



PUBLIC HEARING REGARDING BROOME COUNTY GENERIC LEASE OF OIL & NATURAL GAS MINERAL RIGHTS

Thursday, October 14, 2010

Broome County Forum, 236 Washington Street – Binghamton, NY

COMMENT SHEET

Please leave your written comments with a Broome County staff member or mail to the Department of Planning & Economic Development at the above address. Comments must be received by October 25, 2010 in order to be included in the public record. Questions or comments may be emailed to Frank Evangelisti, Acting Commissioner of Planning at fevangelisti@co.broome.ny.us

Everyone wants clean water! I am sure if you did a study of all the wells in PA that were drilled vs the wells that are "contaminated" you will find the majority of wells drilled are clean. Many efforts are in the process of to correct any wrong (if any) that happened to contaminate some wells.

Something needs to be done for NYS or we will become a welfare state. NYS keeps taking the working class. Uninformed people keep accusing the landowners of wanting nothing but money. Little do they know how much land owners have to pay in taxes on the income they may have gotten from the gas companies as well as the taxes they pay on their land. Clean air act, clean water act.

The government is here to protect us and many laws are made to protect us. (Clean air act, clean water act.) What I do not understand is how can so many other states be actively involved in drilling and fracking and NYS is at a stand still - It is a flower with no water. Get the facts and lets frack!!

Name: Joann Wage
(please print)

Date: 10-14-10
(please print)



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~~XXXXXX~~

My name is Kaysha Haile, I'm a student at Binghamton University. I have learned about a potential water crisis that will affect people, especially the poor and those in developing nations, in the near future. To me this idea to contaminate billions of water is an utter slap in the face to the people that are already severely lacking access to clean drinking water. Regardless of whether we ~~will~~ or not we will ~~get~~ benefit economically in the short run, it is clear that ~~this~~ ^{fracking} is an unethical operation period. This is a humanitarian disaster that cannot be allowed to continue. ~~Thank you~~ Commodification and privatization of water must be avoided. This a human rights issue. ~~and so on~~ Thank you!

Name: Kaysha Haile
(please print)

Date: 10/14/10
(please print)

Statement of Walter Hang
President of Toxics Targeting, Inc.
Regarding Resolution 72
Designation of Broome County Legislature as Lead Agency
Regarding Environmental Review of Proposed Leasing of County Properties
For Natural Gas Extraction.
Broome County Legislature Public Hearing
October 14, 2010

Greetings. My name is Walter Hang. I am the President of Toxics Targeting, Inc., an environmental database firm based in Ithaca, NY that has compiled extensive local, state and federal government information for more than 550,000 known and potential toxic sites in New York.

Toxics Targeting has mapped and profiled more than 6,400 sites in Broome County, including landfills, Brownfields, leaking tanks and spills, permitted pollution discharges and hazardous waste generators. I am pleased to provide several maps of toxic sites of concern for your review

I testified on July 19, 2010 to oppose Broome County's proposed leasing of public properties for natural gas extraction. Toxics Targeting had obtained a list of the specific properties proposed for leasing, made a map of their locations and identified selected "sensitive receptors" on and as well as near some of those parcels, including schools, parks, places of worship, public water supply wells, regulated freshwater wetlands and residential homes. Those maps are posted at: www.toxicstargeting.com/broome_county.

A wide range of natural gas fires, explosions, polluted water supply wells, evacuated homes and massive uncontrolled wastewater releases have been documented by the New York Department of Environmental Conservation's (DEC) own spill data as well as additional information compiled by county health departments in the Southern Tier. I believe it is entirely premature to consider leasing Broome County's public properties until adequate gas drilling regulations are adopted.

Just yesterday, Governor Paterson said right here in Binghamton that he was not sure DEC would adopt a Final Supplemental Generic Environmental Impact Statement (SGEIS) during his administration. Until a Final SGEIS is adopted to safeguard the environment and public health, there is a *de facto* moratorium on horizontal hydrofracturing in New York's entire Marcellus Shale formation, including Broome County.

Regarding Resolution 72, I respectfully urge the Broome County Legislature not to designate itself as lead agency for any State Environmental Quality Review that might be conducted regarding any proposed leasing agreement.

With respect, Broome County fundamentally lacks the technical wherewithal and experience to conduct such a review. Assessing the potential environmental and public health impacts of the proposed leasing would be an enormously complex undertaking. DEC worked for years to undertake a SGEIS, but its draft proposal has received withering criticism. More than 10,000 citizens, elected officials as well as local, state and national environmental groups have publicly called for its withdrawal.

The U. S. Environmental Protection Agency (EPA) recently held a hearing in this very room regarding the scope of its proposed national hydrofracturing investigation. Detailed comments were submitted over two days by engineers, environmental consultants, the City of New York, top-level executives with decades of experience in the oil and gas industry, academics, environmental groups and hundreds of concerned citizens. The breadth and sophistication of those comments was impressive to say the least.

The Broome County Legislature simply must not designate itself as lead agency pursuant to Resolution 72. The County has repeatedly proposed to lease its property. Leaving aside any potential conflict of interest, there can be no question that the technical challenges of the task far exceed the County's wherewithal.

I propose that "lead agency" for any review be shared by DEC and the New York State Department of Health. This is precisely what EPA Region 2 proposed in its 12/30/09 letter to DEC regarding the shortcomings of the draft SGEIS:

"...greater emphasis needs to be placed on the potential health impacts that may be associated with gas drilling and hydrofracturing. EPA suggests that New York State Department of Health (DOH) join NYSDEC as a co-lead on the SEQRA document."

EPA also rationalized its decision based on concerns that include Broome County. It noted:

"... we also have concerns about water quality impacts throughout the state. Just because fewer people rely on upstate water sources does not imply that these supplies are not also worthy of protection."

EPA referenced many of the same concerns that would be included in any Broome County review:

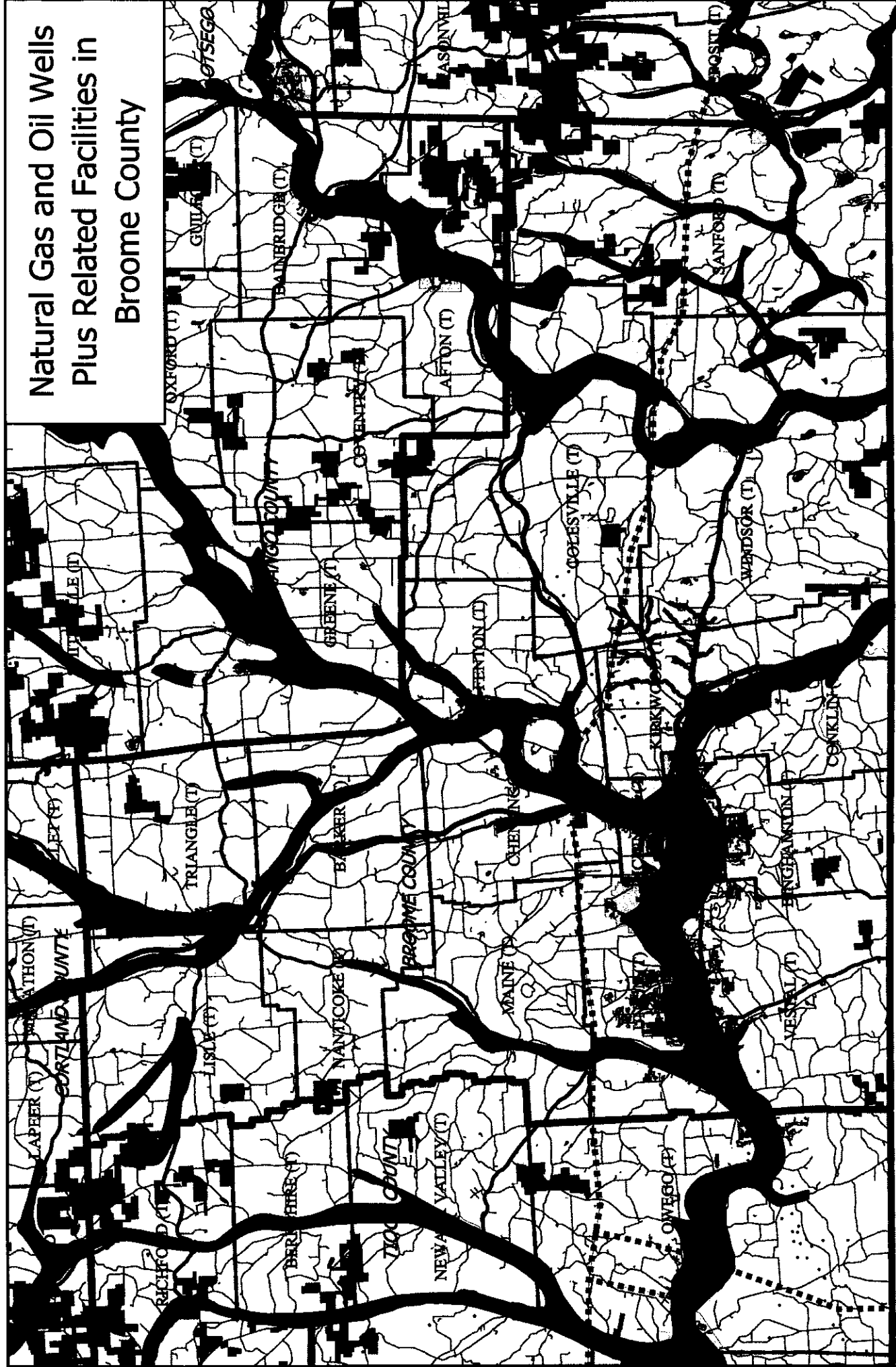
"...we have concerns regarding potential impacts to human health and the environment that we believe warrant further scientific and regulatory analysis. Of particular concern to EPA are issues involving water supply, water quality, wastewater treatment operations, local and regional air quality, management of naturally occurring radioactive materials disturbed during drilling, cumulative environmental impacts, and the New York City watershed. EPA recommends that these concerns be addressed and essential environmental protection measures established prior to the completion of the SEQRA process."

