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# Governor Cuomo Announces Legislation to Make the Fracking Ban Permanent Included in FY 2021 Executive Budget

Governor Andrew M. Cuomo today announced legislation in the FY 2021 Executive Budget to make New York's fracking ban permanent. The measure would restrict the Department of Environmental Conservation from approving permits that would authorize an applicant to drill, deepen, plug back or convert wells that use high-volume hydraulic fracturing as a means to complete or recomplete a well, protecting the health of New Yorkers and ensuring permanently that our environment is not harmed by this practice. This bill reflects an important step forward toward achieving New York's clean energy economy goals.

"New York's leadership on hydraulic fracturing continues to protect the environment and public health, including the drinking water of millions of people, and we must make it permanent once and for all," **Governor Cuomo said.** "In the five years since fracking was banned, we have proven that it was in fact, not the only economic option for the Southern Tier. The region has since become a hotbed for clean energy and economic development investment through programs like 76West and Southern Tier Soaring, creating new good-quality jobs that pave the way for further growth."

High-volume hydraulic fracturing utilizes a well stimulation technique that greatly increased the ability to extract natural gas from very tight rock. High-volume hydraulic fracturing, which is often used in conjunction with horizontal drilling, raises significant, adverse

impacts. In 2014, a review by the NYS Department of Health found significant uncertainties about health, including increased water and air pollution, and the adequacy of mitigation measures to protect public health. Given the red flags raised by existing research and absent conclusive studies that disprove health concerns, DOH recommended that the activity should not proceed in New York State. The Department of Environmental Conservation officially prohibited the practice in 2015, concluding a comprehensive seven-year review process that examined potential environmental and health impacts associated with high-volume hydraulic fracturing. New York's was the first ban by a state with significant natural gas resources.

**DEC Commissioner Basil Seggos said,** "Governor Cuomo has detailed the biggest and boldest environmental agenda in the nation, and the permanent ban of hydrofracking is a critical part in ensuring the protection of water quality, transitioning from fossil fuels, and continuing our role as a climate leader. "

**Actor and Environmental Advocate Mark Ruffalo said,** "I join with environmentalists, health experts, and New Yorkers everywhere in applauding Governor Cuomo for including legislation in the budget to make the fracking ban permanent law. The science overwhelmingly shows that fracking is disastrous for drinking water, public health, and climate change. Permanently banning fracking is what real environmental and climate leadership looks like."

In 2017, Governor Cuomo along with the Governors of Delaware and Pennsylvania, comprising a majority of the Delaware River Basin Commission, announced that they voted in favor of a resolution put forward by the commission to issue draft regulations to permanently ban hydraulic fracturing for oil and gas in the Delaware River Basin. This action further protected the public health of communities in New York and a precious water supply for more than 15 million people.

In the wake of the ban, the clean energy ecosystem in the Southern Tier has grown rapidly

over the last five years, fueled by a variety of programs and resources. New companies have sprouted in the Southern Tier with innovations in a wide variety of clean energy sectors, supporting over 4,100 jobs as of 2017. Examples of this industry density include the success of 76West Clean Energy Competition, new business like Imperium3, Sungeel, and Micatu locating in the ST, and the most recent spotlight on the region's clean energy expertise with the 2019 Nobel Prize in Chemistry awarded to Binghamton University's Stan Whittingham. These efforts have been bolstered by Southern Tier Soaring, the URI-winning strategic plan developed by the Southern Tier Regional Economic Development Council.

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