

Meeting of the Lansing Town Committee on Gas Drilling
Thursday 8th September 2011 7pm at Lansing Town Hall

In attendance:

Committee members: Rachel Bean, Larry Beck, Tom Butler, Karen Edelstein, Suzanne Hinderliter, Bill Miller, Fred Schwartz

Liason to the Town Board: Kathy Miller

Charge to the committee:

KM believes that the charge to the committee is the same as the charge to an earlier committee formed in 2009 on which James Mason was Chair, Kathy Miller co-Chair.

Karen Edelstein was also a member. KM read the charges to the committee.

KM will provide the committee members with an electronic copy of this.

The 2009 committee was assessing the impact of potential gas drilling for the Town, in light of the draft Supplemental Environmental Impact Statement (dSGEIS). As part of its work it had started to draw up records of existing wells within the Town, establish where areas of Critical Environmental importance and had, in consultation with the Town Attorney, Guy Krogh, started to draft a resolution requesting the Governor of NY withdraw the dSGEIS. The Chair of the Committee left the state and the committee process stalled.

KM will provide the committee with copies of the original charge, the draft resolution and the Town's Comprehensive Plan.

What do we want to accomplish?

1. Provide access to information and resources, promote education and raise awareness about gas drilling for the Town residents

The committee felt that this was very important. It would be good to set up a webpage on the Town website on which relevant information could be put. This included materials the committee had been reading to familiarize themselves with the facts and issues surrounding gas drilling, leases and related activities within the state and in other states.

The webpage could be publicized through the local media, e.g. the Lansing Star.

KM said she would look into setting up the webpage.

2. Assess the potential impact of gas drilling on the Town, its residents and resources.

Various aspects were mentioned:

- The impact of gas drilling and associated activities (e.g. gravel provision, water provision, gas storage and processing) on the character of the Town
- the effect on land use,
- the impact on property values,
- the impact of increased road use by heavy vehicles on the integrity of Town roads
- the impact on local public services

The committee supported the idea of talking with Tony Ingraffea of Cornell University. Members had already looked at his online presentations on gas drilling, but wondered if he would be able to come and talk to the committee and/ or Town residents more broadly. KM said she had contacted him but that he is on sabbatic.

KM will contact Tony Ingraffea to see whether an in-person meeting would be possible.

- *Property values:*

Potential negative impact on property values (e.g. Tompkins County letter to the State/ examples in Pennsylvania) related to gas drilling activities.

Possible issues for landowners who have land that borders land that has been leased. They may have no right to prevent drilling occurring under their property.

○ *Leases for gas drilling/extraction:*

An estimated 41% of the land in Lansing is leased, but this land is owned by 7% of the population.

Some concerns voiced to committee members by Lansing residents related to contractual obligations/ liabilities on the landowner, and how to get out of a lease.

○ *Impact on demands for Town public safety/emergency, health and education services:*

Financial and personnel impact on local voluntary fire department, health centers, schools etc.

Could Lansing public safety services deal with gas drilling related accidents without additional taxpayer investment?

○ *Environmental impacts*

The committee will investigate where Critical Environmental Areas might exist in Lansing Town, building on the work done by the previous committee.

KE suggested it would be worth talking with Dan Kwasnowski (environmental planner, Town of Dryden) and Ken Zeserson (Town of Ulysses).

Old wells exist in the Town of Lansing. While the location and condition of some wells are known, there will be wells whose existence, location and condition are unknown to the Town/County/State. The Town could take steps to see if “old-timers” in the Town are aware of any of these wells. However it also has to consider how to address the risk that remaining unknown, well might pose as conduits into local land and water reserves.

3. *Understand what legislative steps Lansing could/should take to protect the interests of the Town and its residents*

Does legislation need to be updated to ensure that Lansing’s character, as a rural town, is preserved and ensure that gas drilling activities do not have negative impacts such as increased taxation for town residents, over stretching of public safety services, and to appropriately limit risks for public health and the environment.

The committee would like to discuss with the Town Attorney. Guy Krogh, issues surrounding the impacts of gas drilling within the Town and how the Town might introduce legislation to address these.

KM will contact Guy Krogh in this regard.

RB had talked to Mary Ann Sumner, the Town Supervisor in Dryden, about how Dryden was responding to the prospect of gas drilling in NY.

The Tompkins County Council of Governments (TCCOG) Gas Drilling Taskforce is considering the impact of drilling in the county. KM is on this taskforce.

The committee wants to understand in more detail what other local towns are doing in regards to gas drilling to ensure we have the appropriate legislation in place.

Lansing should ensure that its legislation is appropriately clear on the Town's position on gas drilling and related activities. Drilling has taken place in the Town previously and so we might reasonably expect it to be considered by the gas drilling industry again. The Town should act responsibly to protect its residents, taking no steps because "it might not happen" is not a position the Board should assume.

Town of Lansing road use, water use and zoning laws need to be adequate to maintain the character of Lansing Town. Inconsistent protection of Lansing town's land, roads and natural resources, in comparison to neighboring towns for example, may lead to the town shouldering a disproportionate burden, e.g. Lansing town roads being used as a "path of least resistance".

The committee will study

- Zoning regulations:

Ithaca, Dryden and Ulysses have introduced zoning regulations to ban gas drilling and related activities from their Town. Tompkins County has banned gas drilling and related activities from County owned land. Other towns are moving towards bans.

The Committee will study current Lansing zoning/land use regulations and the Comprehensive Plan in detail.

- Water use/sale restrictions:

The Town of Ulysses has banned the use of water sold by the Town for gas drilling, hydro-fracturing or any related purposes and Dryden is considering water use legislation.

Possible water access points in Lansing could be used as loading points for water trucks for gas drilling activities. Road use, water sale and environmental impacts should be investigated.

- Road use legislation:

Tompkins County and Dryden Town commissioned engineers to assess the impact of gas drilling industry on county and town roads respectively. TG Miller and Delta Engineers are both engineering companies doing assessments in local towns/ county. Professional assessments of the current road quality and road use; quantification of impact of potential increases in heavy truck traffic; potential routes, and impact on road quality, repair requirements and the cost to the town/county.

Using the professional assessment as the basis, Dryden are considering introducing legislation that would require companies wanting to use Dryden town roads for heavy truck traffic to obtain permits and agree to put up bonds to cover the financial impact of their road use on the town so that resident taxes do not have to increase to cover this.

The committee felt it is important for Lansing Town to understand the financial and environmental impacts of potential increased road use on town roads. They felt the benefit of a professional impact/risk assessment outweighed the cost of this

assessment (the cost of the Dryden assessment was thought to be ~\$5-6000). It would provide an informed, independent basis for the Town to take necessary steps to mitigate any financial/environmental impacts Lansing might face from increased industrial traffic. KM says she will convey this to the other members of the Town Board and investigate how the Town would fund such a study.

The committee wants to also understand weight limits on Lansing town roads and whether town roads are suitable for increased heavy industrial traffic. Weight limits should be clearly sign posted on all town roads/bridges. This would be a simple step that could help prevent unnecessary damage by vehicles that are too heavy/large.

Canvas Opinion on Gas Drilling in Lansing Town:

Investigate how a poll of resident's opinions could be conducted. This has been done to gauge opinions in other local towns.

Appoint Chair and Co-Chair:

Committee Chair: Larry Beck

Committee Co-Chair: Bill Miller

Secretary will rotate

KM to give committee members' names, Chair and Co-Chair to the Board for approval

Future meeting dates:

The Committee will meet every two weeks on Thursday evenings at 7pm at the Town Hall. The next meeting will be on Thursday 22nd September.