



PENNSYLVANIA STATE ASSOCIATION OF TOWNSHIP SUPERVISORS

February 6, 2012

**TO:** Members of the Senate  
Members of the House of Representatives

**FROM:** David M. Banko, Executive Director

**SUBJECT:** Conference Committee Report on House Bill 1950 (A08521)

On behalf of the Pennsylvania State Association of Township Supervisors (PSATS), and its Executive Board, I write to offer comments on the conference committee report on HB 1950. PSATS represents 1,455 townships of the second class that comprise 95% of Pennsylvania's land mass and 5.5 million people. Because virtually all of the current Marcellus drilling is occurring in townships, our members have had a bird's eye view of the impacts (both good and bad) brought to Penn's Woods by Natural gas exploration.

Over the past 2 years, there has been much discussion about the impact of natural gas development in the Commonwealth. In recent weeks, this has reached a fevered pitch as many have worked diligently to finalize a new intended law. There were many moving parts and issues on the table. Emotions ran high at times. There have been compromises and accommodations all through the process, but all with the end goal of making Pennsylvania a better place to live, work and raise a family.

In this current sluggish economy, PSATS certainly welcomes the jobs and economic development opportunities that natural gas development brings as well as the opportunity to reduce our national dependence on foreign oil. However, PSATS remains interested in preserving the quality of life of Pennsylvanians and our environment. That said, we support the benefits of exploration and production of our Commonwealth's natural resources as long as it is done safely.

To summarize the past year, we support enhancements to current law to better protect our environment, (land, water and air). We support the creation and enhancement of pipeline standards to provide for the safe transport and distribution of these resources. We support the development and enhancement of public safety mechanisms and emergency response plans that will ensure the maximum protection of Pennsylvanians. We support market development programs to encourage greater utilization of natural gas. We support the distribution of a local impact fee where a significant majority remains in affected communities enabling them to deal with development related costs today and in the future and to avoid local property tax increases. And most importantly, we oppose the total elimination of local control including land use, and instead support the maximum possible retention of local decision making authority in order to provide for the reasonable development of natural resources consistent with law.

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Everyone has always agreed on protecting our environment, promoting economic development and promoting public safety. From our perspective, the disagreement was about the imposition of a fee to allow an industry to pay its fair share and the rules of occupation/land use. We are pleased to have fought hard to convince participants of the need for a local impact fee as included in the conference report. This will prevent any costs associated with this exploration from being saddled onto the backs of local taxpayers. We are equally pleased to have been able to thwart the "nuclear-like" attack on local land use decision making which would have resulted in a statewide, one-size fits all total preemption of local decisions. That being said, we recognize the value of reasonable and commonsense standards that offer a level of predictability for economic growth so long as it is coupled with local "boots on the ground" community protection afforded by local government leaders. This Conference Committee report provides for local ordinances that comport with this Act, the MPC and Flood Plain Management Act and that may also be reviewed by the Public Utility Commission for reasonableness and commonsense.

While we remain concerned about pipeline placement, we will anxiously await the Governor's Energy Executive's 1-year performance review of pipeline issues. We applaud the work of the General Assembly leaders, members and staff; the Corbett-Cawley Administration, its Advisory Commission and staff; and are especially grateful for the participation afforded to PSATS in this process. We believe the Conference Committee report on HB 1950 hits the mark on these important criteria and represents the best document yet to make sure that Pennsylvania gets it right this time. We would ask the General Assembly to adopt the Conference Committee Report.

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