking and for water withdrawal for the purpose of hydrofracking within the Delaware River Basin, until a cumulative impact study is completed to assess the risks and inform the development of adequate regulations for hydrofracking in the Delaware River Basin. I have spent almost two decades of my professional career--looking at that on the page, I guess that's right, it seems like--but when you see it like that [laughter] it gets a little scary. So, am I more afraid of fracking or the two decades? But for the purpose of today's meeting it would be the fracking, okay? Although the two decades is looming. I spent almost two decades of my

1 professional career working to protect the New
2 York City Watershed and I plan to continue my
3 efforts. The New York City Watershed provides
4 potable water for more than nine million residents
5 of New York City and millions of others who work
6 here, as well as those who provide, who reside in
7 communities whose water comes from our system,
8 which represents about half the people in New York
9 State. Previously, the New York City Council
10 passed Resolution 1850-A, which was authored by
11 me, calling on the, on the U.S. Congress to adopt
12 legislation removing the exemption for
13 hydrofracking from the Safe Drinking Water Act,
14 and on the U.S. EPA to apply stringent regulations
15 to protect drinking water supplies from any risks
16 due to hydrofracking, and on the New York State
17 Department of Environmental Conservation, the New
18 York State Legislature, and the New York State
19 Governor, David Patterson, to, to prohibit natural
20 gas drilling within the boundaries of the New York
21 City Watershed. I'd like to believe that, you
22 know, we here in the Council were very helpful in
23 getting the Environmental Protection Agency to
24 take a closer look at gas drilling using
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1 hydrofracking, and its impact on drinking water,
2 and I've held several public hearings and meetings
3 on this important issue. The EPA's study is
4 expected to last until the end of 2012. Now it
5 is, now we know that the Delaware River Basin
6 Commission is likely to fast-track the issuance of
7 regulations authorizing gas drilling using
8 hydrofracking even before the EPA's study, even
9 before the EPA study is complete, and even before
10 a cumulative impact study, already authorized by
11 Congress, is completed by them, you know, meaning
12 the, the DRBC, to assess the risks and inform the
13 development of adequate regulations for
14 hydrofracking in the Delaware River Basin. No
15 regulation should be issued allowing hydrofracking
16 until we have had an opportunity to review the
17 results of the scientific research being conducted
18 at the, paid for by the taxpayers, to make sure
19 our decisions are sound and fully informed. By
20 this Resolution we have asked Delaware River Basin
21 Commission to refrain from precipitously using
22 regulations permitting gas drilling, using
23 hydrofracking in the Delaware River Basin, until,
24 in the Delaware River Basin Watershed, until we
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2 are certain that we're not placing our drinking
3 water and environment at risk. New York City has
4 spent more than \$2 billion to protect its
5 watershed. We do not want to waste the \$2 billion
6 we invested, nor be required to filter our water
7 after its polluted by others for their profit, at
8 a great cost to City residents. The bottom line
9 is that nothing should be allowed to jeopardize an
10 unfiltered and pure drinking water source for half
11 the State, that is able to serve the drinking
12 water needs of this and future generations. We're
13 very happy to be joined by Council Member, Council
14 Member Levin, Council Member Koppell, Council
15 Member Crowley, Council Member Lander, where's
16 Council Member Lander.

17 FEMALE VOICE: He's, he'll be back.

18 CHAIRPERSON GENNARO: Oh, yeah,
19 okay. And I think I mentioned Councilman Vallone,
20 but I'll mention him again because, you know,
21 he's, he's my buddy. And--so don't say I never
22 did anything for you, you know, He would never
23 say that anyway. And it's people reading this
24 record 50 years from now will be able to, you
25 know, read this discourse and [laughter] try to

