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TCCOG Gas Drilling Task Force Meeting Minutes January 20, 2011

Attending: Karen Edelstein, Pam Mackesey, Martha Robertson, Craig Schutt, Sara Hess, Lawrence McCann, Darby Kiley, Sharon Anderson, Joe Wilson, Kathy Halton, Liz Thomas, Carol Chock, Josh Bogdan.

EVENTS –

Thurs, January 27 7-9:00pm – *Storing Liquefied Petroleum Gas (LPG) near Watkins Glen: Questions and Answers.* Tomkins County Human Services Building, 320 W. State St. First floor.

January 31 and February 1 – The County public meetings to discuss their road protection law. Contact Martha or Darby for more info.

Wed, Feb 2 3:30 – *TANG Land Use Workgroup* – Old Jail Conference Room

Thurs, February 3 2:00pm – *CCE Conference Call of regional task forces.* Contact Darby if you want to join since phone lines are limited. If enough people are interested, we can reserve a room with a speaker phone.

Fri., February 4, 4-5:00pm – Susan Rhia, *Framework for Assessing Water Resource Impacts from Shale Gas Drilling.* Morrison Room, Corson Hall, Cornell University.

Tues., February 15 5-8pm *Community Science Institute symposium for water monitoring.* Human Services Building (State/MLK Street).

Thurs, February 17 3-5:00 *TANG regular monthly meeting* (submit agenda items to liz.graeper.thomas@gmail.com)

Sun., February 20 2-4pm – *Tony Ingraffea, Cornell Engineer and Don Siegel, Syracuse University Geology Professor debate shale drilling issues.*
Brown Auditorium, SUNY Cortland.

Mon, February 28, 10am *TANG Assessment and Land Values workgroup* Courthouse

Mon, February 28 2:00 – *TANG Road Protection Workgroup* Courthouse conference room

March 30-31 – *A Systems Approach to Energy Transitions: Land, Economic and Community Transformations.* For municipal officials, planners, extension, community leaders, and land managers grappling with how we will responsibly and sustainably meet the energy demands of the Northeast. Cornell Cooperative Extension <http://devsoc.cals.cornell.edu/cals/devsoc/outreach/cardi/upload/SaveTheDate03-30-2011-1-page.pdf>.

Thurs. March 31-April 2 – Cornell Law School's Energy Conference: *Gas Drilling, Sustainability & Energy Policy: Searching for Common Ground.* <http://www.lawschool.cornell.edu/research/ELS/index.cfm>.

Thurs. March 17 3:00 *TANG regular monthly meeting*

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May 10-11 – *Marcellus Shale Multi-State Academic Applied Research Conference*. Altoona, PA. Target audience: academic researchers. Sponsored by Penn State, Cornell, West Virginia Land Grant Universities and their Cooperative Extension systems.s

FracTracker – Karen Edelstein

Karen is working to enter New York data sets into the FracTracker mapping program. She gave a demonstration of how a person can choose to view maps with a variety of features including topography, water resources, fault lines, known abandoned wells, health information, air quality monitoring etc. The program is a powerful tool to visualize aspects of drilling. Contact Karen for more information

kle2@cornell.edu

Anyone can explore FracTracker at <http://www.fractracker.org/>. Firefox works better than Internet Explorer. The task force asked Karen to add Unique Natural Areas for Tompkins County, but the data available to the public may not be in a form that Karen can use.

Action items:

- Darby and Martha will follow up on providing Karen with usable datasets of UNAs for Tompkins County. FOLLOW UP: Access to the UNA data requires filling out and signing a usage agreement which is reviewed by the EMC. The usage agreement includes the following statement, “I agree not to distribute the UNA GIS Coverage beyond my possession”. Unless this statement is waived or changed, it is unlikely it can be used in the FracTracker program. Aquifer data is available through Todd Miller at USGS.

CORNELL LAW SCHOOL 2011 ENERGY CONFERENCE -

Ben spoke to the task force about the energy conference he is helping to organize titled *Gas Drilling, Sustainability & Energy Policy: Searching for Common Ground* being held March 31- April 2. While hydrofracturing is not the only topic, it is the uniting topic of all the panel discussions.

Items Ben asked the task force to consider:

- Attending the conference. It’s free and encourages dialog on the hydrofracturing subject. See the program and register early since seating may be limited at <http://www.lawschool.cornell.edu/research/ELS/index.cfm>
- Being a sponsor (in name only). Ben is trying to foster an atmosphere of cooperation between Cornell and the Ithaca area community. He hopes this conference will help faculty and community leaders improve their understanding of the subject and increase networking potential between Cornell faculty, the community and the Cornell Law School.
- Using the new Cornell Environmental Law clinics. A clinic on water law is now in operation. Other environmental law clinics to follow.

