

Strict rules on drilling are adopted by council

*** Members say an ordinance was necessary to control gas drilling in the city.**

Published January 24, 2008 in the Fort Worth Star-Telegram

By Jessica DeLeón

BEDFORD — A new city gas drilling ordinance has made it virtually impossible to drill in Bedford.

After five hours of discussion, the City Council voted 4-3 late Tuesday for an ordinance that puts setbacks at 600 feet from residences and public buildings and 1,000 feet from public and private schools — distances so far that some council members say drilling will be prevented in the city.

Council members said an ordinance was necessary to control drilling and to deter property owners from suing the city over being prevented from developing their mineral rights.

Keith Quigley, one of nine residents to speak at the meeting, said he was pleased with the outcome.

"I think it was unfortunate it had to come almost at the expense of the wishes of the majority of citizens of Bedford, at least the majority that were willing to come speak" at recent town hall and council meetings, Quigley said.

But Councilman Bob Whistler disagreed with the decision, saying more drilling should be allowed.

"With the inclusion of the 1,000-foot setback for schools, that eliminates the only possible drilling site that might have been available in Bedford," he said. "So we have a no-drilling ordinance."

Close vote

Mayor Jim Story and council members Lori Nail, Roy Savage and Roy Turner voted for the ordinance. Councilmen Jeff Cason, Charles Orea and Whistler all voted against the ordinance.

Story proved to be the decisive vote. When he called for the vote, he paused for a few moments, his hand cupped to his chin, as he decided how to vote. And when his vote appeared on the council's electronic voting board, both the "yes" and "no" buttons showed up.

"I hit two buttons," he said, laughing.

Then he voted for the ordinance, and explained his reasoning: "It would be easier to take it down." He noted that other cities have reversed their drilling regulations.

Strong opposition

The vote comes a few weeks after more than 500 residents packed a town hall meeting at the Boys Ranch Activity Center and protested drilling in the city.

On Tuesday, nine residents spoke at the council meeting, with seven saying gas drilling would cause safety and health problems. Two residents spoke for an hour each.

Resident Teresa Brammersaid most neighboring cities have 600-foot setbacks.

"Why should Bedford do less for its residents than its neighbors do?" she said.

Two residents spoke in favor of drilling. Property owners throughout Tarrant County have cashed in on the exploration of the Barnett Shale natural gas field that lies beneath much of North Texas.

"We have to balance the risks against the rewards," Travis Hutchison said. "I don't want Bedford to be an isolated community in all of this."

Setbacks

After the residents finished talking about 10:30 p.m., the council reviewed the proposed ordinance.

The setbacks were the main issue, with council members arguing that strict setbacks would limit the number of gas drilling sites.

Tuesday night, council members said only one site, near Meadowbrook Park on Harwood Road, would be available at a 600-foot setback. However, that site could be disqualified because of the 1,000-foot setback for schools; a day-care center is nearby. City staffers are looking at whether the potential drilling site meets the criteria.

At the meeting, Whistler offered a motion for 300-foot setbacks to allow several more drilling sites. Cason, Orea and Whistler voted for that version of the ordinance, but Nail, Savage, Story and Turner voted against it, defeating the motion.

Story then suggested a 500-foot setback that could be reduced to 300 feet if 60 percent of property owners in the area agreed and the council approved. But the idea drew little support. Nail then made the motion for the ordinance that passed.

Drilling regulations

Gas wells must be at least 600 feet from residences, churches, public buildings, hospitals and businesses and 1,000 feet from public and private schools.

Storage tanks must be at least 75 feet from a property line or right of way.

Gas wells must be at least 75 feet from streets, sources of ignition and the outer boundary of the drilling site.

Gas wells must be at least 250 feet from a freshwater well.

Gas wells must be 100 feet from any building.

The new ordinance requires separate zoning for drilling but will allow drilling on public land and parkland.

Work will be allowed from 7 a.m. to 7 p.m. weekdays and from 9 a.m. to 6 p.m. Saturdays and Sundays.

Wells will not be allowed to exceed the ambient noise level by more than 5 decibels during the day and more than 3 decibels at night as measured at the nearest property line or within 100 feet from the nearest structure. People normally notice a change in noise at 5 decibels. A telephone dial tone is about 80 decibels.