

GOOD TIMES BAD TIMES



AUTUMN 2011

A RESIDENTS GUIDE TO GAS DRILLING

ISSUE #5

Welcome to our 5th newsletter about industrial gas development in our area. In this issue, we report the results of the survey that we sent to all the residents and landowners in Meredith. If you have comments or questions, please email us at info@meredith-coalition.org or visit our website at www.meredith-coalition.org.

MEREDITH GAS DRILLING SURVEY

Question 1: Are you in favor of gas drilling in the Town of Meredith?

	Respondents	Opposed	In Favor	Undecided
Grand Total	628	76.6%	13.7%	9.7%
Residents	375	79.8%	11.7%	8.5%
Residents NYC Watershed	192	90.1%	4.2%	5.7%
Residents Outside Watershed	183	68.9%	19.7%	11.4%
Non-Resident Landowners	235	74.5%	15.3%	10.2%
Landowners NYC Watershed	117	70.9%	14.5%	14.6%
Landowners Outside Watershed	118	78.0%	16.1%	5.9%
Anonymous	18	38.9%	33.3%	27.8%

At the beginning of September, we mailed a two-question survey to everyone in Meredith, a total of 838 addresses (521 local residences, and 317 non-resident landowners). 386 of 831 surveys were returned – a response rate of 46%. Seven were returned as non-deliverable.

610 individual respondents signed the surveys. 18 anonymous forms were also returned (2% of the total). All the forms were numbered to prevent anonymous duplicates, but individual responses were not correlated with the numbers.

The statistical margin of error of the survey is plus or minus 5%, with a 99% confidence level. The survey results were presented to the Town Board at its meeting on October 11.

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Question 2: Should the Town of Meredith have the power to ban gas drilling?

	Respondents	Yes	No	Undecided
Grand Total	628	77.5%	15.1%	7.4%
Residents	375	78.9%	14.1%	7.0%
Residents NYC Watershed	192	85.7%	7.9%	6.4%
Residents Outside Watershed	183	71.6%	20.8%	7.6%
Non-Resident Landowners	235	77.5%	15.3%	7.2%
Landowners NYC Watershed	117	78.6%	13.7%	7.7%
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Anonymous	18	50.0%	33.3%	16.7%

STATISTICAL METHOD

If people drink coffee in half the households in Meredith each morning, and we did a survey of 46% of all the households (“Did anyone drink coffee this morning?”) and we sent the same survey out on 100 different days, 99% of the time our survey would find that between 45% and 55% of the people in our sample answered “Yes”.

The remaining 1% of the time, for 1 in 100 households that answer the survey, we would expect the response to be more than the margin of error away from the true answer.

When a sample of the total population is surveyed, there’s no way to know the correct answer for sure, but in this particular case, we do know that there’s a 99% chance that our survey results are within the + / - 5 percent. It seems safe to conclude, for example, that among people who have expressed an opinion about gas drilling (not “undecided”), the actual number of those opposed is somewhere between 80 and 90 percent.

Of course, this assumes a uniformity of response within the overall survey population, which one would reasonably expect when asking people questions like “Did you drink coffee this morning?” But gas drilling is a more volatile issue, so it is important to consider some of the possible ways our survey results could have been skewed by unusual factors.

A SILENT MAJORITY?

Is it possible that among the 54% who did not respond, that there is a “silent majority,” or even a substantial minority, who support gas drilling in Meredith but do not wish to be identified? If that were the case, then one would expect to see this reflected in the number of anonymous surveys we received. Such a group could have made their point to the Town Board by sending in 50 or 100 pro-drilling responses. Yet only 18 anonymous surveys were returned, with 6 in favor of drilling, 7 opposed, and 5 undecided.

VOTER APATHY

As for general voter apathy on this particular issue, as opposed to the usual apathy that reduces any election turnout or survey

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LAWSUITS CHALLENGE TOWN DRILLING BANS

At least a dozen local governments across the state have passed some type of prohibition on gas drilling, including five towns in Otsego County. Many more are considering some kind of action to limit gas drilling within their borders.