For all these reasons, I urge Broome County not to proceed with leasing its public property for natural gas extraction until all the inadequacies of the draft SGEIS have been resolved. I also urge DEC and DOH to be designated co-lead agency. Absent comprehensive environmental assessment and rigorous regulatory safeguards, Broome County's environment and citizens cannot be afforded adequate protection from natural gas drilling activities.

As my maps clearly illustrate, Broome County already has far more toxic pollution hazards than it can cope with. It must be an essential public policy to avoid additional environmental hazards.

Thank you very much for the opportunity to comment about my concerns.

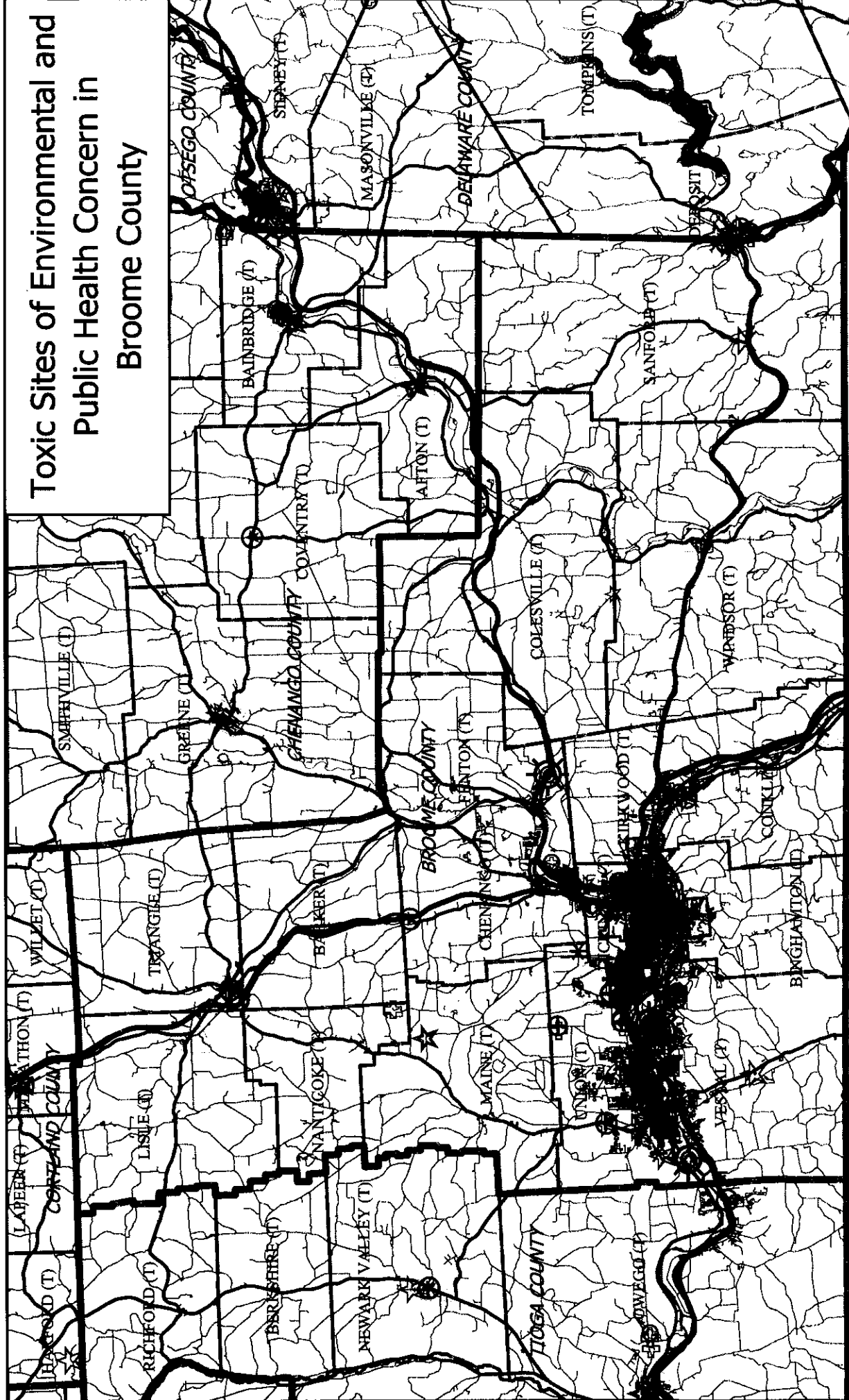
Natural Gas and Oil Wells Plus Related Facilities in Broome County



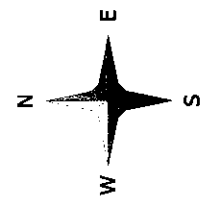
- Gas, Oil and Other Wells
- Limited Access Highway
- Highway
- Local Road
- Millennium Pipeline
- Selected Natural Gas Pipelines
- 303(d) Impaired Waterbodies
- Park or Environmentally Significant
- Public Land
- Confined Aquifer
- Unconfined Aquifer
- Unknown Aquifer
- Water
- Village
- City
- Town
- County
- Marcellus Shale



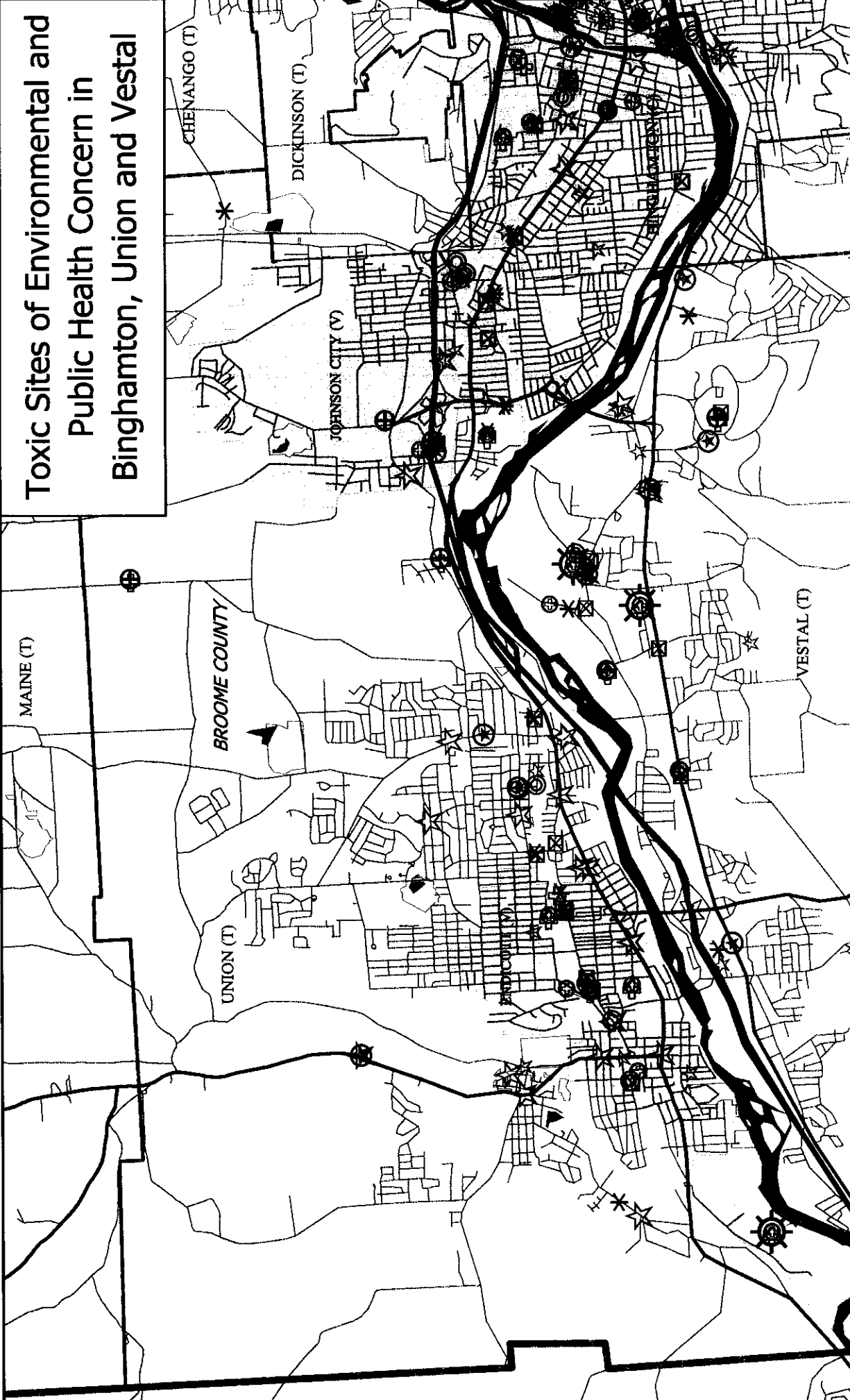
Toxic Sites of Environmental and Public Health Concern in Broome County



