



Jason M. Leifer
Dryden Town Board

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December 7, 2009

Jodi L. Rospendowski
Mineral Resources Technician
New York State Department of Environmental Conservation
Division of Mineral Resources, Region 8
6274 East Avon-Lima Road
Avon, NY 14414-9519

Dear Ms. Rospendowski,

I am a councilmember on the Town of Dryden Town Board. Today I learned that a negative declaration has been issued regarding a well permit application submitted by the Anschutz Exploration Corporation ("Anschutz") for a gas well that will drill into the Trenton Black River formation in the Town of Dryden. The API number is 31-109-26431-00.

Please provide me with a copy of the permit application, environmental impact statement, and copies of the analysis that DEC staff used to determine that this project would not result in significant, adverse environmental impacts within the Town of Dryden. I am also interested in learning whether Anschutz will be paying for drinking water well testing for all properties within the spacing unit as well as adjacent properties. I understand that other companies have, in some cases, paid for independent testing of drinking water wells in areas where plays are being made in the Trenton Black River formation.

In addition, please provide copies of the proposed mitigation measures as well as information (including MSDS data sheets) on any fracturing fluids that Anschutz has indicated they may use in the drilling process, including their plans for containment and disposal. It is my understanding that while Trenton Black River formation wells do not employ the quantities of fluid used in the hydraulic fracturing that has been proposed for the Marcellus Shale formation, some wells do indeed use the technique and there are issues associated with wastewater storage and disposal.

Please provide copies of all documents to myself and to the Town Supervisor, Mary Ann Sumner. In addition, if the permit has been issued, please provide us with a copy of the permit including all conditions that are attached. If the permit has not been issued yet please provide us with notice as to any hearings that may be scheduled in association with this permit.

Please provide the documents to us within the next 14-days.

Sincerely,

Jason M. Leifer, Esq.

Cc: Linda Collart

New York State Department of Environmental Conservation

Division of Mineral Resources, Region 8

6274 East Avon-Lima Road, Avon, New York 14414-9519

Phone: (585) 226-2466 • FAX: (585) 226-9034

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Alexander B. Grannis
Commissioner

December 1, 2009

TOWN OF DRYDEN
Supervisor Mary Ann Sumner
93 East Main Street
Dryden, NY 13053

RE: Declaration for the Proposed Gas Well Drilling in Dryden, NY

Dear Ms. Sumner :

Enclosed, please find a copy of the *Negative Declaration Form* for the proposed Cook 1 natural gas well. This form is commonly completed when an Oil or Gas well company submits an *Application for Permit to Drill* to the DEC that will include more that 2.5 acres in an agricultural district.

In this case Anschutz Exploration Corporation has submitted an application to drill in the Town of Dryden, Tompkins County. The proposed sites will be larger than 2.5 acres and will be located in Tompkins County Agricultural District #01.

Please review the enclosed documents and feel free to contact me with any comments or questions you may have. I can be reached by email at jlrospen@gw.dec.state.ny.us or by phone at (585)226-5306.

Sincerely,

A handwritten signature in cursive script that reads "Jodi Rospendowski".

Jodi L. Rospendowski
Mineral Resources Technician

Enclosure

State Environmental Quality Review
NEGATIVE DECLARATION
Notice of Determination of Non-Significance

Well Name: Cook 1
API Number: 31-109-26431-00

Date: 01 December 2009

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

The New York State Department of Environmental Conservation, as Lead Agency, has determined that the proposed action described below will not have a significant effect on the environment and that a Draft Supplemental Environmental Impact Statement will not be required.

Name of Action: Review of a natural gas well permit application submitted by Anschutz Exploration Corporation.

SEQR Status: Type I
Unlisted

Conditioned Negative Declaration: Yes
 No

Description of Action: The applicant proposes to drill a natural gas well in the Town of Dryden, Tompkins County. The well will be drilled into the Black River formation at an approximate depth of 9,788 ft. Drilling operations will be conducted in accordance with the drilling permit issued and rules and regulations of the NYS DEC. The total area proposed to be disturbed during the initial construction phase for the well site and access road is 149,000 square feet or approximately 3.42 acres. The well location is within Tompkins County Agricultural District #01. After the well has been drilled, it will be put into production or plugged and abandoned. The well pad and access road areas for a producing well will be reduced to 39,000 square feet or approximately 0.9 acres and the remaining disturbed areas reclaimed. If the well is plugged and abandoned, the site will be reclaimed.

Location: Approximately 1900 feet South of Ferguson Road and 250 feet west of Irish Settlement Road. The project is located in the town of Dryden, Tompkins County

Reasons Supporting This Determination: Pursuant to State Environmental Quality Review Act (SEQRA) regulations in 6 NYCRR Part 617.7, NYS DEC staff have reviewed the Environmental Assessment Form (EAF) which addresses potential impacts associated with the well and have made the determination that this project will not result in significant, adverse environmental impacts and that a permit, with conditions, can be issued.

A Generic Environmental Impact Statement on the Oil, Gas and Solution Mining Regulatory Program (GEIS) was finalized July, 1992 which satisfies SEQRA requirements for most aspects of drilling individual oil and natural gas wells; however, the disturbance to agricultural land in Agricultural Districts in excess of 2.5 acres requires additional environmental review. In accordance with the GEIS and SEQRA, the environmental impact review considered for this application is limited to disturbance of lands that fall within Agricultural Districts.

As Lead Agency, the NYS DEC has concluded that the applicant has provided sufficient information to avoid, minimize or mitigate to the extent practicable, adverse environmental impacts potentially associated with the project. After a full review of the application, the NYS DEC is satisfied that the requirements of

ECL Article 8-0109 have been met. The following was relied upon in reaching this determination:

The proposed well is within an agricultural district certified pursuant to Article 25-AA of the NYS Agriculture & Markets Law. The proposed well site currently consists of agricultural land. There should be no permanent disturbance to agricultural lands. Erosion and sedimentation control measures will be implemented from the initiation of well site construction through final reclamation. After the well is drilled, it will either be put into production or plugged and abandoned. The size of the production well pad is estimated to be 0.69 acres; therefore, most of the land disturbed during the drilling phase will be reclaimed when the well is put into production. If the well is plugged and abandoned, the entire well site will be reclaimed. The site will be reclaimed with the return of the land surface to its original contours. Well casings will be cut off to ~4 ft. below ground surface. Conditions will be added to the drilling permit to ensure the site will be returned to a condition suitable for agricultural use.

For Further Information:

Contact Person: Linda Collart

Address: NYS DEC 6274 E. Avon-Lima Rd. Avon, NY 14414

Telephone Number: (585) 226-5376

E-mail Address: lcollar@gw.dec.state.ny.us

For Type I Actions and Conditioned Negative Declarations, a Copy of this Notice Sent to:

Chief Executive Officer of Town

Applicant