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Paterson right to veto moratorium

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Gov. David Paterson hasn't made too many friends during his brief tenure. But when your stiffest competition for doing the right thing is the New York State Legislature, even Paterson comes out on top occasionally.

Paterson's recent veto of the Legislature's gas drilling moratorium may not win him any approval points, but in this case, we think he's done the Legislature one better.

The moratorium passed by the Legislature on Nov. 29 was no doubt well-intentioned. In fact, we cheered its passage, in the spirit of "something is better than nothing."

But the legislation was not without its flaws. It would have cut off permits for any new drilling, including conventional drilling for gas and oil. This is an awfully blunt instrument with which to stave off the potential dangers of high-volume hydrofracking _ a practice that is not even permitted by the state Department of Environmental Conservation.

By contrast, Paterson's order takes a more realistic approach, acknowledging that the concerns over high-volume hydrofracking should not mean that the whole industry should suffer.

More importantly, Paterson gives the DEC a much-needed nudge to commit more work to its Supplemental Generic Environmental Impact Statement. His order requires the agency to publish a revised draft by June and conduct an additional public comment period.

Both pro- and anti-drilling factions have been frustrated by the uncertainty of the DEC's progress on the SGEIS. Any talk about what high-volume horizontal hydrofracking in New York state might involve has been reduced to mere speculation, because we simply don't know what the DEC regulations will say. So it is a relief to see a timetable for the agency to communicate about its progress.

While we support Paterson's effort, we also acknowledge that it is in some ways a hollow gesture. In two weeks, Paterson will be just another New Yorker. It will be up to his successor, Andrew Cuomo, who will have the ability to renew the order or let it lapse.

We believe there is a lot of good in Paterson's executive order, but we're not ruling out the possibility that

Cuomo can do better. We hope that whatever Cuomo's decision, he will help further the goal of crafting "an objective, science-based analysis" of gas drilling, and a policy that will "protect the public health and the environment," as Paterson's order requests.

As much as it may feel like we have been grappling with the issue of gas drilling for a long time, this is truly only the beginning, and there is much work yet to be done. We hope Cuomo is ready to take this on in the spirit of his predecessor.