

Structured Argument for Hydrofracking Ban

1. safety risks which can't be regulated or eliminated -
 - a- flooding/wastewater pits/Irene
 - b- earthquakes/ usgs
2. lots of community support for ban
 - a- our petitions - 50 signatures in three hours at 4 sites in Town of Schoharie (go-kart racetrack; supermarket parking lot; recycling center; convenience store), with signers outnumbering refusers 2-to-1.
 - b- Marist and Siena state-wide polls
3. interpretation of state law prohibiting home rule 'regulation' of fracking is unclear.
 - a- DEC Impact Statement
 - b- legal advice from team working with Schoharie Valley Watch
4. similar, nearby affected towns have enacted or directed legislation for ban, using land use/master plan approaches applicable in Schoharie.
 - a- 4 towns in neighboring Otsego county, including Oneonta, which enacted ban after reviewing a presentation by the president of company (Gastem) with leases in Schoharie
 - b- Richmondville - this September was first town in Schoharie County to authorize the writing of ban legislation
5. by failing to join ranks with other towns passing bans, Schoharie becomes more likely target of intensive drilling.
 - a- extensive history of mining companies concentrating in least protected, most easily exploitable areas.
6. by committing to join with other towns passing bans, Schoharie benefits from strength in numbers.
 - a- extensive history of mining companies avoiding big, expensive fights in favor of smaller, more one-sided conflicts.
 - b- if one Town is sued, other Towns can pool resources for defense.
7. no options are closed by passing a ban; options are lost by waiting or failing to do so.
 - a- if the fracking process becomes much safer; lawsuits become prohibitively expensive; etc., ban can be repealed.
 - b- if drilling starts before ban is enacted, almost impossible to stop it.

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