In August, Dryden, a town of 13,000 residents southeast of Ithaca, amended its zoning law to specifically prohibit gas drilling and other heavy industry. Last month, Dryden became the first town to be sued by a gas company.

Anschutz Exploration, a Denver-based energy firm with leases on 22,000 acres in Dryden, is challenging the zoning amendment, claiming it is pre-empted by NY State's Environmental Conservation Law (ECL-23), which grants exclusive right to the state to regulate gas drilling activities, except for local road use and property tax laws.

But officials in Dryden and other towns say the law prohibits them only from regulating the drilling itself, and not from regulating where, or whether, it can take place. "The town has

land-use regulatory powers that are consistent with the ECL because we're not enacting a ban on a single industry," said Dryden's town attorney.

Whether an outright ban is the same as a regulation is an unresolved question, and state appellate courts have never reviewed the scope of the ECL's pre-emption provision. However, the Court of Appeals has twice ruled that a similar statute, the Mine Land Reclamation Law, does not pre-empt local zoning ordinances. To some legal experts, this suggests that the courts should rule similarly with regard to gas drilling.

A second lawsuit has been filed by a dairy farmer in the town of Middlefield, which includes Cooperstown. The town's law – and the argument against it – are nearly identical to the Dryden case.

A series of appeals are almost certain, and it is expected to take at least a year or more to resolve the issue.

WHO WE ARE

The Meredith Landowners Coalition is a non-profit community group of local residents.

The Steering Committee of the Meredith Landowners Coalition, in alphabetical order:

Larry Bennett, Nancy Cannon, Carolyn June, Bob Rosen, Kelley Snodgrass, Cynthia Waterman

Copies of all our newsletters are available for download from our website at www.meredith-coalition.org.

You'll also find videos, photos and links to information about gas drilling in our area.

MLC MEMBERSHIP

\$5 \$10 \$15 \$25 \$50 \$100 () \$OTHER

NAME _____

ADDRESS _____

PHONE _____

EMAIL _____

I/we wish to remain anonymous

Please make your check payable to: **MEREDITH LANDOWNERS COALITION**

Mail to us at PO Box 2, Meridale, NY 13806



GAS DRILLING SURVEY COMMENTS

The complete transcript presented to the Town Board is available for download at our website at www.meredith-coalition.org.

PRO-DRILLING

1. People complain about foreign energy, then balk if production comes to their community. Our state needs jobs, our economy needs influx and we need more abundant energy. [33]
2. I would agree to gas drilling in our town if it would benefit in any way the residents of the town of Meredith. [91]
3. Drill Baby Drill [262]
4. Back in the 1960's there was a gas well drilled between Meridale and North Franklin near Rte. 28. There is no trace of it seen now. There is a house on the site. So much for horrible environmental damage... [104]
5. We are not against drilling for gas but are against putting any chemicals into the ground... [227]
6. ...It certainly would put a lot of people back to work and help our economy. It would also keep us out of companies overseas that are ripping off the United States with such high prices... [732]
7. Any industry that can create jobs & add to the tax should be welcomed. [759]
8. There has been successful gas drilling in northern Pennsylvania and it has been very good for the local economy. In addition, the gas companies improved the roads in the area. [329]

AGAINST DRILLING

1. KEEP MY WATER CLEAN!!! [28]
2. Drilling is no different than wind towers. It will benefit a few and cause numerous problems and expense for everyone else. If the state thinks it is a good thing, then let it be done on state land not private property. . . [55]
3. Duke University study - fact not fiction. "Gasland" exposé - fact not fiction. Numerous gas drilling catastrophes - fact not fiction. Corporate greed, to hell with humanity - fact not fiction... [54]
4. ...Meredith has long been a farming community and our water feeds those farms and those farms feed us and many more. We need to protect both our water and farms. [81]

