ROAD USE AGREEMENTS

- “Agreements” are voluntary: a corporation refusing to sign one suffers no consequences and is not restrained by any other (state or county) law in its use of specific routes, seasons/hours of operation or obligations to repair damage
- “agreements” are contracts, so violations are civil matters that can only be enforced through lawsuits brought by the Town
- “agreements” don’t have to be enforced, so a town board more committed to gas corporation interests than to the welfare of its residents will say it’s too expensive to bring a lawsuit to enforce an agreement
- Gas corporations can create, change or shed corporate forms at will to avoid contract obligations

ROAD IMPACTS DUE TO MARCELLUS SHALE DRILLING* (initial fracking only)**

<table>
<thead>
<tr>
<th>Your town here</th>
<th>Build-out on currently-leased land (estimate your town's leasing)</th>
<th>Total possible Build-out In your town (sq. miles from Wikipedia)</th>
</tr>
</thead>
<tbody>
<tr>
<td>High-volume Hydrofracked wells (HVHF) Marcellus only</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Marcellus drilling units¹</td>
<td></td>
<td></td>
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<tr>
<td>HVHF wells¹</td>
<td></td>
<td></td>
</tr>
<tr>
<td>TruckTrips:² set-up and drilling equipment roundtrips</td>
<td>roundtrips</td>
<td></td>
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<tr>
<td>TruckTrips:² Hydrofracking water, sand, chemicals roundtrips</td>
<td>roundtrips</td>
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</tr>
<tr>
<td>TruckTrips:² toxic waste flowback “disposal” roundtrips</td>
<td>roundtrips</td>
<td></td>
</tr>
</tbody>
</table>

AVERAGE FIGURES FOR RANGES FOUND IN draft Supplemental Generic Environmental Impact Statement (dSGEIS)
http://www.dec.ny.gov/energy/58440.html

¹ 1 unit/sq mi ; 7 wells per unit (dSGEIS p 5-20)
² 350 equipment trips per well
500 hydrofracking trips per well
250 wastewater haul trips per well (dSGEIS p 6-138)

*similar, additional impacts apply to other gas shales, and exploitation of gas-bearing sandstones is likely.
** NYSDOT assumes HVHF shale wells will be refracked every five years (on average), requiring another 750 truck trips per well.

ROAD USE LAWS

- “Laws” are not voluntary, apply to all gas companies equally
- “Laws” are enforced by the police, so violations of a law requires no expensive action on the part of the Town or its residents
- “Laws” carry criminal as well as civil penalties: not so easy to for corporate managers to evade
- Violations of “laws” are prosecuted by the county District Attorney’s Office, which has the staff and funding to prosecute lawbreakers of all kinds.
- (your organization) believes our Town has the obligation to pass laws to protect the interests of all its residents, and not to reduce itself to “negotiating” with profit maximizing multinational corporations
What concerns does the Dept. of Transport (NYSDOT) have about road damage and access?

Drillers have common requirements (gravel for pads, water/sand/chemicals used in fracking, equipment, toxic waste disposal) that concentrate traffic on certain state routes. Overlapping/sequencing activities on a “string” of wells on a particular town road will concentrate impacts “downstream” on state roads, arterial links to interstates including major bridges.

Rule-of-thumb: “pavement structural damage by the passage of a single large truck is equivalent to that done by about 9000 automobiles.”

Increased “storage” for turning large trucks at intersections.

Truck traffic will pass through bottlenecks in the road system on a 24-hour basis.

“NY ranks near the bottom of the 50 states on bridge and pavement conditions.”

And how is the Department of Transport (NYSDOT) prepared for the impacts of gas drilling?

“NYSDOT and local governments currently lack the authority and resources necessary to mitigate such problems.”

“The DSGE IS…does not address operational impacts on safety or levels of service…resulting from induced development.”

“NYSDOT…lacks the capacity to require mitigation for damage to State roads and for the operational and safety impacts that stem from Marcellus development.”


WHAT CONCERNS DOE THE DEPT. OF TRANSPORT HAVE ABOUT ROAD DAMAGE AND ACCESS TO YOUR HOME AND BUSINESS?

ROAD DAMAGE

TRUCK TRAFFIC

GAS DRILLING

PROTECT YOUR LOCAL ROAD INFRASTRUCTURE

Find an organization near you or get involved.

NEW YORK STATE ASSOCIATION OF TOWNS

DEPARTMENT OF TRANSPORTATION

WWW.RoadUseLawsByPassingLocalLaws.org

WHAT CONCERNS DOES THE DEPT. OF TRANSPORT HAVE ABOUT ROAD DAMAGE AND ACCESS TO YOUR HOME AND BUSINESS AND LOCAL ROAD INFRASTRUCTURE?

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