

Some ideas for talking points on Shale Gas report (Please use your own words):

Consumer protection:

- The Consumer Protection section of the report was not included in the draft for public comments due to the Dept of Justice not feeling it should be subject to public comment! This is completely unacceptable, it must be released before the May 1 deadline and the public should be given at least 15 day comment period after it is released.
- Forced Pooling forces landowners into a lease agreement if the landowner's property is part of a drilling unit. Forced Pooling is an infringement of property rights and should not be allowed in North Carolina.
- North Carolina landowners cannot object against their oil and gas lease being transferred to a different company without the knowledge of the landowner. This prevents landowners from benefiting from negotiating contracts with gas operators with good safety and environmental compliance records.
- Contracts in North Carolina have excessively long primary and secondary drilling term lengths compared to contracts in other states which limits landowner ability manage and release mineral rights. Companies are not required to compensate or release land from a contract that is not in gas production. North Carolina landowners lack the right to cancel or annul a signed lease
- North Carolina lacks protections for landowners which require companies to compensate landowners for gas storage on personal property.
- Mineral owner royalty payments can be deducted by gas company for gas infrastructure development
- Arbitration clauses in oil and gas leases deny mineral owners the right to have a trial by jury
- Lack of surface owner input on location of drilling infrastructure on personal property In North Carolina there are inadequate notification requirements for gas operators to contact surface owners prior to a company entering a landowner's property for drilling activities
- North Carolina lacks protections for landowners from impacts to personal property from gas infrastructure development such as well-pads, access roads, waste holding ponds, gathering lines and seismic testing.
- There are no requirements for companies to restore the land to pre drilling state as found in other states. Lack of landowner compensation for impacts to water resources that are not "in-use." Lack of property protections for landowners who do not own their mineral rights
- Lack of protection for Water-use impacts from drilling on local agriculture Multi-year economic impacts to farmers from decreased crop yields due to soil compression from drilling activities. North Carolina lacks protections that require companies to compensate landowners for damages to crops/livestock/timber from regular drilling activities or accidents.

Environmental, social and community impacts, regulatory needs

- Fracking is an extremely complex and high cost process, controversial and dangerous and there are good reasons to be worried about its potential to do real damage to North Carolina's landowners, communities, and our drinking water supplies.

- Given that we know so little about the amount of gas available, and that it could be as little as a one year supply, why would NC want to invest so much time and expense in developing a regulatory program, and building all of the expensive the pipelines needed.
- Fracking has had a steady wave of water, air, noise, and leasing complaints and problems in states where it has been legalized. No place where fracking has occurred has as high a population density as the NC “target” area, so more folks would be impacted here, especially with wells located every 160 acres, as DENR suggests!
- Fracking and shale gas development has been connected to groundwater contamination, high water consumption, animal deaths, toxic air pollution, heavy truck and traffic congestion, worker injuries and health problems associated with the various toxic chemicals used or released in this controversial process and moving the gas around.
- Fracking has been associated with contaminated water supplies in Wyoming, tap water that can be lit on fire in Pennsylvania, Colorado and other states, and earth quakes in Arkansas, Oklahoma and Ohio from the waste disposal process.
- Fracking uses 3-5 million gallons of water for each fracking event and a significant volume of unknown toxic chemicals, which could be a devastating draw on state water supplies in an era of worsening droughts. This could be particularly damaging for well users, who have no other possible source of
- I know that hydro-fracking requires the heavy use of chemically laced water in order to extract natural gas. DENR proposes just full disclosure to the agency, with public disclosure of non-confidential chemicals. Emergency responders, health providers need ADVANCE information, before an incident. DENR should prohibit use of all but approved, non-toxic substances.
- I’m very concerned about what I’m hearing is happening in other states with contaminated drinking water and loss of value of property near contaminated sites, as well as Fannie Mae not backing mortgages for property with leased mineral rights.
- One component of fracking that concerns me is that the companies drilling on land right next door don’t have to inform anyone what chemicals they are blasting into the groundwater, or even notify me in advance of drilling and fracking activities. NC citizens have a right to know what chemicals are being injected into our waters and industrial activities close to them.
- No state has shown that they can manage or regulate fracking so that it prevents harm to communities’ quality of life, water, air, land and workers. Studies in Pennsylvania, Texas and Arkansas have found repeated environmental violations with many uninspected wells, ineffective enforcement, showing the massive financial and political pressure the industry brings to bear on regulators. Still many questions about the process and impacts on our communities.
- Since the 1980s, North Carolina has protected our groundwater as a future drinking water resource, prohibiting the injection of pollutants into groundwater. Few other states have made our policy choice, and clean groundwater is becoming increasingly rare across the nation. Allowing fracking would require weakening the state laws that currently protect groundwater – both to allow injection of fracking fluids in gas wells, and to allow the disposal of used fluid in deep injection wells, a betrayal of North Carolina’s proud tradition of protecting groundwater, and economically short-sighted. Groundwater, once polluted, is effectively lost permanently.