5. ...The gas is not going to disappear so I would prefer to have Meredith wait until after at least ten years of data from PA is gathered and analyzed... [119]
6. Just the very threat that this region will be fracked will lower our property values if drilling starts in Meredith and no one will be able to sell his/her property... [125]
7. I am worried about what fracking would do to our water supply, which would affect every home and business, from farmers and their crop and livestock, to families with young children, and the schools kids attend, to seasonal visitors like hunters. [128]
8. ...is the state going to buy my house/property because without water there is no home or survival on my property?... [226]
9. ...Don't let the \$ ruin our town. I don't believe a word the profit driven gas companies say as far as safety is concerned. [228]
10. ...conserve our natural bounty instead of squandering it for hopes of a quick dollar and a few jobs (which will more than likely not be given to any Meredith resident). Let's talk wind turbines again. Clean energy now!... [422]
11. Once gas drilling is allowed and perhaps, it poisons all our water, there is no turning back!! The damage is done forever and we'll be shafted... [239]
12. ...I'm sure I could never sell my house with a gas drilling site nearby... [243]
13. ...we need energy, but need to consider and use safer alternatives. [328]
14. Why destroy the environment, as well as the land value, to benefit only a few of our landowners? [339]
15. ...It cannot be done safely. At stake is our water supply. If we don't have gas, we will still live. If we don't have water we will die. [350]
16. ...Gas drilling will benefit the gas companies 1st and foremost. It will be a short term boost to the folks who sell out. It will be nothing but bad for those of us that want to grow old here and that depend on our food... [374]
17. ...It doesn't take a rocket scientist to know that putting toxic chemicals into the ground through our water table is not a benefit to anyone. Furthermore no gas company can



guarantee containment of spills and even the cleanup is never 100%... [376]

18. The disastrous practice of high-volume hydraulic fracturing presents toxic conditions on so many fronts: air, water, roads, noise, real estate value, health, community character and relationships, etc. No amount of money could possibly mitigate these consequences. [391]

19. Until the extraction method is safe (if ever) I do not want my water well or property value compromised by gas drilling. We in this area have only everything to lose and nothing to gain... [446]

20. Gas drilling where people live is unacceptable, short-sighted, and diabolical. [463]

21. ...As a nation, state, county and town, we need to invest in economic development that is sustainable, environmentally friendly, and is consistent with the idea of renewable energy replacing fossil fuels. [513]

22. ...We moved to this area and provide jobs to locals because we like and support rural, clean, quiet life and community. It is not fair that some neighbors should profit at the expense of our drinking water and quality of life. The profits will go to big oil companies in Texas only benefiting a few landowners in the town... [530]

23. ...This resource has been there for millions of years, why not leave it for our children when future technology is sound? [389]

24. Our drinking water is just as entitled to environmental protection as the water that is consumed by the people of New York City. Fracking waste water will make our wells unfit to drink as has happened in PA. [564]

25. ...It appears that the DEC has come up with a double standard. Why is it OK to pollute my water supply but not NYC's water supply?... [575]

26. Real estate is bad now. If we start drilling we'd have little or no chance of selling if necessity came. Please help keep drilling out. Everything would change for the worse. [576]

27. We should fight drilling tooth and nail! [672]

28. One of the reasons I own property is to get away from the pollution & garbage. Let them drill in the gas company CEO's backyard... [735]

29. ...A beautiful rural area does not need to risk its beauty, good water, small roads, etc. for large industrial projects, such as gas drilling. Enough tragedy has been wrought in rural PA... [689]

30. ...Gas drilling will not help us either in the long or short term. A major concern is the effect fracking will have on present and future generations - our health and well-being must be a primary consideration... [828]

SHOULD THE TOWN HAVE THE POWER TO BAN DRILLING: NO

1. Why does any town have the right to ban drilling? [25]

2. ...A town ban on drilling should be labeled an "Act for Enrichment of the Legal Profession" since the lawsuits will be endless. [104]

3. We do NOT need more regulations about anything! There are enough FEDERAL and STATE laws and regulations to choke a hippo!... [144]

4. I feel we have way too much government telling landowners what they can and cannot do with their land. It seems like my neighbor has more say on my property that I do. [154]

5. As an individual landowner and taxpayer it should be my decision to decide what is best for me and my family on my property, not the Town. Just as the wind power should have been an individual right... [454]

