



Upper Delaware Council

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UDC River Towns Complete Natural Gas Impacts Study

NARROWSBURG – “Time is of the essence” for local municipalities to prepare for the impacts of natural gas development, concludes a new study funded in part by the Upper Delaware Council (UDC), Inc. that recommends specific actions to implement before the end of 2009 and beyond.

Representatives from the Multi-Municipal Gas Drilling Task Force presented their completed project to the UDC’s Project Review Committee on Sept. 22.

The UDC awarded a \$12,000 Technical Assistance Grant to the Towns of Tusten, Cochection, Delaware, and Highland on Sept. 4, 2008 to undertake a study entitled, “Managing Natural Gas Development Impacts: Strategies to Protect Town Infrastructure and Land Use.”

Subsequently joining in the \$31,800 study were the UDC member Towns of Lumberland and Fremont. The western Sullivan County Town of Callicoon, NY also opted to participate at their own expense.

The Sullivan County Division of Planning & Environmental Management coordinated the year-long project.

“This is the largest intermunicipal project to be undertaken in Sullivan County to my knowledge,” said Dr. William J. Pammer, former Sullivan County Planning commissioner and currently an associate professor with the Department of Public Management at John Jay College in New York City.

“Your funds were well-used and you’re going to see some very tangible benefits from this study,” Pammer told the UDC committee.

Working together to conserve the Upper Delaware Scenic and Recreational River

*Town of Hancock • Town of Fremont • Town of Delaware • Town of Cochection • Town of Tusten • Town of Highland • Town of Lumberland
Town of Deerpark • Berlin Township • Damascus Township • Lackawaxen Township • Shohola Township • Westfall Township
State of New York • Commonwealth of Pennsylvania • Delaware River Basin Commission • In partnership with the National Park Service*

The study recognizes that “while gas development offers potential economic gains for property owners and local governments, municipalities need to plan for expected impacts to their land uses and capital assets.”

Factors attracting natural gas companies to this region are the abundance of Marcellus Shale formations that underlie 36% of the Delaware River Basin, enhancements to gas extraction technologies including horizontal drilling and hydraulic fracturing, proximity to the Millennium Pipeline to transport the gas, the number of large land parcels with low density development, and the potential use of the Upper Delaware Scenic and Recreational River as a water source.

“Nobody is under the disillusion that gas companies aren’t coming here, but we still have to be able to live here,” said Supervisor Ben Johnson from the Town of Tusten, which served as the lead municipality for the grant project.

Given that the New York State Department of Environmental Conservation (DEC) has authority over the issuance and monitoring of gas drilling permits and that the Delaware River Basin Commission (DRBC) has jurisdiction over water withdrawal requests, local municipalities are limited in their powers.

The study cites two major areas in which towns can exert influence.

The first recommendation is to actively participate in the DEC’s update of the 1992 Generic Environmental Impact Statement (GEIS) for the Gas, Oil and Solution Mining Regulatory Program under the State Environmental Quality Review (SEQR) Act.

The draft Supplemental GEIS is expected to be released for comment this fall.

“This event is an important opportunity for towns throughout the state to propose, articulate, and influence new regulations needed to address environmental impacts of the hydro-fracking process, particularly in the Catskill Region that has never experienced industrial development,” the report states.

Further explanations, suggested points to raise, and sample letters are provided in the document.

Secondly, the report recommends preparing for and mitigating impacts on local roadways, bridges and culverts by establishing a Road Use Agreement framework.

Traffic associated with the construction and operation of gas well sites could overwhelm local roads that were not designed to handle a large volume of industrial trucks carrying heavy loads of materials and water.

The Task Force contracted with C&S Companies of Syracuse, NY on May 4 to conduct an assessment of existing road conditions for the towns in the study group.

The consulting engineers worked from May 26 through August 14 to collect and analyze this data in order to develop a model Road Use Agreement (RUA) that will use standards recognized by the Association of State Highway Transportation Officials.

“The main purpose of the RUA will be to provide a fair method to define the needed repairs and the reimbursable costs of those repairs that the gas developer will be responsible for,” the report states.

It offers technical and procedural advice on implementing an RUA, as well as a model template to follow.

The study report concludes with a three-page “tool box for action.”

Among the recommendations given to the towns are to: approve a local law to support the development of an RUA; continue meeting as a consortium; retain the services of a structural engineer and legal representative to act as a professional team on behalf of all the towns; allocate approximately \$4,000-\$8,000 in their 2010 budgets to cover this expense; and comment collectively on the DEC’s Draft Supplemental GEIS when it’s released.

“As a group, we’re stronger than we are as individuals,” agreed Town of Cochection Acting Supervisor and UDC Representative Larry H. Richardson.

Now that the study is complete, the Task Force welcomes sharing and joining with additional communities facing the prospect of natural gas drilling. One expected outgrowth from the project is the development of an accredited course for planning and zoning board members on this topic. Dr. Pammer offered at the Sept. 22 UDC meeting to volunteer his planning consultant services to support the consortium’s ongoing work.

To obtain more information about this project, contact Town of Tusten Supervisor Ben Johnson at P.O. Box 195, Narrowsburg, NY 12764, phone (845) 252-7146, e-mail bjohnson@tusten.org, or any of the following Multi-Municipal Gas Drilling Task Force members from the six participating UDC towns:

- Tusten – Supervisor Ben Johnson; Highway Superintendent George Kinch; Code Enforcement Officer Dave Sparling; and Planning Board Chairperson Ed Jackson;
- Cochection – Acting Supervisor Larry H. Richardson; Councilman Gary Maas; Councilwoman Daisy Smith; and Highway Superintendent Brian DuBois;
- Delaware – Supervisor James Scheutzow; Highway Superintendent William Eschenberg; and citizen volunteer Paul Hindes;
- Highland – Supervisor Tina Palecek; Councilman Frederick Bosch; and Highway Superintendent Norman Sutherland;
- Lumberland – Councilman Jay Shafer and Highway Superintendent Charles Hallock, Jr.; and
- Fremont – Supervisor James Greier and Highway Superintendent Joseph Niero.

For more information on the UDC and its activities, call (845) 252-3022 or visit www.upperdelawarecouncil.org.

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