COUNTY OF ERIE

MARK C. POLONCARZ
COUNTY EXECUTIVE

January 10, 2014

Scott Kroll
Clerk of the Legislature
92 Franklin Street, 4th Floor
Buffalo, NY 14202

RE: Approval Message – Local Law Intro. No. 4-2013

Dear Mr. Kroll:

A certified copy of Local Law Intro. No. 4-2013, entitled "Banning of Hydraulic Fracturing on Land Owned by Erie County," was presented to me for approval on December 13, 2013. A public hearing on this Local Law was duly held before me on December 30, 2013. Pursuant to Erie County Charter Section 205, I hereby approve Local Law Intro. No. 4-2013 and a signed copy of such approval is enclosed herewith.

I would like to reiterate that this Local Law does not ban hydraulic fracturing ("fracking") in Erie County; it bans it on County-owned lands and prohibits the acceptance of fracking waste at Erie County owned sewage treatment facilities. If New York State Governor Andrew Cuomo were to lift the statewide moratorium on fracking, citizens and businesses would be permitted to allow fracking on any privately owned lands and non-Erie County owned sewage treatment facilities would not be prohibited from accepting such waste.

And, while I agree with some of the criticisms of this Local Law related to its limited scope and its partial redundancy with the Erie County Parks Protection Law enacted by the Legislature in 1993, I cannot discount the overwhelming support of such a ban by the public and members of the Legislature – Democrat, Republican and Independent.

As such, I hereby approve Local Law Intro. No. 4-2013.

Sincerely yours,

Mark C. Poloncarz, Esq.
Erie County Executive

MCP/gk
Encl.

cc: Erie County Fiscal Stability Authority (w/encl.)

A Public Hearing was held on the foregoing Local Law Intro. No. 4-2013 on December 30, 2013, due notice thereof having been published in the official newspapers of the County of Erie designated for this purpose, and after due deliberation thereon, I, MARK C. POLONCARZ, County Executive of Erie County, do hereby APPROVE and SIGN said Local Law this 16 day of January, 2014.

Mark C. Poloncarz

Mark C. Poloncarz

A Public Hearing was held on the foregoing Local Law Intro. No. 4-2013 on December 30, 2013, due notice thereof having been published in the official newspapers of the County of Erie designated for this purpose, and after due deliberation thereon, I, MARK C. POLONCARZ, County Executive of Erie County, do hereby DISAPPROVE and VETO said Local Law this ____ day of _____, 20___.

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Mark C. Poloncarz