- US National Priority Superfund Site
- MTBE Spill
- Tank Failure
- Spill > 25 gal/lbs
- Solid Waste
- Hazardous Waste Corrective Actions
- Toxic Release Inventory
- Hazardous Waste/Store/Disposal Site
- Limited Access Highway
- Highway
- Local Road
- Water
- Village
- City
- Town
- County
- US National Priority Superfund Site
- NYS Superfund Site
- US Superfund/CERCLIS Site
- Brownfield Site
- Hazardous Substance Study
- Hazardous Waste Violation



Toxic Sites of Environmental and Public Health Concern in Binghamton, Union and Vestal



	MTBE Spill		US National Priority Superfund Site		Limited Access Highway	
	Tank Failure		NYS Superfund Site		Highway	
	Spill > 25 gal/lbs		US Superfund/CERCLIS Site		Local Road	
	Solid Waste		Brownfield Site		Water	
	Hazardous Waste Corrective Actions		Hazardous Substance Study		Village	
	Toxic Release Inventory		Hazardous Waste Violation		City	
	Hazardous Waste/Store/Disposal Site		County Owned Land		Town	
					County	

Chris Lacey
656 Oak Hill Rd
Binghamton, NY 13901

Oil and gas companies have used fracking since the 1950's and now we are told we need more time to study it. The DEC has studied it. The EPA is studying it and now in order to sign a gas lease Broome County must lead and pay for another study.

We have all witnessed the economic decline in the southern tier. We have watched as our business community is devastated by high taxes, over regulation and Labor Law. Young people move away to find jobs. Retirees move away to avoid crippling taxes.

Now, Marcellus offers Broome County the opportunity to regain the prosperity we once knew. But instead of celebrating this opportunity we are trapped in a never ending cycle of delay.

The Environmental Extremists, the NIMBYS, Albany and even the local newspaper are trying to make it impossible for us to tap into this vast resource.

Broome County needs to expedite the SEQR process. Set strict parameters for the study and complete it in a timely manner. Add no additional time to the lengthy delays and moratoriums we are already in. Do not let the anti drilling crowd hijack this process. SEQR mandates that you consider environmental, economic and social factors as having EQUAL weight.

When all the studies have been completed and the results show that hydrofracking will NOT destroy life as we know it the anti drilling crowd will demand more studies. They aren't interested

in the studies. They are only interested in the delay.

DELAY while New York goes broke

DELAY while people move out of Broome County to find jobs elsewhere

DELAY while our farmers go bankrupt and lose the land that has been in their families for generations

DELAY while Pres. Obama lends billions of dollars to Mexico and Brazil so that THEY can drill for gas and oil.

DELAY while America buys oil from people who want to kill us

Marcellus isn't the BOOGIE MAN.

Marcellus is the KEY to energy independence for America and economic survival for New York State.

BC Pub. Hearing 10/14/10 Rema Loeb - Chemung Co. resident



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pfluck@mc.net

May 4, 2010

We represent the leadership of over 1.4 million scientists in over 150 scientific disciplines. The acceleration of greenhouse gas (GHG) emissions from human activity is increasingly leading to harmful climate change and ocean acidification. Societies must act urgently to reduce these emissions to protect the life-sustaining biophysical systems of the Earth. As noted by DoE Secretary Steven Chu in his April 28, 2010 testimony to the Senate Subcommittee on Energy and Water Development, the necessary transition: "will require nothing short of a new industrial revolution." We agree with this assessment of the scale of response needed. We need to work aggressively to conserve energy and increase the efficiency of energy use, and we need rapidly to develop less polluting energy systems. Objective science has a critical role to play, and we urge that the nation fully use and incorporate the best available science in designing and implementing the energy and environmental policies necessary to guide the revolution.

America should move ahead quickly to develop a comprehensive energy policy to greatly reduce our GHG emissions. We urge that any potential approach be first evaluated in terms of the net benefits on environmental integrity, including a full analysis of GHG emissions, recognized by the Supreme Court as air pollutants, as well as other environmental concerns. The analysis of GHG emissions should include indirect land use effects and emissions of methane and nitrous oxide as well as carbon dioxide. No policy should be implemented without a full understanding of the consequences on the environment. Uncertainties will remain, which points to the necessity of also having the ability to reverse a policy action if unintended consequences are discovered.

Some energy bridges that are currently encouraged in the transition away from GHG-emitting fossil energy systems have received inadequate scientific analysis before implementation, and these may have greater GHG emissions and environmental costs than often appreciated. We find that their environmental impact studies and EPA determinations necessary to proceed are absent or inadequate. These include the production of ethanol from corn, where recent, more inclusive research concludes this is a poor option. As scientists we are concerned about the impact of the ethanol scale-up on water supply and quality, land use, GHG emissions, and net energy gain. In 2007, the nation used 27% of its corn harvest to produce 1.3% of total liquid fuels. One unintended result is greater nutrient flows down the Mississippi River, aggravating the ecological disaster underway in the Gulf of Mexico. Other biomass feedstocks produce more energy from less land, with less environmental harm. A recent report from the National Academy of Sciences lists many topics that deserve further scientific scrutiny before the nation further expands the role of ethanol as a fuel.

The production of natural gas (methane) from shales represents a major new domestic energy resource that can reduce reliance on imported crude oil. However, the development of methane from shale formations is another example where policy has preceded adequate scientific study. Economic recovery of methane from shales requires the drilling of long-reach horizontal wells and the high-pressure injection of millions of gallons of water with chemical additives to release the gas through a process called hydrofracking. Despite the utilization of millions of gallons of water and the flow back to the surface of these injected fluids, hydrofracking is exempted from the Clean Water Act. Exploitation of the Marcellus Shale Formation in the Appalachian basin, recognized as the largest shale-gas reserve in the U.S., could occur across a five-state region. Prior, thorough science-based studies are required to evaluate the impact of massive shale development on rural land uses, water supply and quality, and full-life-cycle greenhouse gas emissions.

Sincerely,

(submitted by Rema Loeb)

Presentation of assumptions and uncertainties behind estimates:

Considering the release during combustion alone, greenhouse gas emissions from burning natural gas average 13.7 g C of CO₂ per million joules of energy compared to 18.6 for gasoline, 18.9 for diesel fuel, and 24.0 for bituminous coal (U. S. Department of Energy: <http://www.eia.doe.gov/oiaf/1605/coefficients.html>). Additional emissions of greenhouse gas occur during the development, processing, and transport of natural gas (due to the use of fossil fuels to build pipelines, truck water, drill wells, make the compounds used in drilling and fracturing, and treat wastes, and the loss of carbon-trapping forests). I am aware of no rigorous estimate for these additional greenhouse gas emissions, but they appear likely to equal at least one third of those released during combustion (4.5 g C of CO₂ per million joules of energy). For comparison, the greenhouse gas emissions from obtaining, processing, and transporting diesel fuel and gasoline are in the range of 8% (Howarth et al. 2009: <http://cip.cornell.edu/biofuels/>), or perhaps 1.5 g C of CO₂ per million joules of energy. Note that as fossil fuel energy resources become more diffuse and difficult to obtain (as is gas in the Marcellus Shale), the energy needed to extract them and the greenhouse gas emissions associated with this effort go up substantially.