6. ...To deny landowners of any of [their] rights without just compensation is unconstitutional in my opinion. [233]

7. ...I don't think you or the state should decide. I believe it's time for individuals to decide by voting on the issue directly... [497]

8. As much as I think that gas drilling would be horrible for our town, I also think landowners should not be banned from specific uses... [417]

9. ...Who am I to say what somebody else should, or should not, be allowed to do with their own property? It's a tough call. I can definitely say though that I DO NOT WANT DRILLING! [217]

10. I would rather have windmills and cell towers in the town. Please let something into the town!... [445]

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SURVEY COMMENTS *continued from page 5*

11. I believe that individual property owners should be able to make decisions on how they use their property - whether they put it in trust, use it for farming or for mineral rights. The one exception I see is that the NYC watershed should be protected. [681]
12. ...I don't think it's yet, today, a good idea. In the future it may be a great idea. So... I don't think the town should just outright ban gas drilling. [740]
13. All taxpayers should have a right to vote on this issue. [218]
14. The area needs the revenue that gas drilling would bring in. I wish the watershed would release its ban. [comment #2] I agree with my husband – the jobs, revenue, etc. would be wonderful, but not at the expense of our water, and environment & safety. I think a ban should be in place until it's proven safe. [635]

SHOULD THE TOWN HAVE THE POWER TO BAN DRILLING: YES

1. Other towns have passed regulations banning gas drilling so I would like to know why we have not done so too? This is our home and it is beautiful and we want to keep it that way... [192]
2. If fracking is so safe why prohibit it in the watershed? [315]
3. Meredith is a perfect example of the inequality inherent in this regulation. Dividing a small community, saying one half will have protected drinking water and one half won't is insane... [725]
4. Water will soon be the most valuable commodity in the entire country. I am confused as to why lawmakers are so short-sighted and do not understand this. Home rule is imperative... [206]
5. We would also favor a statewide ban. [136]
6. Not only should we ban gas drillers, all political representatives should be educating themselves and their constituents of the details - why are they silent on a matter which threatens to destroy our source of life?... [521]
7. Any town should have the power to set zoning requirements. Just consider what may have happened with "used frack holding ponds," post 20 inches of flooding rains that just occurred. Who would pay for this clean up?... [609]
8. Ban fracking - it will ruin our rural way of life... [703]
9. We would like to see a pro-active stance against gas drilling similar to action taken in Otsego County. In our lifetime I can't recall anything as dangerous as hydrofracking for natural gas. Our area will never be the same again. . . [519]
10. This is a no brainer. Nobody but the people who live in an area should have the power to make such important decisions regarding the quality of life where they live. [665]
11. ...Clearly it is up to the local government to determine if exploiting vast natural gas reserves are in the best interest of the town. . . [664]
12. The state officials have proven time and again that they are not working in the interest of the health or quality of life for NY residents, but were interested in \$\$\$... [753]
13. ...If drilling isn't safe for the watershed, then it can't be safe for anyone, anywhere. I hope the town will ban drilling in all of Meredith. [496]
14. ...please ban hydrofracking in Meredith. If fracking comes to Meredith, we will move our farm elsewhere. [75]
15. When the Town of Meredith adopted its Comprehensive Plan in 2006, the #1 goal was "to preserve and strengthen the Town's rural character." And the #1 "long-term planning" priority was "to consider adoption of a zoning local law specific to Meredith's needs." Yet here we are looking at the possibility that the Town will be turned into an INDUSTRIAL zone that will utterly destroy its rural character... [838]
16. ...Why should the state have the final say? We are seniors and want to continue living in our town where we can drink the water and enjoy the rest of our life in our home. [183]
17. ...Please don't allow these outsiders to come into our area and destroy our fine way of life. [212]
18. ...It is inappropriate and unsafe to allow gas drilling in any part of the town before the long-term impacts of the extraction process are documented. [544]
19. ...The risks are proven. Look at PA. and the number of incidents of pollution. Our town should have the right to decide on this matter as it will affect our livelihoods, health and the ability to sell our houses. [624]
20. Fracking is not safe for our area plain and simple! Ban it NOW! [379]



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