

TCCOG Gas Drilling Task Force
Meeting Minutes
December 7, 2010

Attending: Darby Kiley, Art Pearce, Maria Coles, George Frantz, Sharon Anderson, Ed Marx, Helen Slottje, Don Barber, Zack Patton, Joe Wilson, Richard Driscoll, Kathy Halton, Liz Thomas, Ken Zeserson, Jason Leifer, Lee Shurtleff, Carol Chock

Air Quality – Joe Wilson

Joe Wilson reviewed his draft document on monitoring air quality (emailed to the TANG group on December 5 and November 16). Joe and Helen attended the air quality sessions at the *People's Oil and Gas Summit* and learned more about air quality problems associated with hydrofracking. Experts in air quality provided compelling evidence of significantly contaminated air and emphasized that all drilling sites have some level of air contamination from leaks.

In NY, the state is responsible for monitoring air quality however communities can monitor air quality using certified labs. Some contaminants are more difficult to monitor.

A legal precedent in NY indicates local air quality standards can be more strict than state standards based on a court of appeals ruling governing air quality standards for an incinerator.

See information from the *Summit* "Health effects of gas drilling"

http://www.chec.pitt.edu/documents/Marcellus%20Shale/GSPH_ShaleConfProgram2010.pdf.

Mapping – Art Pearce, Don Barber, Zack Patton

Zack Patton, a Cornell student, worked with the mapping subcommittee to create maps that can help to visualize the density of drilling based on certain presumptions. He showed maps based on:

- 40 acre spacings with 3 acre pads vs 640 acre spacings with 5 acre pads
- Development over time – PA has good information on expected rate of development
- Whether the state or Cornell agree to allow drilling their lands.
- Where current pipelines exist
- Development if regulations allow municipalities to prohibit drilling:
 - Near residential areas
 - Along creeks and adjacent to the lake
 - On steep slopes (15% slope or more)
 - In critical environmental areas

However, the draft sGEIS does not give local governments the jurisdiction to exempt the areas mentioned above nor is it clear if Cornell or the State will lease their lands which would affect the level of drilling in some areas.

Bradford County has good maps of well placements over time which can give our area a good idea of how development will look over time.

A set of maps showing these different scenarios for Tompkins County would be helpful to educate municipalities and residents and help them plan for the future.

CORNELL LAW SCHOOL 2011 ENERGY CONFERENCE -

Cornell students who are organizing an energy conference titled *Gas Drilling, Sustainability & Energy Policy: Searching for Common Ground* asked TANG to be a co-sponsor in name. Some members are concerned:

- That representation on the panels needs to be more balanced.
- That more scientists should be added to the law and science session.
- About who the target audience is.
- How the conference will benefit TANG or TCCOG?

See more: <http://www.lawschool.cornell.edu/research/ELS/index.cfm>

Action item: Anyone having more input should contact Liz as soon as possible. The organizer, Ben Tettlebaum, would like to speak to TANG in January.

PROPOSED WORK PLAN

- Provide technical support to TANG (ongoing).
 - Website
 - Work Groups
 - Roads – share examples from other counties; RFP development
 - Land Use
 - Mapping
 - Assessment
- Compile a list of effective best practices for local governments to address the impacts of gas drilling activities. Integrate into Vital Communities Toolbox.
- Provide direct assistance to local municipalities in Tompkins County to implement best practices.
 - Identify appropriate board or committee with which to communicate (Town Board, Planning Board, Task Force).
 - Initiate one-on-one informational meetings with each municipality and assess priorities (January – February).
 - Review of local regulations, policies and practices and compare to best practices (January – March).
 - Provide written report to each municipality on how its regulations, policies and practices compare to best practices (April – May).
 - Continue one-on-one meetings with local governments to amend or add regulations, policies and practices (May – September).

ROAD PROTECTION – Don Barber

Several municipalities have contracted with Delta Engineers to evaluate the condition of their roads but 3 others (Caroline, Ulysses, and Enfield) will soon release an rfp for this work.

