

January 22, 2019
Chatham Board of Commissioners
Comments on Zoning Amendments for Oil and Gas

I oppose the Planning Board's proposal to add Oil and Gas exploration, development and production and compressor stations to every zoning district in Chatham.

I support adding to Heavy Industrial zoning with CUP in 10.13 Table 1:(1) oil and gas exploration, development, and production, (2) compressor stations, and (3) Gas and Petroleum Processing.

I also support adding the new section 17.9 (suggest deleting the last line).

No other changes are needed at this time. Please don't rush this decision!

Adding Oil and Gas exploration, development and production and compressor stations to every zoning district in Chatham with CUP, including residential, will do the following:

1. Cripple the concept and authority of zoning and zoning protections.
2. Will betray Chatham citizens who consider zoning as protection from heavy industrial uses in residential zoning districts.
3. Will violate the intent of the Chatham Land Use Plan which aspires to preserve rural character.
4. May lead to lawsuits by non oil and gas industries demanding the same zoning privilege as oil and gas. It may establish a precedent and open the door for lawsuits by noxious industries to be sited county wide.

Chatham lands east of and close to Jordan Lake which are now zoned as Very Low Density Residential and Low Density Residential under the Chatham-Cary Land Use Plan will lose zoning protection. These types of zoning districts were given to these lands in the Cary-Chatham land Use Plan to protect Lake Jordan water quality. Are these zoning protections now eliminated for Lake Jordan?

Cary has not annexed many areas that will be affected by this rezoning amendment but the town is actively expanding in Chatham and will eventually build into these areas. This will place areas zoned for Oil and Gas industries next to Cary subdivisions. Has Cary been notified? Are all Chatham citizens aware of this loss of zoning protections from this heavy industry? I am not aware of any effort by the Planning Department to publicize and educate County residents including Cary residents on this major zoning amendment.

The Planning Board and the Planning Department, I think, acted out of fear of a pre-emption hearing and judgment by the O&G Commission in making the recommendation to add such a heavy industry to all zoning districts with CUP.

This has led to an unproven, mistaken belief that the Conditional Use Permit process and an additional study requirement will control the siting of fracking in the County and avoid a pre-emption hearing before the O&G commission.

Since I have attended almost all of the original MEC meetings and all of the current O&G Commission meetings, I know how this commission thinks. I am certain that the chair and majority of O&G members with careers and vested interests in O&G will accept any complaint by frackers as grounds for a pre-emption hearing against Chatham County ordinances.

The decision by the O&G commission to overrule Chatham County Ordinances and allow Oil and Gas exploration, development and production and compressor stations will be based on the character and politics of the members of the O&G commission. The majority of O&G commissioners believe that fracking health effects are minimal; that fracking can be done without irreversible damage to the environment and groundwater; that its wastewater is not toxic; that natural gas is the best fuel for our future; that methane impacts on global warming and the Chatham economy are not imperative for them to consider, etc. The character and politics on the O&G Commission are beyond the County's control.

Chatham County must be prepared to stand up for what it believes is right and protective for its citizens and not surrender in advance by allowing fracking heavy industry in all zoning districts. Changing our zoning ordinance to allow compressor stations and oil and gas development in all zoning districts is high-risk, unproven and a breach of trust.