Drilling opponents cheer state Senate passage of moratorium

By Nick Reisman •Albany Bureau • August 4, 2010, 5:55 pm

ALBANY -- Opponents of natural gas drilling in the Southern Tier's Marcellus Shale formation are cheering the state Senate's approval of a short-term moratorium late Tuesday night.

The measure sailed through the Senate, 49-9. If approved by the Assembly and Gov. David Paterson, permits to drill for natural gas in the formation would be delayed until May 15, 2011.

Now focus turns to the Assembly, where supporters of the drilling moratorium believe it could be taken up soon.

"I think it has overwhelming support in our house," said Assemblyman Robert Sweeney, D-Babylon, Suffolk County. "We were waiting to see the Senate move the bill forward."

Sweeney said the Democratic-led Assembly could return to Albany in September to take up the measure.

Assembly Speaker Sheldon Silver, D-Manhattan, said in a statement that he supported withholding drilling permits until more information is available from the U.S. Environmental Protection Agency.

"We simply cannot move forward until we have all the facts," Silver said.

New York State Attorney General Andrew Cuomo discusses natural gas drilling, Wednesday, August 4, 2010. (DIOGENES AGCAOILI JR. / Staff Photo)

Paterson, in a conference call with reporters Wednesday, said he wanted to wait and see what the Department of Environmental Conservation determines in an impact analysis, which is currently underway and is expected before year's end.

"We respect the Senate's concern, but we have only not made a decision because we're still listening to the many, many advocates who weighed in on this, they have many profound amounts of research that we're reading through," Paterson said.

Assemblywoman Donna Lupardo, D-Endwell, Broome County, also said she wanted to wait for the agency to issue its report.

"I'd like to wait for them to finish their job," she said.

Sen. Thomas Libous, R-Binghamton, voted against the measure, saying the decision on where and when to drill should be left up to the experts. He also said the drilling was "huge economic development🔍 opportunity" for the area.

"Don't let the political process get involved here," Libous said on the Senate floor. "Let the experts, the people we talk about day in and day out, let them make the determination."

The natural gas drilling technique known as hydraulic fracturing uses a mixture of water and chemicals to blast through rocks in order to access the gas.

Proponents believe the drilling is safe and would be lucrative to the economically depressed region.

Jim Smith, a spokesman for the Independent Oil and Gas Association, an industry lobby group, blasted the moratorium.

"Our lawmakers would rather raise taxes and fees than generate some real revenue," Smith said.

He added that the bill goes further than intended and would hinder drilling projects that have already been approved.

"We're hopeful that the Assembly will take the more objective and scientific approach to this discussion," Smith said.

Those opposed to drilling in the Southern Tier are concerned the process will wreak environmental havoc.

"This is a huge step forward to protecting our water in New York state from the dangers of natural gas drilling," said Katherine Nadeau of Environmental Advocates of New York. "We're very excited for the Assembly to take it up."

Lawmakers who backed the moratorium believe a delay in granting permits will allow state leaders and the new governor time to learn more about hydraulic fracturing and develop restrictions designed to maximize safety.

"Last night was an opportunity to say that we need to give the next governor to come in and also that we need to look at what legislative actions that need to take place in New York," said Sen. Antoine Thompson, D-Buffalo, the main supporter of the moratorium in the Senate.

Thompson attributed the passage to the bill in part to the explosion of an underwater oil well🔍 in the Gulf of Mexico and passionate support from environmental groups.