The leakage of methane gas during production, transport, processing, and use of natural gas is probably a far more important consideration. Methane is by the far the major component of natural gas, and it is a powerful greenhouse gas: 72-times more powerful than is CO₂ per molecule in the atmosphere (Table 2.14 in the Intergovernmental Panel on Climate Change Fourth Assessment Report (AR4), Climate Change 2007: The Physical Science Basis. http://www.ipcc.ch/publications_and_data/publications_ipcc_fourth_assessment_report_wgl_report_the_physical_science_basis.htm). Note that this comparison of the global warming potential of methane with CO₂ is based on a 20-year assessment time; the factor decreases to 25-fold for for an 100-year assessment time. The shorter time with the higher relative global warming potential is the appropriate one, if one is concerned about the effects of methane during the time a natural gas field is developed, and for the few decades after production in the field ends. Since methane is such a powerful greenhouse gas, even small leakages of natural gas to the atmosphere have very large consequences on global warming. The most recent data I could find for the US (from 2006) suggest a leakage rate from the oil and gas industry of an amount of methane equal to 1.5% of the natural gas consumed (based on leakage data reported in EPA (2008) Inventory of U.S. Greenhouse Gas Emissions and Sinks 1990 – 2006 and consumption data from the U.S. Department of Energy: http://www.eia.doe.gov/pub/oil_gas/natural_gas/data_publications/natural_gas_monthly/current/pdf/table_02.pdf). This leakage rate is roughly equal to that estimated by the EPA in 1997 (<http://p2pays.net/ref/07/06348.pdf>). However, as noted by Andrew Revkin in the New York Times in October 2009, the actual leakage is not well known, as monitoring is quite limited, and “government scientists and some industry officials caution that the real figure is actually higher” (http://www.nytimes.com/2009/10/15/business/energy-environment/15degrees.html?_r=2&scp=1&sq=natural%20gas%20leaks%20tanks&st=cse).

If we assume a 1.5% leakage rate, this would have a greenhouse gas warming potential equal to 14.8 g C of CO₂ per million joules of energy. This would be additive to the emissions during combustion (13.7 g C of CO₂ per million joules of energy) and to the emissions associated with obtaining and transporting the natural gas (very roughly estimated above as 4.5 g C of CO₂ per million joules of energy). Total greenhouse gas emissions from natural gas from hydraulic fracturing may, therefore, be

Speaker #3

Gerri Wiley

UUCB Green Sanctuary

gerriwiley@yahoo.com

Broome County Public Hearing on Resolution 72

October 14, 2010

Broome County Elected Representatives:

Your plans leave me confused.

You ask to be a lead agency. This sounds like an honor, though I ask you:

What honor is there in selling our public land to private industry?

What honor is there in listening to the will of the people you represent, then disregarding it?

What honor is there in using a legal loophole to evade the spirit of New York State's SEQRA process requiring an environmental impact assessment?

What honor is there in planning to do business with a company with a poor track record?

What honor is there in your lauding organizations and businesses engaging in green practices while you support the fossil fuel industry?

What honor is there in gathering the mounting evidence of damage to water, air and soil and yet not saying "no" to leasing county land for drilling?

What honor is there in allowing the transformation of this richly blessed county land into an industrial zone?

We need you, the Broome County Legislature, to be a lead agency in forging a path to a sustainable future, protecting our beautiful land, our health, and our long-term economic well-being for future generations. This takes vision, love, and commitment. The citizens of this county want to be proud of our leadership. We will help you reach this goal. Please work with us.

The first step in this process is to BAN GAS DRILLING on and under our public land!

Thank you.

Evangelisti, Frank J.

From: JJAMcGrath@aol.com
Sent: Friday, October 15, 2010 1:15 PM
To: Evangelisti, Frank J.
Cc: Fiala, Barbara J; marchiediff@yahoo.com; Reynolds, Daniel D.; Sluzar, Joseph J.
Subject: Broome County Gas Lease Meeting Comments

Mr. Evangelisti,

Following are comments I presented at the October 14, 2010, 6:30 PM session of the "Public Hearing Regarding Broome County Generic Lease of Oil & Natural Gas Mineral Rights". Due to the 3 minute time constraint, I was not able to present all my comments, but they are included here in their entirety.

My name is John McGrath and I live in Kirkwood, NY. Like many of the speakers before me, I find it unbelievable that Broome County calls this meeting, but no Broome County government officials (executive or legislators) found it important enough to attend -- an insult to the residents and tax payers of Broome County! However, I will present my comments as though I was addressing actual Broome County government officials.

I am surprised that Broome County (BC) government is even considering this ridiculous, "Lo-Ball" offer from Inflection Energy as reported in the 9/21/2010 Press & Sun Bulletin (\$2,250 to \$2,750 per acre for 3,200 acres and 20% royalty payments minus a share of post-production costs capped at 30 cents per thousand cubic feet of gas produced). Almost 3 months ago, at the July 19, 2010 Gas Hearing, you received a resounding mandate from the residents of BC to reject a \$3,000 per acre for 5610 acres offer from Inflection. Why in the world would you think this offer, which is less than the original Inflection offer, would be OK? Have you forgot or ignored the message you received in the July 19, 2010 meeting?

If this offer were accepted, BC would have to get approximately \$3,700 per acre for the remaining 2,400 acres (original 5,610 acres minus this offer for 3,200 acres) to get back to the original offer from Inflection of \$3,000 per acre -- which was determined to be unacceptable to the residents of BC.

You would have to get approximately \$9,500 per acre for the remaining 2,400 acres to get to the latest lease rate of \$5,500 per acre for this area (Fortuna, now Talisman, lease with Friendsville coalition, which included properties in BC). Do you think Inflection would be willing to sign an agreement to pay this amount in the future?

Furthermore, the current offer of "20% royalty payments minus a share of the post-production costs capped at 30 cents per thousand cubic feet (mcf) of gas produced"

is really about 12.5% royalty. Consider natural gas now selling at \$4.00 per mcf or less, the 30 cents would be about 7.5% of the total and reduce to 20% to 12.5%. That's equal to or lower than the current Compulsory Integration rate -- ridiculous! The royalty should be 23%, net of all costs! Don't get snowed or be taken advantage of.

Some BC officials may argue that not all acres are worth the same. While that may be true (the shale may be deeper, thicker, more porous, etc.), large coalition acreage is leased on "average" value, and not cherry-picked.

This current Inflection offer appears to be a "smoke and mirrors" regurgitation of the original unacceptable Inflection offer and BC officials are presenting this to the residents of BC in the hope this disguised version will sneak past and allow the BC officials to solve their budget issues which they don't seem to be able to resolve.

This is "end-run" and "loophole" politics at its worst!!!

As a resident and tax payer of BC, I request you reject this offer (again), wait until the NY DEC completes and issues the SGEIS, and wait until NY resumes issuing drilling permits to the new DEC Requirements and Regulations. At this point in time, you'll receive reasonable/competitive offers to OUR BC lands.

Evangelisti, Frank J.

From: Charlotte Schotanus [cschot@stny.rr.com]
Sent: Thursday, October 21, 2010 9:36 AM
To: Evangelisti, Frank J.
Subject: Comment on Resolution No. 72 (due by October 25, 2010)
Attachments: "Certification"

October 21, 2010

Frank Evangelisti fevangelisti@co.broome.ny.us
Acting Commissioner of Planning
P.O. Box 1766
Broome County Office Building
Binghamton, NY 13902

Re: Resolution No. 72

Since I was unable to attend the public hearings held on October 14 with regards to Resolution Number 72 designating the Broome County Legislature as the Lead Agency with respect to an environmental review of a Generic Lease of Oil and Natural Gas Mineral Rights on County own property, the following states my comments on this resolution.

I firmly believe that “NO,” the BC Legislature should not be the lead agency with respect to the environmental review. There are too many members on the legislature who have already been recused from any gas drilling decisions because of their involvement in gas coalitions.

A separate committee should be developed from Broome County residents who have the knowledge (not political) of the environmental impact hydraulic hydrofracking can have on our county. This county is made up of one of the best water sources in the country and that should be preserved above all else. Most of in the county, especially those of us in the countryside depend on private wells for our water. We need to protect those wells and in order to do that we should not be in such a rush to poison them with the hydrofracking. We need to set a county standard that states a well cannot be drilled within at least 1000 feet of any well or water source. Along with that, any well that is in the vicinity of the drilling should be tested at the gas companies expense with a full report going to the homeowner prior to the drilling. That testing would require the gas company to release a list of **ALL** chemicals used to be tested for.

One of the best solutions to the chemical issues would be the requirement in the county of the gas companies to use all **NON-TOXIC** additives for drilling.

Another concern is the compulsory integration and the possibility of eminent domain. Both of these issues should be fought against in Broome County and actually all of New York. They are both a violation of our right of ownership and say of what happens on our own property.

Broome County should not be signing any lease until all of these concerns are worked out to the total protection of our county.