Action item:

- Liz - Ask the opinion of task force contacts at Cornell
- Liz - Poll TANG to determine opinion of the group.
- Liz - Bring this information to TCCOG on January 27
- All – register for the conference since seating may be limited if registering late.

2011 Organization of the Task Force – Liz Thomas

TANG discussed what work groups are active and who will chair each.

Active Workgroups in 2011

- Road Protection – Don Barber
- Land Use – Richard Driscoll

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- Public Safety – Ric Dietrich
- Assessment – Carol Chock
- Mapping – Art Pearce and Don Barber
- Air Quality – Joe Wilson

Areas not covered or changed

- **Water – Chair needed**
- Community Impacts – we are in communication with Susan Christopherson and George Frantz at Cornell who are studying this subject and providing us with outcomes of their research.
- Pipelines – this is a big topic but perhaps one we can address down the line?
- Gas Storage
- State and federal communications – this area will no longer be a workgroup, but Martha will let TANG know about potential action items. All members should feel free to raise awareness on issues where our united influence can help communicate concerns.

WATER: Members of the task force felt it is important to have a water workgroup to act as a resource for local municipalities. Examples of what municipalities need to know:

- When are permits needed for water withdrawals?
- How do water commissions influence water withdrawals and disposal?
- Where can communities have water tested?
- What is a logical protocol for baseline testing?
- What should water treatment facilities know?
- Example resolutions for water sales or water treatment.
- Who enforces water quality standards?
- Do state water quality standards address hydrofracturing concerns?
- What is the role of the federal government i.e. EPA?
- Etc.

Action Items;

- Sharon Anderson - will send list of who is on the water committee
- Darby - will make the Water Resources Council aware of the lack of a work group addressing water issues and try to enlist help.
- Craig/Darby - will mention the same to the Cayuga Lake Monitoring Partnership to see if TANG can benefit from work that is already being addressed within the County.

PUBLIC SAFETY:

The County public safety personnel want to work with individual municipalities to assess emergency preparedness.

LAND USE: Richard has established a timeline of products produced by the land use workgroup, with Joe Wilson working on air and dust and Jason Leifer on a noise ordinance. Helen is working on a definition of industrial land use and looking into a nuisance law.

ASSESSMENT: Carol is convening the second meeting of an assessment and land value workgroup on January 23 to work on land values, splitting of subsurface rights, ag exemptions, verifying measurements, taxes (income and severance).

STATE COMMUNICATIONS:

- Martha reports that gas companies may use the governor's executive order as a reason to exert force majeure to extend leases.

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- Assembly bills introduced last year are now looking for sponsors in the State Senate. Work is expected to proceed slowly at best, since the focus is on the State budget.
- TANG should be ready to ask for an extended comment period once the dSGEIS is released and then act to submit comments.

Action item

- Who will we work with on submitting comments from TANG in response to the dSGEIS when it is released?

ROADS

Darby reported that the towns contracting with Delta should have their legal language for a road protection soon. Meanwhile the County is moving ahead with legal language to protect roads. Jonathan Wood has been working with the Association of Towns to craft the language. There is some concern about having separate laws within the county as the feeling is that a united set of laws will be more powerful. But each municipality's law will likely be somewhat different to fit into their pre-existing laws and since it is possible that some laws may be challenged, municipalities may benefit from having several laws to choose from.

COMMUNITY IMPACTS

A member of TANG asked when Susan Christopherson will release the results of her findings on community impacts based on studies out of Pennsylvania.

Action item

- Liz will contact Susan and ask for results. – FOLLOW UP – Susan does not have a version of her findings available for the public yet, but will let us know when she does. She asked us to participate in a seminar she's giving this spring.

MEMBERSHIP

It is clear TANG does not have enough active members to cover all the topics facing municipalities. In order to avoid the inertia that comes with a topic such as hydrofracking with an overwhelming number of details, we should remember to focus on areas that will be of use to municipalities as they move along in their preparations to address hydrofracturing.

Action item:

- Please recruit members or consider joining one of the existing workgroups.

BRADFORD COUNTY TOUR – Led by Darby Kiley

A report of the Bradford County Tour is separate.

WORK PLAN – Darby Kiley

Darby is working with individual municipalities to determine their needs as they relate to preparing for gas drilling. She prepared an RFP for Caroline, Enfield, and Ulysses to find a contractor for the road evaluation engineering. Darby spoke with Susan Christopherson about a class Susan is offering this spring and is also working with Todd Walter on a seminar in civil and environmental engineering.

Due to scheduling conflicts TANG did not discuss drilling bans and had only an abbreviated discussion of road protection.

Submitted by Liz Thomas