

Pro-Drilling Resolutions Appearing on Town Agendas

Candor's is next

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Last month the towns of Van Etten and Spencer each passed a resolution stating that the towns supported gas drilling. Van Etten's resolution was simple – a single sentence stating that the town has “decided to allow gas drilling in the Town of Van Etten”. Spencer's is lengthier, commending the state's leadership in developing a “comprehensive” statewide drilling program, stating their confidence in the state's development of “safe” and “responsible” gas development, and all but promising to ignore any citizen petitions for moratoria or bans.

Now Candor is considering a similar resolution. The June 12 meeting agenda lists “Review/approve Planning Board recommendation on a resolution supporting natural gas development in the Town of Candor”, but, unlike previous resolutions, this one has not posted for citizens to read. That's because it has yet to be drafted – unless the town planning board and town council opt to adopt the language drawn up by the Joint Land Owners Coalition and Clean Growth Now.

Last month, Candor Town Supervisor Bob Riggs received an email from the Tioga County Landowners Group urging the town to adopt a “pro-drilling” resolution, complete with proposed language. Riggs forwarded the information to the town planning board, directing them to review this issue and make a recommendation to the town board.

“I believe all members of the town board are in favor of the safe development of our natural gas resources,” he wrote. “However, I for one am not in favor of passing resolutions purely to make a political statement.” He'd also like to post the actual wording for any proposed resolution before the board meeting, so citizens have an opportunity to read it before it comes up for discussion.

“I feel like [this resolution] is being rushed,” Riggs told *Broader View Weekly*. He suspects that the driving force for this rash of resolutions is a news article in which Department of Environmental Conservation (DEC) Commissioner Joe Martens was quoted as saying that local land-use rules will “continue to be a consideration” in the permitting process for gas drilling.

In addition to receiving the request from Tioga County Landowners Group, Riggs mentioned that he had received similar requests from a number of other people. When pressed for details, he admitted that basically it was a bunch of calls from one landowner who doesn't live in town, and comments from other town supervisors. “I can't think of any people in Candor who contacted me regarding this resolution,” Riggs said.

Riggs feels that the proposed DEC regulations will promote safe drilling practices, and he doesn't want to prohibit that opportunity for landowners. At the same time, he doesn't want to be responsible for environmental contamination. When asked whether the town is ready for drilling, he noted that Candor does have a road use agreement and that the planning board has been reviewing the wellhead protection plan. But the town has not, he confessed, gone through the check-list in the TING (Tioga Investigates Natural Gas) binder – a list developed to guide towns through actions that will protect the town's infrastructure and environment once drilling commences.

Neither has the town determined whether drilling is compatible with the town comprehensive plan. That plan seeks to preserve the rural character of Candor, encourage small business and light industry, and maintain or improve property values – goals that seem to conflict with large-scale industrialized shale gas drilling.

Language in the proposed resolution calls for towns to not pursue bans or moratoria. Riggs is reluctant to pass anything that would censor public participation in government. "I'm not in favor of language that would discourage citizens from bringing petitions for a moratorium or a ban," he said.

A few towns to the west, another town council is considering the same resolution. Theirs came in a thick envelope from Southern Tier Economic Growth (STEG), a Chemung County economic council that in 2011 received close to 75% of its funding from taxpayer dollars. The resolution was word for word identical to the one that Candor is considering; and the one that Spencer passed and that the Town of Bath passed.

A council member in one of the Chemung County towns currently considering the resolution spoke with *Broader View* on the condition that his name not be used. "The problem," he said, "is that there is no open discussion on our board about this." Like Riggs in Candor, he wonders what the motive is for rushing towns to adopt such a resolution. He speculates that when DEC eventually begins the permitting process, Broome, Tioga and Chemung counties will be the first areas to be drilled, and those permits will go for towns that are friendly to the drilling industry.

The councilman also sees this resolution as a response to the growing movement to ban drilling. Towns don't want to become embroiled in lawsuits by landowners angry that they can't lease their land. On the other hand, he said, "if it can be proven that this resolution encourages drilling to come into a town, and if problems result, then towns could be sued for that. This resolution opens towns up to more lawsuits than if we do nothing."

The other problem he sees is that people voting on this resolution have a vested interest in seeing drilling happen in their town. "Elected officials who have leases should not be voting for this kind of resolution," he said. "Indeed, they should recuse themselves from voting on any of these issues where they have a financial stake in the outcome."

While the impetus for this "pro-drilling" resolution is coming from the landowners groups, Candor Town Supervisor Bob Riggs feels it reflects the desires of Candor residents. If this resolution comes up for a vote, he suspects it will pass. "People I've talked to, the vast majority of people in the Town of Candor, are for drilling," said Riggs.

However, according to the most recent Cornell poll, upstate residents feel the risks of drilling outweigh the gains, by a margin of two-to-one. And, a recent telephone poll of Van Etten residents found 64 percent of the people they polled are opposed to fracking and 35 percent in favor of it. Candor has yet to conduct a public survey of any type related to drilling.

At press time the Candor Planning Board was meeting to discuss this resolution. Look for a report on that meeting next week. Candor Town Board will meet Tuesday, June 12 to consider recommendations from the planning board. Upcoming meeting agendas are posted at <http://candortownboard.blogspot.com/>. The Town of Candor Comprehensive Plan is posted online at http://candorny.us/planning/comprehensive_plan.shtml or can be found at town hall.