

Danby Citizens Share Concerns On Gas Drilling

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Over 50 people showed up for the Monday, June 15 community discussion on gas issues at Danby Town Hall. Ric Dietrich, who organized the event and moderated the forum, had to locate extra chairs – and even then it was standing room only.

“We don’t have answers for all of your questions,” Dietrich said, but he assured residents that the town will hold follow-up meetings to address concerns brought up during the evening. He then introduced the guest speakers. Shaleshock representative Risa Sokolsky introduced environmental concerns with drilling; attorney Guy Krogh addressed leasing issues; Nick Schoonover explained the rationale for a landowner coalition; and former Tompkins County administrator Steve Whicher outlined concerns facing town and county officials.

Although each speaker focused on a different aspect of natural gas exploration, there was a unifying theme: regardless of whether you lease or not, the development of this resource will affect everyone.

Environmental Concerns

An individual gas well may only take up three or so acres, but what happens when hundreds of gas wells are drilled in an area, Sokolsky asked? She projected an aerial view of closely-spaced wells in a Colorado gas field as she ticked off some of the cumulative effects of drilling.

Air quality suffers when large amounts of diesel and nitrogen oxides combine with sunlight to make ground-level ozone. Water quality suffers; in New Mexico and Colorado more than a thousand water wells have been contaminated. Even wildlife suffers. As wells have moved into Colorado, wild game species have moved out. In the past five years about half of the wildlife has disappeared, forcing many small businesses depending on hunting and recreation to close their doors.

Will the predicted economic gain from extracting gas compensate for the potential losses to existing industry, wineries, agriculture and tourism in our area, Sokolsky wondered? Gas production in the Marcellus is an industrial activity that will consume vast quantities of water and produce vast quantities of wastewater. Right now New York does not have adequate treatment facilities.

Leasing and Landowner Groups

“Leasing is not for everyone,” said Guy Krogh. He urged landowners to consider their stewardship of their land, and then explained some of the clauses included in a gas lease: Pugh clauses, granting the lease, land restoration, timber rights and storage clauses.

“Don’t assume that just because you know something about leasing property you’ll understand an oil and gas lease,” Krogh said. Some clauses can all extend the life of a gas lease, he said. Krogh also emphasized the importance of indemnifying landowners so they’re not left responsible for environmental clean-ups.

Nick Schoonover, founding member of Tioga County Landowners Group, said that “ugly” leases catapulted him into action. “There was a great disparity between neighbor’s leases,” he said. “The leases were biased towards the gas companies.”

Schoonover got mad; then he got organized. He realized that the first priority of a landowner group would be to learn as much as possible about not only leases, but about the gas industry. To that end education has been a top priority of the landowner’s group.

While many people focus on the money they’ll make, Schoonover pointed out that bonus checks aren’t the first thing on the minds of Tioga County landowners. In a recent survey 80 percent of the members listed the environment as their primary concern.

Talking to neighbors is essential. Once the drilling units are established your neighbors will become your business partners, Schoonover said. “So if you’ve got any old feuds, you’d better get over them.”

Federal, State and Local Regulations

Gas drilling will be the most serious thing towns and counties will need to address over the near future, said Steve Whicher. He encouraged people to support the FRAC Act (HR 2766) that US Representative Maurice Hinchey has co-sponsored. The bill will hold companies accountable to the Safe Water Drinking Act and also require that companies reveal the fracking fluid components they are using.

Whicher also praised Assemblywoman Barbara Lifton for her awareness and proactive stance on state regulations. Lifton is co-sponsor on an Assembly bill that would require gas companies to test water.

Protecting water resources resonated with many people in the audience. “All our water should be tested,” said one person. “The Assembly bill would require testing for water wells within 1,000 feet of the gas well,” said another. “But is 1000 feet enough?” Other people expressed concern about the consumptive water use, and how permits are approved.

Frank Proto, who represents Danby on the Tompkins County Legislature said, “We can’t afford to test every well.” There are around 32,000 pieces of property in the county, he pointed out. “The people who enjoy the profits should cover the costs,” Proto added, referring to both water testing and wastewater treatment expenses.

A number of people wanted to know more about eminent domain, and under what conditions governments could take private property. Schoonover mentioned the Stagecoach Storage Field in Owego. The area was filled with old Oriskany wells; now it serves to hold gas until it’s time to send it to market.

As the meeting drew to a close it was clear that a number of questions remain to be addressed at future meetings.

See next week’s BVW for proactive steps for landowners.

Sidebar:

Ten Things You Can Do

On the same night as the Danby meeting, Caroline Town Supervisor Don Barber spoke at Broome Community College about actions citizens can take.

1. Write the DEC and request the SGEIS comment period be extended from 30 days to 90 days.
2. Work with your local officials to develop a list of critical areas to protect including those of sensitive environmental, cultural, and historic concerns.
3. Support Assembly Bill 8748 which will hold drillers accountable for damages and consumptive use of high volumes of water.
4. Demand that the Great Lakes Watershed international treaty be recognized, which will prevent water from being removed from this watershed.
5. Support HR 2766 to hold companies accountable to the Safe Water Drinking Act. This also requires fracking fluid components are revealed.
6. Make sure private and municipal water supplies are protected. Demand that water treatment plants be industry funded.
7. Request a severance tax where the money is used to support DEC monitoring.
8. Give local governments back their power; ask that DEC law 23 section 303.2 be repealed.
9. Work with towns and counties on a permitting process to protect local roads. Ask for a maintenance bond or some other assurance so that tax payers aren't left paying for road damages.
10. Keep talking. This is the biggest change coming to our area and people have got to start paying attention.

Martha Goodsell contributed to this article.