



Media Release

Monroe County Democratic Caucus

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For Immediate Release

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County Democrats Applaud New Hydrofracking Ruling

Rochester, New York – May 2, 2013. Today, the New York State Appellate Division, Third Department, upheld the right of local governments to ban all activities related to the ‘exploration for, and the production or storage of, natural gas and petroleum within its borders.’ Monroe County Legislators Justin Wilcox (D-Brighton) and Carrie Andrews (D-Rochester) applauded the decision and called on the County to enact a ban on fracking.

“By unanimously affirming the principle of home rule and the sovereignty of local governments, today’s ruling makes it clear that the people whose drinking water and air quality may be most impacted by fracking have the right to decide whether it occurs near their homes and in their communities,” said Legislator Justin Wilcox, D-Brighton. “The court has defended a very old and basic precedent with respect to local control, which was very much at risk in this case.”

Last October, Legislator Wilcox drafted legislation recommending that Monroe County establish a moratorium on the acceptance of wastewater, flow-back water, or any fluid waste produced as a result of horizontal drilling or high volume hydraulic fracturing. The legislation was referred to the County Administration and no action has been taken.

“In light of this decision, I am renewing my efforts to call upon Monroe County to ban all activities related to hydrofracking, including the treatment of waste water produced in the process,” Wilcox added.

“This ruling allows localities to control their environmental destiny and act in the interests of their citizens and communities,” Andrews said. “Now is the time for Monroe County to stand up for its residents and institute this policy banning hydrofracking and its ancillary activities.”

“From Pennsylvania to Ohio we’ve seen ample evidence that high-volume fracking can have serious consequences for public health and the environment. The people of Dryden acted responsibly in the face of a potential threat, and it is incumbent upon this government to do the same,” Andrews added.

The unanimous nature of the panel’s action makes it less likely that it will be overturned or even considered by the state Court of Appeals.

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