Sincerely,

Charlotte Schotanus
369 Port Road
Binghamton, NY 13901

10/27/2010

Evangelisti, Frank J.

From: Sue Rapp [srapp@stny.rr.com]
Sent: Thursday, October 14, 2010 6:16 PM
To: Evangelisti, Frank J.
Subject: comments

My name is Sue Rapp, a resident of Vestal.

□\$B!!□(B

While it is true that conventional gas drilling has been done in this state for 60 years, horizontal hydrofracturing in the Marcellus Shale is not a 60 year old technology. In fact, the technology is still being developed and there are over 1000 documented cases of water contamination across the country where horizontal hydrofracturing has been used to extract gas.

□\$B!!□(BBecause the Marcellus Shale is full of heavy metals and radioactive materials--such as Radium 226--the production brine from every single frack of an unconventionally drilled well brings to the surface dangerous contaminants, toxic chemicals and radioactive material.

What's supposed to happen to these millions of gallons of materials that will be travelling our roads in trucks?

There is currently no known available way to get these toxins out of the wastewater created by the drilling process.

□\$B!!□(B

The drilling and the hydrofracturing of each well should be continually inspected in order that the dangers to our aquifer that could develop with the use of the drilling technology won't develop.

At present, NYS DEC currently has no inspectors--**NO INSPECTORS.**

Broome County Legislature is currently stating that their proposed leasing of public lands to the gas companies will not have a significant adverse environmental impact.

They don't know that. **NO ONE** knows that.

In 2005 the lalliburton loophole gave the gas companies federal exemption from the Clean Water and Clean Air Act.

Isn't this astonishing? Isn't it astonishing that those who are most likely to pollute the water and the air are not regulated by the law guarding the water and the air?

□\$B!!□(B

I live in a rural community. All my neighbors get their water from wells. If drilling is allowed and our wells are poisoned, how will we continue to live in our homes? People who want the hydrofracturing don't care about the wells and our bucolic life. But what if the city water is also contaminated? Are our own legislators prepared to let this happen? Broome County is on a single aquifer. If the water is poisoned, it is because of greed, greed of people who've sold properties and are making money and will just leave the area once it is no longer liveable.

Why should the profit go to one party while the risk is born against the will and without the consent of the rest of us? What country are we living in?

Do you understand what compulsory integration is and why it is a violation of the right of private property? In a practical context, virtually nothing was as important to the Framers as property rights. Those men had an almost religious respect for

10/27/2010

property, that "the rights of property were inviolable" and the Constitution itself is the embodiment of the right of property, further guaranteed by the 5th and 14 Amendments.

Final point: hydrofracked gas is not a so-called bridge fuel. Bob Howarth of Cornell says that when cradle to grave extraction costs are taken into consideration, gas compares poorly with coal in terms of impact on climate.

□\$B!!□(B

COMMENTS ON COUNTY GENERIC GAS LEASE AND ENVIRONMENTAL IMPACT STATEMENT Cynthia S. Westerman, Oct 21, 2010

I hope the County Legislature will not be voting on this lease at their session today (Oct 21) since the comments are not due until Oct 25. It seems improper to vote before all comments have to be in.

Please add my comments below to the record from the hearings a week ago.

1. As I said in my previous comments to the legislature on the earlier lease, I am displeased that Broome is not taking a more cautious attitude on Marcellus gas drilling. Other surrounding counties are not rushing into this but waiting for the DEC and EPA to come out with their reports. I do not think we in Broome should commit ourselves to gas extraction until proven it can be done safely.
2. It is unclear from the media reports and the County website whether these comments are to be on the lease, the EAF or the legislature declaring itself lead agency. I am making my comments on the first two of these items.
3. The EAF applies to the generic lease which is supposed to cover **all** property leased by the County for mineral rights now and in the future. Certain property in the first lease (now withdrawn) is not included in the newest offer from Inflection. I assume the County is keeping this property in hopes of getting a better future deal. If the EAF does not list environmental impacts for mineral rights sale for future properties the County **may** lease, the action can cause segmentaion under SEQR.
4. What is the rationale for eliminating Cole Park and certain other properties from the second lease? Is there an environmental or economic reason for this action?
5. I am totally opposed to offering even mineral rights to the **2 undeveloped parks**: Aqua-terra and Hawkins Pond. These parks are enjoyed by County residents specifically for their quiet, wilderness character. If you allow gas to be taken from underneath these parks you are inviting and even requiring drilling on adjoining property. Otherwise there will be no way to get the gas out under the remote parks. Drilling with all its industrial aspects so near the quiet parks will immediately destroy their character and the qualities people go to them for.
6. If you extract gas from under parks, I think state law requires you to use the money obtained from this extraction **directly to the park itself**. I doubt if this fact has been considered in looking at the budget revenue from your planned action. Perhaps, if having revenue go only to parks is considered, leasing mineral rights will not be as lucrative to keeping taxes down as advertised to the public now .
7. I am not exactly sure whether property near the landfill is included in this version of the lease or not. If it is, the EAF should contain provisions for preventing any breach of the liner and other restraints around the new and old portions of the landfill itself. Drilling, even just on nearby land, could cause geologic activity to compramise these barriers.
8. I hoped you would consider residents near the landfill who have already had the pain of dealing with it, garbage trucks and threat of pollution from buried garbage. Drilling in the area is just going to make their lives worse. If some of these people have decided to lease their own land and others not, the ones who do not want to lease may be forced into compulsory integration by the County's action. The same could be true of residents opposed to drilling living near parks (particularly the remote ones) and other property leased.

Cynthia S. Westerman
116 Carol Ave.
Vestal, NY 13850

Oct. 21, 2010

Margaret M. Goodfellow
PO Box 171
Windsor, NY 13865
Email: mgoodfel@binghamton.edu
Phone: 607-655-1929

October 24, 2010

Mr. Frank Evangelisti
Acting Commissioner of Planning
Broome County Department of Planning and Economic Development
Broome County Office Building
PO Box 1766, 60 Hawley Street
Binghamton, NY 13902
Sent via: E-mail: fevangelisti@co.broome.ny.us

Subject: Public Hearing Regarding Broome County Generic Lease of Oil and Natural Gas Mineral Rights, October 14, 2010, Broome County Forum

Dear Mr. Evangelisti:

I would like to thank the Broome County Legislature for recently hosting a public hearing on the issue of a specific natural gas drilling lease offer on public lands, including parklands. In doing so, the Legislature provided an opportunity for community residents to publically go on the record to express their views. The result was heeding the public's desire to decline the offer from Inflection Energy.

I was dismayed to see no legislative representation at the October 14th hearing. Nonetheless, many persons attended giving comment to a stenographer and a time keeper, essentially talking to the equivalent of an "empty chair". At the hearing, it was announced that comments would be made available to the county legislators for review. It should be noted that although the deadline for receipt of public comment had yet to expire on October 25th, a resolution for decision to establish Broome County as the lead agency was on the Broome County Legislatures October 21st monthly meeting agenda. One must question whether the comments were or are being made available and if *any* legislator has read them.

I question Broome County's use of segmentation in its SEQR application. By segmenting the legislative action of generating a generic lease, from the actual activities allowed and then issuing a negative (no impact) declaration, the County is attempting to deliberately limit the power and impact of SEQR. A negative impact states that the lead agency has said there are no expected adverse impacts on the environment. Broome County's application defers review to an indeterminate later date, which would likely result in no study being done at all. Broome County should anticipate a generic negative impact declaration to be challenged. Broome County's negative declaration is neither complete nor accurate and the county must show, in writing, why the environmental impacts are not significant. It has not done so. The county should be filing conditioned negative or positive declarations.

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Margaret Goodfellow

October 24, 2010

Subject: Public Hearing Regarding Broome County Generic Lease of Oil and Natural Gas Mineral Rights, October 14, 2010, Broome County Forum

Broome County as well as many other parties have asked the NYSDEC to address closed-loop drilling and containment and have rightly questioned issues of gas gathering type lines that companies may use criteria exempting them from regulatory control by the NYS Public Service Commission. A perfect example is the current application by Laser Energy to the Public Service Commission for a shortened review process to run a gas line from the Pennsylvania border to Windsor. The application filed states the pipeline will be literally only a few feet short of the 10 mile limit requiring a full PSC review.

Certain areas presented in the proposed leasing areas have already been environmentally compromised and are at risk of events of catastrophe proportions if drilling is permitted on or near them. These areas are in the Town of Colesville. In the Town of Colesville exists the Colesville Municipal Landfill, an EPA Superfund Site which the EPA has just completed its third Five-Year Review. This landfill was originally operated and owned by the Town and later turned over to Broome County. The landfill was closed due severe and dangerous chemical contamination. The landfill experienced seepage from a flood in 2006, and further recommendations have been made by the EPA in the 2010 review. A second area is a parcel close to NYS Route 79, directly in front of a county owned senior center (Eastern Broome), a Head Start program and apartment complex. This parcel is near the center of the Village of Harpursville, the Susquehanna River, the Superfund Colesville landfill and wetlands in Center Village. The *entire* Town of Colesville parcel totaling 562.28 acres should be removed from any leasing consideration. It should be obvious this area poses a severe danger. For these parcels alone, Broome County should not have declared a negative impact. Frankly, Broome County should have not included them to begin with.

