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Drilling Critics Face a Divide Over the Goal of Their Fight

By **PETER APPLEBOME**

With a deadline looming this week for the public to weigh in on gas drilling in New York State, the antifracking movement itself has become divided over what its goal should be: securing the nation's toughest regulations, or winning an outright ban?

The question is pitting brand-name organizations like the [Sierra Club](#), the [Natural Resources Defense Council](#) and the [Nature Conservancy](#), which are working nationwide for stringent rules, against an ever-growing universe of grass-roots groups demanding a prohibition on the kind of intensive shale gas drilling being proposed in the state. And it is reflecting the tightrope being walked by Gov. [Andrew M. Cuomo](#) between an economically potent industry and many landowners eager for drilling on one side, and on the other a movement that has become one of the most powerful environmental and citizens campaigns in state history.

Whatever the result, the split among the industry critics reflects how the opposition has exponentially hardened since fracking emerged as a statewide issue in 2008.

"When we started out, what we wanted was more information on what this means for New York," said Wes Gillingham, program director for [Catskill Mountainkeeper](#), one of the first groups to focus on the issue. "No one had any thought about calling for a ban. But the more you find out about gas drilling and how it's been practiced by the industry today, the more you realize it can't be done safely. It would just be a disaster for New York State."

Mr. Gillingham said he had worked closely and effectively with national groups. Still, he said: "For the average person on the ground over the Marcellus Shale who is living with this issue, the fact that the national groups are not saying, 'Not here, no way,' is shocking to them."

Wednesday is the deadline for comments about the state's proposed drilling regulations and environmental impact statement to guide gas development in New York. So far, the State Department of Environmental Conservation has received 20,800 comments, far more than any other issue in its history. Officials say they do not know of any other issue that received 1,000 comments.

Drilling could start up after the state adopts new regulations, perhaps this spring. After previously

indicating his agency expected drilling to resume at some point this year, Joseph Martens, commissioner of the conservation department, said in October that it was not clear whether any drilling would proceed this year.

Representatives of national groups, like Kate Sinding of the Natural Resources Defense Council and Roger Downs of the Sierra Club, are widely regarded as key players who asked the right questions and provided the technical expertise that helped produce what has, in effect, been an almost four-year moratorium on new gas drilling in New York State. At issue is a process called high-volume hydraulic fracturing, or hydrofracking, which involves injecting millions of gallons of chemically treated water underground to break up shale formations and release **natural gas**.

Questions about the safety of the process have helped move some environmentalists from an enthusiastic embrace of gas to a much more measured one that still sees it as an essential part of the available energy mix.

“I guess I would say that, in fairness, the N.R.D.C.’s position has evolved — in New York and more broadly as well,” Ms. Sinding said. “So we’re very concerned not only with having the best regulations in place, but with the extent to which drilling is going to be allowed to happen at all in the state.

“But we haven’t called for a ban because we continue to believe that, in all likelihood, some amount of drilling is going to happen, and it’s important to be present at the table so we have regulations that ensure that whatever is done will be done as safely as possible.”

Many of those involved said it was unlikely that Governor Cuomo would turn his back on the gas industry and ban drilling in the rich Marcellus and Utica shale deposits covering much of the economically depressed southern and western reaches of the state. But a push for local and statewide bans has become an increasing focus of the opposition.

Drilling critics have far outnumbered supporters during the public comment period, but the conservation department has also heard from the gas industry and landowners who hoped to lease their property for drilling. Many of them say New York has already delayed for too long, and is paying a price.

“I think the governor’s office recognizes that this has gotten much beyond the science and has become an emotional issue or a cause célèbre for certain elements,” said Dennis Holbrook, executive vice president of **Norse Energy** in Buffalo, who has been active in the industry in the state for 35 years. “It’s time to move the process forward.”

National environmental groups have a complicated history with natural gas. Several, particularly the Sierra Club, have seen it as a bridge fuel toward renewable sources that was cleaner than coal and **oil**, and a preferred alternative to common mining practices. The relationship between the gas

industry and some environmentalists has frayed as the potential impacts of gas drilling, particularly the effects on drinking water supplies, have become apparent in the Western States and in Pennsylvania. Now some former advocates of gas see it not just as an alternative to oil and coal, but also as something crowding out renewable resources like wind and solar power.

But many fracking critics still see the old ties at work.

Claire Sandberg was one of the two founders of [Frack Action](#), which started up in 2010 largely because some antifracking activists worried that established environmentalists seemed resigned to living with gas drilling.

“I think the national groups got themselves in a real bind,” she said. “They entered into a marriage of convenience with natural gas because it was too daunting to try to take on coal and gas at the same time. Now they find themselves with a mutiny on their hands.”

“It’s time for the environmental movement to grow a spine,” she added.

Many close to the process say that the fight will become far more complicated than simply deciding whether to ban or to regulate. Options in between could include a ban until further studies are done; rules so tough they amount to a de facto prohibition; bans in parts of the state, like those close to water supplies; regulations that would keep out all but the most responsible companies; and allowing drilling to resume with a pilot program in an area with a history of drilling.

Some involved with the issue say that despite differences, diverse fracking opponents have found ways to work together, and that they will almost certainly need the technical knowledge and the procedural savvy of longtime environmentalists, as well as the passion of the grass-roots groups.

“You have a lot of bricks being thrown at the national organizations, but I don’t really think there’s as much difference as some people want to see,” said Bruce Ferguson, a founding member of [Catskill Citizens for Safe Energy](#), which supports a ban. “No one wants to see fracking go forward under the current regime or the way it’s being done in Pennsylvania. Everyone agrees on that.”