

Town Of Tusten, New York State  
*Resolution In Support Of:*  
Delaware River Basin Commission/DBRC  
Resolution: # 91

**WHEREAS**, a fundamental purpose of government is to protect the health, safety and welfare of its citizens;

**WHEREAS**, the Town of Tusten lies within the Delaware River Basin and has an interest in the continued exceptional water quality and environment of this important natural resource;

**WHEREAS**, the Upper Delaware Scenic and Recreational River is classified as Special Protection Waters due to exceptionally high water quality and outstanding natural resources with special regulations that protect those resources and maintain the River's exceptional water quality;

**WHEREAS**, since 2010 the Delaware River Basin Commission has had in place a de facto moratorium that prohibits shale gas development within the Delaware River Basin until it adopts regulations and citing three primary concerns - the diminishment of surface and groundwater, the release of pollution, and the impacts of disposal of waste from hydraulic fracturing activities;

**WHEREAS**, the Delaware River Basin Commission has not conducted a comprehensive assessment of the cumulative and long-term impacts of shale gas development that concludes that hydraulic fracturing and shale gas development could safely occur within the Upper Delaware Scenic and Recreational River without degradation of the Watershed's water resources and the essential values of Special Protection Waters;

**WHEREAS**, there is significant evidence that shale gas development has an adverse effect on public health, property interests, agriculture and on our air, water and land;

**WHEREAS**, in recognition of those adverse impacts of shale gas development, the Town of Tusten enacted Zoning Law Article XIV which, among other things, explicitly prohibited certain uses and activities required or associated with hydraulic fracturing and shale gas development;

**WHEREAS**, in 2015, after seven years of review, the State of New York prohibited high-volume hydraulic fracturing, concluding that it posed "significant adverse impacts to land, air, natural resources and potential significant public health impacts that cannot be adequately mitigated";

**WHEREAS**, a vitally important consideration is the climate effects of shale gas development in the Delaware River Basin, given that methane is a greenhouse gas 86 times more efficient in trapping heat than carbon over a 20 year time frame and that vented and fugitive losses from shale gas infrastructure contribute to atmospheric warming;

**WHEREAS**, the Town of Tusten has pledged to be a NYS "Climate Smart Community" and is therefore committed to reducing greenhouse gas emissions; and

**WHEREAS**, the Town considers that the weight of the evidence demonstrates that hydraulic fracturing and shale gas development cannot be done without degrading the

exceptional water quality of the Upper Delaware Scenic and Recreational River and the environment within the Delaware River Basin;

**NOW, THEREFORE BE IT RESOLVED** that:

1. The Town calls upon the Delaware River Basin Commission to enact a complete and permanent prohibition of hydraulic fracturing and shale gas development within the Delaware River Basin; and
2. That a copy of this resolution be filed with the Delaware River Basin Commission, 25 Cosey Road, PO Box 7360, West Trenton, NJ · 08628-0360.

**RESOLVED**, this Resolution shall take effect immediately.

**DULY ADOPTED**, at the regular meeting of June, this 13<sup>th</sup> day of 2017.

  
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Carol Ropke Wingert  
Supervisor

ATTEST:

  
\_\_\_\_\_  
Wendy Tyler Julkewski  
Town Clerk

I certify that this is a true and accurate copy of the resolution as adopted.