If the NYSDEC in its final GEIS documentation on gas drilling fails to address key issues and provide proper monitoring and enforcement, the lease holders will have only their lease to enforce environmental concerns. It is in the county's best interest to declare environmental impact at categories above negative to provide the best documentation to support any future claims the county may need to file against drilling companies, gas line companies and the myriad of other entities that will be a part of the gas drilling process. Given the current political and budgetary climate in Albany, there is a high probability that the final GEIS will be weakened. With a statewide reduction in staffing at the DEC expected to fall 25% or more, its effectiveness as an agency will be greatly diluted. Gas drilling will not be monitored. Laws will not be enforced.

In conclusion, a negative impact declaration is unwise and short sighted. A full environmental impact study of each parcel will ensure every possible scenario is addressed. The Town of Colesville parcels should be removed from consideration, whether it is by amendment or other means.

Sincerely,

Margaret M. Goodfellow (via e-mail)

Evangelisti, Frank J.

From: Mary [mbsweeney@echoes.net]
Sent: Thursday, October 21, 2010 4:02 PM
To: Evangelisti, Frank J.
Subject: Comments re Generic Lease of Oil and Natural Gas Mineral Rights

I am writing in regard to the proposed leasing of public land in Broome County.

At last July's hearing on the first proposed gas lease with Inflection Energy, many speakers expressed their disapproval of the county's proposal to lease public land for shale gas extraction; others expressed their reservations about leasing with Inflection Energy. I am disappointed that, just a few months later, Broome County is apparently still eager to rush ahead with leasing county land, and is even considering another offer from Inflection Energy.

Here are some points that I hope the County will consider before moving forward with Resolution 72, the Inflection Energy deal, or any other activities related to leasing county land:

- Please note that Broome County depends upon a sole source aquifer. If that aquifer were to be contaminated by gas drilling, there would be no local water source to replace it. The only choices would be to construct special water treatment facilities to treat the contaminated water (a course of action which may not remove all contaminants) or to import water from elsewhere. Either of these options would be extremely expensive.

Without a plentiful supply of safe, clean water, the County's residents and businesses cannot hope to flourish. Other NY counties (e.g. Onondaga, Cortland, and Tompkins) have passed resolutions calling for a moratorium on drilling; Broome County would be very wise to do the same. Once damage to the aquifer occurs, it cannot be undone. Extreme caution is warranted.

- After consulting New York's "Handbook on the Alienation and Conversion of Municipal Parkland", I question whether Broome County has the right to lease public parks without first securing the approval of the NY state legislature. I also question whether any funds that are realized through leasing the parks can legitimately be used for any purpose other than the improvement or maintenance of existing parkland or the acquisition of new parkland. Please note that the gas beneath the parks is public property; note also that even if surface drilling is not allowed in the parks, there is the possibility of park land being used for pipelines.
- Please note that even if no drilling is allowed within the parks, leasing the parks is likely to result in drilling on adjacent land. The resulting truck traffic, noise, landscape destruction, and pollution could make the parks worthless as recreational facilities.
- Please note that the presence of gas wells and related infrastructure at or near the airport is not likely to give visitors to the area a good first impression. Please note also that gas wells and pipelines near the airport may present safety issues in the event of a crash landing.
- Before any decision to lease the landfill is made, appropriate scientific studies of the short- and long-term effects of nearby drilling and hydrofracturing upon the landfill liner should be

undertaken.

- Broome County should take note of the fact that gas prices are currently low and are expected to remain low for some time to come. Although the temptation to lease now to provide much-needed revenue may be very strong, there may come a time in the not-too-distant future when Broome County sorely wishes it had proceeded with more caution, both for environmental and economic reasons.
- Broome County should not consider leasing public land in the current uncertain regulatory atmosphere. The NYSDEC has not yet issued its final version of the SGEIS on shale gas extraction, and the county government has had no opportunity to review the final SGEIS document and determine whether it will, in fact, provide adequate regulation for drilling on county lands. The County would also be wise to wait for the results of the EPA's study of hydrofracturing.
- Broome County should consider whether sufficient DEC staff have been hired to provide adequate enforcement of safety and environmental regulations. Having a single employee dedicated to inspecting wells on Broome County public land (as has been proposed as part of the Inflection lease) may or may not be a sufficient safeguard: will this employee have not only extensive environmental training but also training in gas well safety and technology? Will this employee be given the authority to deny permits or to order a halt to unsafe practices? To whom will this employee report and how often? Will the employee's reports be made available to the general public?
- Please note that Inflection Energy is a very small company with a very short track record. Trusting public lands to such a firm does not seem like a prudent course of action.
- Please note that, depending on the price of gas, production cost deductions that are capped at \$.30/mcf could result in a very large decrease of Broome County's royalties. For example, the price of gas is currently around \$3.50/mcf. Twenty percent of \$3.5/mcf is \$.70/mcf. A deduction of \$.30/mcf would reduce the royalties to just \$.40/mcf, which would be an effective royalty of about 11.4%.
- Broome County should be aware that it cannot depend upon the DEC's SGEIS to address specific concerns relevant to leasing County property. A careful, separate evaluation of the likely impacts of leasing each particular County-owned parcel should be made prior to any decision whether or not to lease that parcel. If leasing does occur, site-specific, individual leases should be written for each parcel.
- The County should consider whether it wishes to sign leases that may result in adjacent landowners being forced into drilling units via compulsory integration. If the County does not wish to be responsible for forcing Broome County citizens to sell their gas against their will, then County gas leases should specify that County-owned parcels are not to be included in any drilling unit composed partly of land that has been brought into the unit via compulsory integration.

Thank you for providing the public the opportunity to comment on this important issue.

Sincerely,

10/27/2010

Mary Sweeney
51 Chestnut St.
Windsor, NY 13865

TO: John F. Hutchings, Broome County Legislator, District 5
Broome County Office Building, 60 Hawley Street, PO Box 1700
Binghamton, New York 13902

CC: Frank Evangelisti, Broome County Acting Commissioner of Planning
Sean Massey, City Council
Donna Lupardo, State Assembly
Thomas Libous, State Senate
Maurice Hinchey, US Congress

FROM: Beverly Singer, 2 Denton Rd, Binghamton, NY 13903

DATE: October 18, 2010

RE: Resolution Number 72, Broome County Generic Lease of Oil & Natural Gas
Mineral Rights.

As a long-time member of the Broome County community, living in Binghamton, I respectfully request that you **withdraw** Resolution 72. Further I implore you to take a leadership role in finding ways to **stop our addiction to damaging fossil fuels**. It is time to change our focus-- change our focus away from fossil fuels--- and move toward clean energy resources such as solar, wind, and hydropower.

It makes no sense for us to continue chasing after what powerful fossil fuel corporations and some government officials would have us believe is in our best interest. I ask you what many others have already asked: what good is the money we get from drilling if, in the process, we destroy our beautiful home--- our mountains, valleys, and rivers--- and no longer have clean water to drink or clean air to breathe? And is this the legacy we wish to leave for our children and grandchildren, mine and yours?

Scientists tell us over and over--- we must reduce the high levels of CO2 in our atmosphere that are causing global warming. Fossil fuel is *the primary* contributor to climate change. Our continued dependence on non-renewable, polluting, energy resources (including natural gas, when the lifecycle of its production is considered) has had and continues to have devastating impacts on the whole planet. **Climate Change** is at a critical point. I cite:

EPA Climate Change Website www.epa.gov/climatechange

NASA Climate Change Website climate.nasa.gov

While I have much to learn about the relationship between **Climate Change and Energy Resources**, I am obviously far from alone in acknowledging that continuing our dependence on fossil fuel is detrimental to our health and the health of our earth.

Cornell University is currently holding a colloquium/speaker series called "Energy Transitions and the New York Landscape". At this colloquium, speakers from diverse disciplines use the Marcellus Shale gas extraction as "a current real-world case study of the wider problems attending the reduction of fossil fuel-based energy production and the transition to renewable energy resources". <http://landscape.cornell.edu/cals/lanarch/news/index.cfm> (10/17/10)

At this event Richard Allmendinger, Professor of Structural Geology, spoke (September 8, 2010) about the **relationship between Energy Systems and Global Climate Change**. His website is <http://www.geo.cornell.edu/geology/faculty/RWA/>. He said that although the road ahead is vast and complex, *we are running out of time, and we have no choice but to make the transition from fossil fuel to clean and renewable resources*. I highly recommend watching this informative and excellent presentation at: http://videonotevideos.s3.amazonaws.com/downloads/Energy_Transitions_Richard_Allmendinger_09_08_10.mp4. (10/17/10)

I refer you also to Professor Robert Howarth's draft paper, "Preliminary Assessment of the Greenhouse Gas Emissions from Natural Gas obtained by Hydraulic Fracturing", <http://cce.cornell.edu/EnergyClimateChange/NaturalGasDev/Documents/PDFs/GHG%20emissions%20from%20Marcellus%20Shale%20--%20April%201%202010%20draft.pdf>.