1 figure out, like what was going on? Right, okay.
2 [laughs] Yeah, but I'm getting looks, so that
3 kind of, you know, is part of the discourse, you
4 know. And, and we're also joined by a fellow
5 elected official, Susan Zimet, from the Ulster
6 County Legislature. Thank you for being here,
7 Susan, she's been a real driving force on making
8 sure that, you know, good things happen regarding
9 fracking, or rather that bad things don't happen.
10 And Julia Walsh and Claire Sandberg, both I think
11 cofounders Frack Action, along with Susan. Okay,
12 so we have the, the three that have really made a
13 mark, and we're very grateful for that. So, we
14 have this Preconsidered Resolution, we're doing
15 it, you know, via the Preconsidered method,
16 because this is an urgent and timely matter. We
17 want to send the signal to the DRBC that they
18 should not proceed. I had, you know, read some
19 documents on this that there was a member of the
20 DRBC that was pushing for these regulations to be
21 finalized by September 30th, which is not going to
22 happen, which would be tomorrow, but this just
23 goes to show the speed at which they once upon a
24 time, or at least one member of that body, wanted
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2 to proceed, and so we, on behalf of the City of
3 New York, want to send the strongest message
4 possible that they should not do that. And it's
5 also been brought to my attention that some of my
6 fellow members of the Committee wish to sign on as
7 cosponsors. I'm very grateful for that. I'd be
8 happy to call the roll, but I just want to give my
9 colleagues an opportunity to make any comments
10 that they may wish to make before we proceed with
11 the vote. Would anyone like to make a comment or
12 a statement? Seeing none, I'll ask the Clerk to
13 call the roll, and I would ask for a yes vote on
14 this very important resolution. Clerk, please
15 call the roll.

16 COMMITTEE CLERK: Kevin Pin,
17 Committee Clerk. Gennaro.

18 CHAIRPERSON GENNARO: Yes.

19 COMMITTEE CLERK: Koppell.

20 COUNCIL MEMBER KOPPELL: [off mic]
21 Aye.

22 COMMITTEE CLERK: Vallone.

23 COUNCIL MEMBER VALLONE: [off mic]
24 Aye.

25 COMMITTEE CLERK: Crowley.

2 COUNCIL MEMBER CROWLEY: [off mic]

3 Yes.

4 COMMITTEE CLERK: Lander.

5 COUNCIL MEMBER LANDER: [off mic]

6 Aye and I request to be added as a cosponsor,
7 please.

8 CHAIRPERSON GENNARO: Thank you,
9 Council Member Lander.

10 COMMITTEE CLERK: Levin.

11 COUNCIL MEMBER LEVIN: Aye,
12 enthusiastically.

13 COMMITTEE CLERK: By a vote of six
14 in the affirmative, zero in the negative, and no
15 abstentions, the items have been adopted. Members
16 please sing the Committee report.

17 CHAIRPERSON GENNARO: Thank you
18 very much one and all. I, I'll start, or I'll end
19 where I began, which is by apologizing for being
20 late to this important meeting, and I'm sorry that
21 I called, that I caused people to have their
22 schedules thrown off. But a, a good thing
23 happened just now, so hopefully it's all worth it.
24 And so, with that said, I thank everyone for being
25 here, and this, this hearing is now adjourned.

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[gavel] 'Cause that's the whole Committee, right.

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[applause]

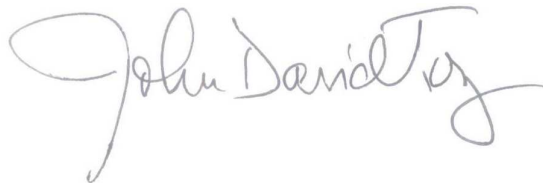
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FEMALE VOICE: That's it.

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C E R T I F I C A T E

I, JOHN DAVID TONG certify that the foregoing transcript is a true and accurate record of the proceedings. I further certify that I am not related to any of the parties to this action by blood or marriage, and that I am in no way interested in the outcome of this matter.

A handwritten signature in cursive script that reads "John David Tong". The signature is written in dark ink and is positioned above a horizontal line.

Signature_____

Date October 18, 2010