State law gives counties and towns different authority over their roads. Tompkins County has a draft Road Preservation Law (not attached but will send soon). Yates County has a different law, but some question its enforceability. (Yates County Roads Preservation Use and Repair Agreement

http://counties.cce.cornell.edu/yates/documents/MS_RoadPresUseandRepairAgree062110woRes.pdf)

The Association of Towns will have a session on road protection at its meeting in February.

Town of Caroline: Excavation and Construction in Municipal Roadways and Highway Rights-of-Way

<http://www.townofcaroline.org/wp-content/uploads/2007/11/Excavation-and-Construction-in-Municipal-Roadways-and-Highways-Rights-Of-Way-Local-Law.doc>

Town of Danby: Excavation and Construction in Municipal Roadways and Highway Rights-of-Way

http://town.danby.ny.us/Documents/TOWNBOARD_LAW_201004.pdf

Town of Ithaca: A LOCAL LAW AMENDING CHAPTER 230 OF THE TOWN OF ITHACA CODE, TITLED STREETS AND SIDEWALKS, TO REVISE PROVISIONS RELATED TO EXCAVATION AND CONSTRUCTION IN MUNICIPAL ROADWAYS AND HIGHWAY RIGHTS-OF-WAY

<http://www.town.ithaca.ny.us/pdffiles/LL%20of%202010%20Excavation%20in%20Streets.pdf>

RESIDENT SURVEYS – Kathy Halton

The task force in Danby is interested in conducting a survey of residents to assess their opinions about hydrofracturing. She's interested in hearing from others about how they have (or plan to) survey residents.

Action item: Contact Kathy if you have information on resident surveys

PEOPLE'S OIL AND GAS SUMMIT-Helen Slottje

Helen and David attended the *People's Oil and Gas Summit* in PA in November. A summary of proceedings will be available in early 2011 but abstracts of the talks and some speaker presentations can be viewed at: <http://www.earthworksaction.org/POGsummit2010.cfm>. Helen strongly recommends viewing the videos of Deborah Rogers, Theo Colburn and Bob Howarth when they become available in 2011(background material is available now at the link above).

Also see "Health Effects of Shale Gas Extraction"

http://www.chec.pitt.edu/documents/Marcellus%20Shale/GSPH_ShaleConfProgram2010.pdf

NYWEA – Liz Thomas

NY Water Environment Association's mission is to *serve the best interest of the public by promoting sustainable clean water quality management through science, education and training*. It now has a hydrofracturing steering committee (HFSC) and needs reviewers for white papers on the following subjects:

- *HF Related Water Withdrawals*
- *Flowback options*
- *What Stormwater and other Pollution prevention BMPs have proven to be effective at HF well head and equipment staging locations?*
- *Re-Use Quality Criteria For Spent Frack Water*

The HFSC will objectively evaluate and provide appropriate summaries and/or recommendations to NYWEA, WEF (Water Environment Federation), and governmental bodies as appropriate on proposed federal and NY policies, regulations and/or statues dealing with hydrofracking as it relates to the water environment. Sharon Anderson volunteered to be a reviewer.

Action item: Contact Libby Ford at the WEA if you are interested in being a reviewer. Expertise in water quality not required.

WEBSITE – Liz Thomas

The website is up and running at http://www.tompkins-co.org/tccog/Gas_Drilling/Index_GasDrilling.html. Liz asked for 1 or 2 volunteers to help review the organization of the pages and to create some guidelines for what information is appropriate to house on the site. Art Pearce, Darby Kiley and Liz will meet January 6 at 2:00 to review the website.

Action item: Anyone interested in reviewing the website should contact Liz

COMMUNITY IMPACTS – George Frantz

George's Regional Planning class at Cornell hosted a public meeting to present their findings on the impacts of Marcellus Shale natural gas drilling in Pennsylvania. The four areas of focus are: **impacts on housing, visual impacts, water quality and land use and zoning.**

The workshop participants travelled to Bradford County on several occasions to speak with residents and public officials, and to observe drilling operations, impacts on roads and short- and long-term impacts of drilling operations on the land. In addition they have heard from a number of guest speakers actively involved in the issue in Bradford County.

For more information on the workshop and presentations contact George at grf4@cornell.edu.

Future Meetings

Assessment Subcommittee - December 20 10:30am – contact Carol Chock.

TANG: January 20, 3:00-4:30 – Old Jail Conference Room