

NY Landowners Assert Right to Frack for Gas

MARY ESCH, Associated Press

ALBANY, N.Y. (AP) — A coalition of upstate New York landowners seeking to lease land for natural gas drilling pressed state officials Wednesday to consider the rights of property owners as they make decisions on shale gas development.

The Joint Landowners Coalition of New York was at the Capitol to present a "Declaration of Rights."

"Landowners' rights are being trampled by those with extreme political agendas," said Dan Fitzsimmons of Binghamton, president of the 70,000-member coalition. He referred to groups seeking a ban on high-volume hydraulic fracturing, or fracking, which injects chemically treated water into drilled wells to release gas from shale.

Opponents of fracking say it poses significant health risks, including the potential to contaminate water supplies. They argue that one landowner's rights don't trump the rights of neighbors who will be subjected to the noise, traffic, environmental risks and other issues when heavy industrial development comes to a rural or residential area.

The industry and environmental groups have stepped up lobbying in Albany as the Legislature considers bills including one to ban fracking. The Department of Environmental Conservation may decide in coming months whether to allow the technology after four years of studying the environmental impacts and developing new guidelines and regulations to ensure it's done safely.

"We have the opportunity to create a vibrant new economy in New York. Unfortunately, we are currently being denied that opportunity by those who base their opposition on information that is not backed by science," said Jennifer Huntington, a Cooperstown dairy farmer.

Huntington is suing the Otsego County town of Middlefield over its municipal ban on fracking. The case is being appealed after a trial-level state supreme court judge ruled in favor of the town in February. Another local ban by the town of Dryden in Tompkins County was challenged by gas-driller Anschutz Exploration Corporation and upheld by a state supreme court judge. That ruling is also being appealed.

State Sen. Thomas Libous, a supporter of natural gas development, joined the landowners at a news conference at the Capitol on Wednesday afternoon. He said natural gas drilling presents an opportunity for economic growth and new jobs in the Southern Tier. He said it can be done safely under regulations being developed by the DEC.

Broome County Executive Debbie Preston said the responsibility of having to maintain and pay taxes on land should come along with the right to sell or lease

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and profit from the mineral resources beneath it.

Chemung County Executive Tom Santulli said he also supports the right of landowners to develop the natural resources on their property, noting that such development would bring new jobs and wealth to the region.

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