

## RECORD OF MEETING

Subject:	<b>Planning and Government Committee, Pike County Marcellus Shale Task Force</b>
Date:	<b>March 24, 2011</b>
Time:	4:00pm to 5:30pm
Location:	Pike County Conservation District Meeting room, 556 Rt. 402, Blooming Grove
Attendees:	See sign-in sheet
Next Meeting:	Thursday, April 7, 2011 (4:00pm). The meeting will be held at the Conservation District meeting room at 556 Rt. 402, Blooming Grove.

**Welcome and Introductions – Michael Zibrin**

Mr. Zibrin welcomed Committee members and asked each member to introduce themselves.

**Minutes of February 24, 2011 Committee Meeting** – On a motion made by Bob Cocchi (Lackawaxen), seconded by Bill Powell (Porter), the Committee approved the Meeting minutes for the February 24, 2011 meeting as distributed.

**Municipal Role and Authority in Regulating Oil and Gas Activities** – Chairman Zibrin briefly reviewed the handouts provided to the Committee. The handouts included: 2011.3.1 Pike MSTF Planning and Government Committee Requested Information on court cases and enabling or preempting legislation as it relates to local regulation of Oil and Gas Activities (3 pages) and the Delaware River Basin Commission (DRBC) Draft Natural Gas Development Regulations “At a Glance” Fact Sheet dated December 9, 2010 (2 pages). These documents provided a synopsis of the municipal role in regulating the gas industry; what municipal regulatory activities are preempted by the PA Oil and Gas Act and what the DRBC proposes to regulate. Some discussion followed.

**OLD BUSINESS – Most Common Municipal Concerns** – Chairman Zibrin asked Sally Corrigan to provide a synopsis of the input from the municipal representatives based on the assignment made at the February 24 Committee meeting. Corrigan noted that all but 2 municipalities had responded but they stated they would provide their input to be integrated into the results. Corrigan provided the following **Summary Report of the TOP MUNICIPAL CONCERNS related to Marcellus Shale Activity in Pike County.**

- 1) **WATER** - continued quality of drinking (groundwater) supplies and surface water; wastewater from drilling sites; overall protection of Delaware River Basin water resources.
  - 2) **ROADS** – impacts of the industry activities to local municipal and state roads.
  - 3) **VARIOUS RELATED CONCERNS** – authority of our municipalities to deal with the issue (land use ordinances, bonding, etc), emergency services, the discharge of waste materials and proper permitting for same, police, wildlife, air quality, noise, housing, schools, landowner leases, drill site management.
- The report was assembled from submitted information provided by municipal representatives after discussion with their governing boards.

**Discussion on concern #1 - WATER** – Chairman Zibrin led a Committee discussion on this item. Points raised included: who is monitoring what is going into the ground and what is coming out – is there a list of chemicals used in the fracking process?; the municipalities and/or county need to establish a baseline of groundwater quality prior to drilling in the region; Pike County Conservation currently has been monitoring a system of wells throughout the county – how might this provide information?; if a baseline on groundwater

quality is created what parameters will need to be monitored?; this monitoring is expensive how will cost be covered?; can the municipality through ordinance require the industry to pay for well testing of surrounding wells prior to drilling activity and could this testing be done by a third party; can municipalities adopt a water well ordinance and possibly requiring testing?

Pete Helms (Palmyra) asked Susan Beecher, PCCD District Manager to come into the meeting to give a brief overview of the Conservation District's groundwater monitoring efforts.

**Pike County Conservation District Groundwater Monitoring Program** – Susan Beecher outlined briefly the District's groundwater program. The program began in 2007 in conjunction with the USGS scientists. The study looked at **water quality** in a network of wells throughout the county including both commercial and residential wells in various geologic formations. There is a link to the study on the Conservation District website. The Conservation District is continuing to monitor **water levels** in 22 wells across the county. Susan also mentioned that the District has a long-standing surface water monitoring program looking at streams in watersheds throughout the county. Surface water is monitored using biologic indicator species such as fish and macroinvertebrates.

Pete Helms suggested USGS may be able to assist by providing some guidance in developing what might need to be addressed in creating a groundwater quality baseline for Pike County related to Marcellus activity.

**Discussion on concern #2 - ROADS** Chairman Zibrin led a Committee discussion on this item. Points raised included: How do we create a roads baseline? What assurance is there or who will be responsible for the repair of the roads should they be damaged during the activity? Should we post and bond? If so, what kind of engineering studies need to be completed? Is a Road Use agreement with the gas companies a better route to take? Will Pike County municipal roads be able to handle the high truck traffic? Can we develop a list of questions and potential approaches that we can share with the Pike County Road Task Force for their discussion and action?

**Municipal Approach** – It was suggested by Bill Powell (Porter) that any approach for looking at either of these issues should be pursued by the municipalities in a unified way. As an example: drafting one road use agreement to be used with the gas companies that could be used by all municipalities so the gas companies know what to expect in Pike County.

**Subcommittees** – Chairman Zibrin suggested that in order to move forward with both of these issues, a subcommittee should be named. Mr. Zibrin named John Hahn as Chairman of the Subcommittee on Water and Dennis Brink as Chairman of the Subcommittee on Roads.

**Homework** - Each Subcommittee will draft a report for the next P/G Committee meeting.

**Pike County Marcellus Information** -. <http://www.pikepa.org/marcellus.html> The recent court zoning decisions on Marcellus Shale are posted on the county website.

**Public Comment** – None

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**Adjournment** – The Committee agreed to adjourn the meeting at 5:45pm.