At this critical time, we have both an opportunity and an obligation. We must act now--- or suffer extreme, even catastrophic consequences. We have an opportunity to be leaders, to become an example to others in finding ways to prevent the increasing trend of extreme weather events--- droughts, fires, and loss of life from heat waves and flooding from volatile storms caused by global warming. And we have an obligation to each other to protect the air we breathe and the water we drink, as well as to do whatever we can to reverse the direction of climate change.

Last July, I applauded your decision to withdraw Resolutions 46 and 47, rejecting *Inflection Energy's* pressured bid to lease Broome County land for the purpose of gas drilling. Those who spoke at the July hearing overwhelmingly, intelligently, and eloquently expressed dismay that you would consider selling our right to clean air and water. In your decision to withdraw Resolutions 46 and 47, I was confident that you were looking out for the health and safety of Broome County residents. I was proud to be part of this community.

On October 14, I attended the public hearing to consider Resolution 72. I was eager to learn more about it. I was shocked, disappointed, and appalled that you were not there to listen to the people--- the people you represent--- at a hearing which you arranged. In light of your absence, I ask you what was the real purpose of this hearing? Do you mean to listen?

At this hearing, Frank Evangelisti, Acting Commissioner of Planning, assured us that you would receive our comments. I hope this is true. I strongly urge you to study our comments carefully, giving them every consideration. I urge you because decisions made regarding Resolution 72 will have significant ramifications for all who live in Broome County and beyond.

We have a choice. I implore you to withdraw Resolution 72 and to work with the citizens of Broome County to transition into clean and sustainable energy production. We must act now to restore health to our precious earth--- it is after all the only home we have.

From: Al Magnus [mailto:almagnus220@hotmail.com]
Sent: Mon 10/11/2010 9:40 AM
To: Herz, Stephen D.
Subject: FW: Drilling for Natural Gas in Broome County

Dear Mr. Herz:

I am writing to give you my comments concerning leasing of County land for natural gas drilling. My wife and I own property in the Town of Fenton. We will not be able to attend the hearing this coming Thursday, October 14, so I would like to give you my opinions now.

I strongly encourage Broome County to consider leasing its land as long as the financial terms are good and the lease offers the County appropriate legal protections.

In terms of safety, I believe that we can look forward to a very complete set of rules from the New York State's Department of Environmental Conservation's upcoming Supplemental Generic Environmental Impact Statement. Based on the process that the State has followed, and the time it has taken to develop regulations, I would expect these to be the most stringent rules for safe gas drilling in the United States.

Thank you,

Alfred Magnus

From: Helen Slottje [mailto:holden.slottje@gmail.com]
Sent: Tuesday, October 05, 2010 9:37 AM
To: Fiala, Barbara J
Cc: rstern@ithaca.gannett.com; Sabrina.Shankman@propublica.org;
walter@toxicstargeting.com; Shaleshock@yahoogroups.com
Subject: Hearing on Resolution 72

Dear Ms. Fiala:

I just registered for the public hearing. I am writing to advise you that the parklands that Broome County is proposing to lease are impressed with a public trust for the benefit of ALL of the people of New York." See Friends of Van Cortlandt Park v. City of New York, 95N.Y.2d 623 (2001). Therefore, any and all people of the State of New York should be encouraged and welcome to attend without regard to residency in Broome County. Citizens from around the state enjoy the parks in Binghamton and the proposed authorization of "generic" leasing is a matter of statewide import and the intention to prefer speakers from Broome County is improper. Speaking time for all interested parties should be provided.

I would also like to take this opportunity to share a number of areas (although not all the areas) where the draft EAF form and Resolution 72 are deficient:

First, because the parklands are included in the property to be leased, state legislative approval is required. Despite the fact that no surface rights are proposed to be granted, the act of leasing will result in subsurface disturbance and withdrawal and sale of public trust property to a private party. <http://nysparks.state.ny.us/publications/documents/AlienationHandbook.pdf>

Second, even if surface activities are prohibited on the surface, the act of leasing the parklands will result in surface activity near the parks and will increase truck traffic and air pollution in the vicinity of the parks when the subsurface property is extracted. Thus the act of leasing will interfere with the public use and enjoyment of the parks.

Third, unless the "generic lease" includes a waiver of the rights of all companies transporting any gas from the parklands for eminent domain rights for pipelines, the act of leasing the parklands could result in surface loss of the parklands. This will also interfere with the public use and enjoyment of the parks.

Third, any funds that originate from the sale of public trust property, are similarly impressed with the public trust and cannot be used for regular budget purposes for the county.

Fourth, the assertion in the EAF that "Broome County has no authority to regulate the said use by the lessee of the leased premises in connection with oil or natural gas exploration or extraction" is simply incorrect. When the county acts as lessor as it proposes to under the "generic lease," the county has the right and obligation to negotiate for the most stringent environmental protections possible. While the county has limited rights to regulate the gas leasing, that is entirely irrelevant to the county's rights and obligations when it acts in its capacity as a LESSOR. As LESSOR the County has the legal right, as do all lessors, to determine the terms of the lease and it wholly improper for the EAF to not consider all of the lease terms that the county could include to mitigate the environmental impact of drilling for gas in the units that the county land will be a part of, including a requirement that all county lands only be

included in units with 100% participation of owners. (So that the county's act does not result in compulsory integration for others.)

Thank you for your consideration of these matters.

Sincerely,
Helen Slottje, Esq.
Community Environmental Defense Council, Inc.
Ithaca, NY

Evangelisti, Frank J.

From: jlacreevy@aol.com

Sent: Tuesday, October 12, 2010 4:21 PM

To: Evangelisti, Frank J.

Cc: southerntiereast@nyclu.org

Subject: lease of county land for fracking -- to be shared with the broome county legislature

i am disturbed with the assumption by the county legislators that they can choose to lease county land for fracking. The DSgeis has not been properly drafted to address the issues of fracking and the harm it can cause to water, animals, land and people. also, the destruction of lifestyle has not been seriously addressed.

since the DSgeis has not been approved, broome county, if it assumes the power of leasing county land for fracking, should present their own environmental impact statement. i'm curious about this oversight.

also, county land does not belong to the legislature. the assumption of right to lease is troubling.

thanks you for your attention to this matter.

Evangelisti, Frank J.

From: Joanne Corey [jcorey@stny.rr.com]
Sent: Tuesday, October 19, 2010 2:07 PM
To: Evangelisti, Frank J.
Subject: Resolution 72/27 comments

If the Broome County Legislature is to act as the lead agency, here are some things you must take into account:

1. You must have the final say on any lease. You must not let others negotiate without your having the final vote as to whether or not it will be signed. If Inflection won't agree to your voting on whether or not to sign the final lease(s), then they should withdraw from consideration.
2. Any entity that is going to sign a lease has the right to specify what is in the lease and, therefore, you are not limited in what you can request on the land that you control on behalf of the citizens of the County. You can and should ask for assurances, practices, etc. that go well beyond minimum regulations that may eventually be enacted by DEC.
3. There should be some kind of insurance/bond/escrow account set up to cover possible infrastructure damage or contamination issues. Other places have had trouble getting companies to repair road damage or to clean up spills or to mitigate damage to streams or drinking water. A legislator pointed out at the 10/13 Public Health and Environment Committee meeting that gas companies have deep pockets and it would be expensive for the County to have to sue if the company balks. (Look at the situation in Dimock PA where the company is backing out on its responsibility for water contamination and saying they won't pay for the PA DEP plan to bring town water to the affected homes.)
4. Keep in mind the parkland alienation rules. As noted in the initial gas drilling ad hoc committee meeting, there will need to be legislative approval to drill under the parks and the proceeds of parkland activity must be used for parkland purposes, not general budget uses. I know some attorneys, such as Mr. Sluzar, don't agree that parkland alienation rules apply, but there will surely be a court challenge if the County tries to execute a drilling lease under county parkland.
5. A related legal question to consider is whether parkland could be subject to compulsory integration. I have heard county legislators express anxiety that county land would be subject to compulsory integration and give that as a reason to lease first, but I would think that the parklands portions, which can't be drilled under without legislative approval, would also not be able to be forced to integration. Because it hasn't come up yet, there isn't any case law, but, again, legal action would ensue if an attempt was made to subject parks to compulsory integration.
6. The county should also consider the neighbors of the large parcels. If the county leases, these properties would be under much greater risk of compulsory integration or of being pressured to sign leases that allowed surface drilling, especially if they bordered parkland for which the county had obtained state legislative permission to drill under, but that would not be able to be drilled on. You would risk negatively affecting the property value, ability to sell, possible livelihood of farming families, quality of life, safety, etc. of those neighboring county lands. The county could request in the lease that its lands only be included in units if there is 100% agreement of the property owners to lease. This would alleviate the fears of landowners near county lands.

