

**IMLA Webinar Fracking Redux – Resources List
December 14, 2015**

BEYOND THE FRACKING WARS (Erica Levine Powers & Beth E. Kinne, eds., 2013) (“BFW”) including Sorell E. Negro, *Man Camps, Boomtowns, and the Boom-and-Bust Cycle*, in BFW at 193, Beth E. Kinne, *The Technology of Oil and Gas Shale Development*, in BFW at 3, and Erica Levine Powers and Adam J. Yagelski, *The Oil and Gas Industry: Operations and Best Practices*, in BFW at 19. BFW Table of contents, Foreword and two chapters available online as pdf at americanbar.org/shopABA.

Erica Levine Powers, *Home Rule Meets State Regulation: Reflections on High Volume Hydraulic Fracturing for Natural Gas*, STATE & LOCAL GOV’T L. NEWS (ABA 2012), http://www.americanbar.org/publications/state_local_law_news/2011_12/winter_2012.html

Erica Levine Powers, *The State of the Play: Zoning Meets Shale Exploration*, 38 ZONING & PLAN. L. REP. 7 (July 2015).

Erica Levine Powers, *The latest front in the fracking wars: Preemption*, “Legal Lessons” article in *Planning* magazine (January 2015).

Sorell E. Negro, *The Thirst of Fracking: Regulating to Protect the Linchpin of the Natural Gas Boom*, 77 ALB. L. REV. 725 (2014), <http://www.albanylawreview.org/issues/Pages/article-information.aspx?volume=77&issue=2&page=725>

Sorell E. Negro, *Beyond the Fracking Wars*, 35 ZONING & PLAN. L. REP. 1 (2012).

Sorell E. Negro, *Looking Below the Surface: Planning for Impacts on People, Places, and Property from Natural Gas Development*, PROBATE & PROPERTY (2013).

Rachael Rawlins, *Planning for Fracking on the Barnett Shale: Urban Air Pollution, Improving Health-Based Regulation, and the Role of Local Governments*, 31 VA. ENV. L. J. 226 (2013), available at <http://ssrn.com/abstract=2410648>.

CASES:

Wallach v. Town of Dryden, 16 N.E.3d 1188(N.Y. 2014) aff’g sub nom *Norse Energy Corp. USA v. Town of Dryden*, 108 A.D.3d 25, 964 N.Y.S.2d 714 [3d Dept. 2013], http://www.courts.state.ny.us/reporter/3dseries/2014/2014_04875.htm.

Robinson Tp., Washington County v. Com., 623 Pa. 564, 83 A.3d 901 (2013), <http://www.pacourts.us/assets/opinions/Supreme/out/J-127A-D-2012co.pdf>.

State ex rel. Morrison v. Beck Energy Corp., 2015-Ohio-485, 2015 WL 687475 (Ohio 2015), <http://www.supremecourt.ohio.gov/rod/docs/pdf/0/2015/2015-Ohio-485.pdf>.

LOCAL ORDINANCES:

Arlington, TX Ordinance No. 10-012, Art. VII, § 7.01(B) (2011), *available at*

http://www.arlingtontx.gov/planning/gas_drilling.html (well pads must be 600 feet from parks and protected land uses).

Collier Township, PA Ordinance No. 592 § 1703.29.d(1) (2011) (prohibiting gas drilling “within 300 feet of the property line, or upon the property of any residential or public building, church, community or institutional building, commercial building, public park or private recreation area without the written consent of the owner[.]”).

TOPICAL READINGS:

Cornell University Coop. Extension: Marcellus Shale Resource Center
www.cce.cornell.edu/EnergyClimateChange/NaturalGasDev/Pages/default.aspx.

Audrey Putz et al., *Sustainability in Natural Resource-Dependent Regions that Experienced Boom-Bust-Recovery Cycles: Lessons Learned from a Review of the Literature* (July 2001),
<http://www.ag.ndsu.edu/ccv/documents/sustainability-report>.

Nichola Groom, *Fracking Water’s Dirty Little Secret—Recycling*, REUTERS (July 15, 2013),
<http://www.reuters.com/article/2013/07/15/us-fracking-water-analysis-idUSBRE96E0ML20130715>.

Michael Kiparsky and Jayni Foley Hein, *Regulation of Hydraulic Fracturing in California: A Wastewater and Water Quality Perspective 6* (April 2013), available at
http://www.law.berkeley.edu/files/ccelp/Wheeler_HydraulicFracturing_April2013.pdf.

Garfield County Greater Sage Grouse Conservation Plan (Mar. 18, 2013), <http://www.garfield-county.com/community-development/documents/Final-Approved-Grouse-Plan.pdf>.

Damien M. Schiff, *The Endangered Species Act at 40: A Tale of Radicalization, Politicization, Bureaucratization, and Senescence*, 37 ENVIRONS ENVTL. L. & POL’Y J. 105 (2014),
<http://environs.law.ucdavis.edu/volumes/37/2/Articles/Schiff.pdf>.

John Buse, *A Different Perspective on the Endangered Species Act at 40: Responding to Damien M. Schiff*, 37 ENVIRONS ENVTL. L. & POL’Y J. 145 (2015),
<http://environs.law.ucdavis.edu/volumes/38/1/Response/Buse-%2038.1.pdf>.

Western Energy Alliance, *Challenges to Federal Agency Science on Greater Sage Grouse: Executive Summary* (2015),
<http://cdn.westernenergyalliance.org/sites/default/files/Final%20DQA%20Executive%20Summary.pdf>.