7. You should consider not leasing generically, but for specific well sites with specific construction parameters for each. Mr. Nirchi pointed out in the 10/13 Public Health and Environment committee meeting that no one knows the county better than we do. This is so true. Broome County needs to be able to specify wells and locations individually. There need to be environmental impact forms and construction rules tailored to each site, not under a generic document from the state that does not yet exist in its final form. The current proposal from the state would not ban drilling in the New York City and Syracuse watersheds, as some believe. It would mean that those wells needed to be individually studied and permitted in order to protect the environment. Our water and environment are no less precious than those areas. The County should demand this same level of protection for county land. I realize this would not affect possible drilling on private land in Broome County, but as lead agency, it is something that you could request as part of your lease for the protection of our county lands, even if the state ultimately deems us as second class citizens under the SGEIS.
8. As lead agency, you must collaborate with agencies with more expertise, such as NYS DEC, NYS Dept. of Health, and the EPA, in properly filling out the environmental forms that would reflect the answers to questions showing the impact on land, air, water, people, etc. of actual cumulative drilling activity, not on the signing of a piece of paper. This full, scientific, environmental study must be completed and reviewed before any final leases are voted on. No vote to lease county land should be made without the legislature knowing the potential impacts to our environment, health, and way of life.
9. You need to understand and specify the safest possible drilling and construction, with provisions for upgraded procedures as they become available, and also know what this would entail in terms of water treatment, water withdrawals, disposal of drilling waste, particularly in terms of possible radioactive waste, seismic risks, truck routes and size/weight of trucks, the shipping of hazardous substances, air quality issues, noise pollution, light pollution, etc.
10. Weigh the timing of this lease. The gas has been there for eons and will still be there in the future. Is it more prudent to wait for natural gas prices to rise, as there is a current glut? Is it more prudent to wait for safer, greener drilling techniques? Should you wait for more scientific information, such as will come out of the EPA study and other credible academic research? (I am particularly concerned about recent research that suggests that horizontal slick-water hydrofracking may be as environmentally harmful as coal. http://www.eeb.cornell.edu/howarth/Howarth_Energy%20and%20Environment.html to download the pdf of the preliminary findings) Should we look to other kinds of energy development, such as solar, wind, and non-food-crop biofuels, as our contribution to domestic energy security and to bring sustainable jobs to our area?
11. Do we really want the Greater Binghamton Airport, one of the major routes into our county, to be in the middle of heavy industrial activity? Do we want visitors flying over and landing near drilling pads and equipment and contending with even more truck traffic as they head down to the valley? What would this say about the lifestyle that we want to promote for our residents and the welcome we give to visitors?
12. When you are evaluating the full environmental impact statement of the cumulative impacts of drilling, ask yourself if you would personally be willing to live with these impacts and would you want your friends and families to be living with these impacts. Would you want your parents living next door to a drilling site with 24/7 noise, vibrations, and lights? Do you want a pipeline carrying toxic flowback running along your front yard? Do you want to be following a truck carrying radioactive sludge and do you want that going into our landfill? Do you want our county to be turned into an industrial zone? Are you willing to gamble that our sole source aquifer won't be compromised?
13. Read this very interesting piece: <http://www.huffingtonpost.com/alison-rose-levy/an-engineer->

drafts-a-lett_b_762133.html It arrived after I had completed most of my remarks. It contains thought-provoking insights from Cornell professor Dr. Anthony Ingraffea.

Joanne Corey
209 Lewis St.
Vestal NY
jcorey@stny.rr.com

Evangelisti, Frank J.

From: LWHask@aol.com
Sent: Thursday, October 07, 2010 10:43 AM
To: Evangelisti, Frank J.
Subject: Response to Resolution

To whom it concerns:

It is my opinion that the county is much better situated to assess the information necessary to complete an environmental assessment of safe drilling in our own area.

The " environmentalist" , I prefer to refer to them as obstructionists, have used out of state events and incomplete statements to attempt to raise issues concerning safe drilling here in New York State. All the while other states in the country have continued to drill both vertically and horizontally with fracing and doing it safely.

We need local assessment of the facts using New York State regulations and local evidence of safe drilling, drilling being completed in Chenango County and the waste water being processed in Watertown. If the state is allowed to make these determinations then we will get the continued false information used to make those determinations.

Let me further say. If someone uses the statement that drilling has polluted an aquifer, then they must have well number, chemicals found (since there would be more than one chemical involved there has to be more than one chemical stated). If those statements can not be proven in black and white evidence then those peoples should be held responsible for those statements.

Larry W. Haskell
1295 River Road, Binghamton, NY. 13901

I have no problem of this being entered into the minutes of the hearing.



Department of Planning, Housing, & Community Development

Mayor, Matthew T. Ryan
Director, Tarik Abdelazim

October 16, 2010

Frank Evangelisti
Acting Commissioner of Planning
P.O. Box 1766
Broome County Office Building
Binghamton, NY 13902

RE: GENERIC LEASE OF OIL AND GAS MINERAL RIGHTS

The following comments were prepared for the evening session at the Forum, but time restrictions did not allow me to submit them in their entirety.

As Director of Planning, Housing and Community Development for the City of Binghamton, I am here on behalf of Mayor Ryan's administration to provide some brief comments on the pending resolution before the Broome County Legislature (Resolution #72).

First, according to the DEC website, "The Lead agency will make every reasonable effort to involve project sponsors, other agencies and the public in the SEQR process..." The City wants to once again commend the Legislature, specifically Chairman Dan Reynolds, for meeting this challenge on the issue of natural gas drilling on public lands, including parklands. By hosting a public hearing on the first proposed gas lease a few months ago, the Legislature finally created a space for residents to share their input, concerns, and feedback. The message from the public was loud, clear and nearly unanimous, and the City remains thankful for the Legislature's decision, which showed a great deal of courage and integrity, to remove support for Inflection Energy's offer.

With that being said, here we are a second time around with a deal that is worse than before, and so I need to ask: If the Legislature is the designated lead agency and required by SEQR to host a public hearing, where are they? Since this hearing is not actually being hosted by the designated lead agency, the City assumes the Legislature will host another public hearing, in compliance with SEQR, on this extremely critical issue.

Second, the County's use of segmentation is creative, somewhat defensible, but certainly debatable. By segmenting the legislative action of generating a generic lease, from the actual industrial activities that the

identifying possible areas of erosion and spill concern. There is no effort to identify points of interest—e.g. hospitals, schools, nursing homes, public, and private wells—in relation to the proposed lease. There is no consideration of cumulative impacts. There is no explanation for the oddly shaped divisions of the airport and landfill parcels, in which surface activities are allowed in one section but not another. The prepared EAF before us tonight does not reflect a level of professionalism and comprehension that a citizen should expect on a “generic” gas lease that involves thousands of acres of public land.

The bad news is that the Legislature has once again been put into a very difficult and challenging position. The good news is that the City trusts the legislative body will again make the right decision to uphold and protect the common good.

Sincerely,

A handwritten signature in black ink, appearing to read 'TA' followed by a stylized name.

Tarik Abdelazim

Evangelisti, Frank J.

From: Nathan Kolet [support@nettechs.net]
Sent: Wednesday, October 06, 2010 7:08 PM
To: Evangelisti, Frank J.
Subject: I am writing to comment on Resolution Number 72

Hello:

I am writing to comment on Resolution Number 72 pending before the Broome County Legislature.

I am fully in support of natural gas development in Broome County and throughout NY State and am 100% behind any effort to expedite progress toward that end.

NY natural gas will provide clean energy to our nation, reduce dependence on hostile foreign regimes and provide generations of good jobs to our work force.

The ripple effect on the local economy will benefit all citizens.

Please continue to do all in your power to move forward with development of our resource, in accordance with the NYS DEC, documented scientific methods and today's best practices.

There is nowhere better suited to responsibly take the lead, and your work on the forefront of bringing this industry to New York will be appreciated by all, now and in the promising future that awaits our area.

Sincerely,

User Information

Prefix: Mr.
First Name: Nathan
Last Name: Kolet
Email: support@nettechs.net

Home Information(optional)

State: NY

Business Information(optional)

State: NY

Thank You
For Your
Consideration

Sincerely:
Nathan Kolet

10/28/2010