

Pike County
Marcellus Shale Natural Gas Task Force
AGENDA
NOVEMBER 2, 2011
1:00 pm – 3:00pm

Meeting Location: Pike County Commissioners Mtg. Room, 506 Broad Street, Milford

Welcome - Pike County Commissioner Chairman Rich Caridi

Committee Reports:

- a. Education
- b. Planning / Government
- c. Environment
- d. Economic Development/Tourism
- e. Roads/ Transportation/ Infrastructure
- f. Public Safety

Updates:

Delaware River Basin Commission DRAFT Natural Gas Regulations

November 7 – web posting of the modified DRBC draft NG regulations for public information
November 21 - Special Meeting of the Commission to consider adoption of regulations (10:00am to noon), Location of mtg: Patriots Theatre at the War Memorial, 1 Memorial Drive, Trenton, NJ

PA Marcellus Shale Advisory Commission Report – distributed July 22, 2011

http://www.portal.state.pa.us/portal/server.pt/community/marcellus_shale_advisory_commission

PA Governor Corbett's Recommendations based on Advisory Commission Report – distributed

October 3, 2011 http://www.pikepa.org/Planning/Marcellus/Governor_Legislative_Plan_IMPACTFEE.pdf

PA Marcellus Shale CITIZEN's Advisory Commission Report – distributed October 25, 2011

http://www.pikepa.org/Planning/Marcellus/Citizens_Marcellus_Commission_Report.pdf

PA Legislative Proposals Fall Session

Public Comment Period

NEXT Meeting: Wednesday, January 25, 2012 (1:00pm)
Watch county website or call the Commissioners office for weather related cancellations

Adjournment

Website -- <http://www.pikepa.org/marcellus.html>

Pike County Marcellus Task Force

Education Committee Report

November 2, 2011

The Education committee consists of Peter Wulfhorst – Chair and Steve Vitale

The County Marcellus Task Force and Penn State Extension – Pike County sponsored a Marcellus Shale Drilling & Your Private Water Supply program on September 19. Approximately 25 people attended the program at the PPL Center at Lake Wallenpaupack to learn about gas well drilling basics and how gas wells can impact private water supply wells. In addition, those that attended learned about potential water pollutants from gas wells as well as the importance of testing your private water supply well.

The Pike County Economic Development Authority and Pike County Chamber of Commerce is sponsoring a program “Learn how your business can profit from Marcellus Shale” on Tuesday, November 15 from 5-6:30 PM at the Delaware Valley High School. The speaker is Dr. Tim Kelsey, Professor of Agriculture and Economics at Penn State University. Dr. Kelsey will share his findings from studies he has conducted on the Marcellus Shale industry from a business perspective.

The committee has convened a meeting recently and will meet sometime after the full County Task Force meeting.

**PIKE COUNTY MARCELLUS SHALE TASK FORCE
PLANNING AND GOVERNMENT COMMITTEE**

Subject: Report on Activities of the Committee

Date: November 2, 2011

Committee Chair – Michael Zibrin

The Planning and Government Committee has taken an active role since its organization in early 2011. Our nine Committee meetings held to date in 2011 have focused discussion on current issues and concerns of our Pike County municipalities.

February 24 – organizational meeting

March 24 - assembled list of the critical concerns of Pike County municipalities; named subcommittees to identify the most responsible way to deal with the most prevalent municipal concerns

April 7 – Reviewed the reports from the subcommittees and identified the next steps in taking action

April 27 – Reported progress to the TASK FORCE

May 12 and May 26 – Specific discussion on ROADS, WATER and DELIVERY of MUNICIPAL SERVICES -- the 3 top municipal concerns as they relate to Marcellus

June 30 and July 14 – Reviewed and discussed SBI 100 legislation proposing a PA impact fee and a municipal Model Ordinance drafted by the Public Utility Commission.

July 20 – Reported progress to the TASK FORCE

Since the last meeting of the Task Force, the Pike County Marcellus Shale Task Force Planning and Government Committee met on August 18 and October 13. Both of these Committee meetings focused discussion on the Recommendations Report of the Governor’s Marcellus Shale Advisory Commission released on July 22 and the Governors response to that report released on October 3, 2011. The Committee reviewed, discussed and assembled a consensus statement on both documents. This was shared with area legislators. Additionally, Committee municipal representatives prepared and gave updates to their municipal officials.

As the Committee moves forward, we will continue to monitor legislative activity in this Fall’s legislative session related to both the impact fee as proposed and the Model Ordinance recommended for municipalities. The Committee will continue to communicate the most updated information to our municipalities.

The Planning and Government Committee has focused on a few key points:

Information for Municipalities--- PA State Association of Township Supervisors (PSATS) should play a greater role on behalf of Pennsylvania Townships in regard to Marcellus Shale activities in the state. This would include but not be limited to: timely information and outreach to member municipalities on the current critical issues of concern particularly legislation related to natural gas activities; and lobbying efforts which are in line with the consensus of municipal members who are affected by the NG activities.

Municipal Zoning Powers and Model Ordinance Provisions - Regulation of NG drilling and associated facilities must be founded on the goal of protecting the health, safety and welfare of all community residents including such things as protection from harmful side effects of drilling operations and safeguarding property values. Any proposed legislation should not further pre-empt the powers of our local municipal governments to safeguard its citizens. Oppose any statutory prohibitions on the use of zoning to manage all types of development and resource extraction through zoning districts and conditional and special exception approval mechanisms. The right to zone has been provided to the municipalities through authorizing legislation – PA Municipalities Planning Code.

Impact Fee - A “dollars and cents” analysis as to what the proposed impact fee would mean to individual municipalities in host areas based on one well per year and per 10 years needs to be developed. Include in this analysis realistic information on any statutory requirements that gas companies would need to continue RMA (road maintenance agreement) payments above and beyond the impact fee. Additionally, information on how other states handle impact fees should be part of the analysis. Based on this analysis either support the enactment of an impact fee OR Reject the impact fee.

If an impact fee is legislated (hopefully it will be more than all of the proposed amounts presented to date), support should be provided for a County levy and administration of the fee with a consistent across the board levy statewide (do not leave the amount of the levy optional for counties to decide). Encourage the inclusion of counties who have major pipeline upgrade projects, in relation to getting Marcellus Shale gas to market, be included in any legislation related to natural gas impact fee or tax. The Committee supports the county’s allocation and distribution of the impact fee to the municipalities within the county.

Setbacks - Support all recommendations that increase the setbacks between drilling operations and groundwater wells and surface water bodies. Support more stringent setbacks than those listed in the Governor’s recommendations in High Quality (HQ) and Exceptional Value (EV) watershed areas.

NG Operations in Floodplains - Recommend that all NG drilling operations and all accessory activities be prohibited in the floodway and the 100-year floodplain areas. This is common sense and the prohibition highlights the specific role that municipal governments have in protecting the health, safety and welfare of all residents. It should be noted that all Pike County municipal floodplain ordinances and regulations (and most likely the majority of all municipal ordinances across the state) specifically *prohibit the storage of* hazardous materials in all floodplain areas.

Conservation Districts – Pike County MSTF should support the statewide integration of local county conservation districts into the Erosion and Sediment Control Plan review and site inspection of all NG production and infrastructure project sites. If an impact fee or severance tax is enacted a portion of these funds should go to Conservation Districts for administration of the program.

NOTE: The Pike County Marcellus Shale Task Force Planning and Government Committee has representation from all of Pike County’s thirteen municipalities. The main focus of the Committee has been to bring municipal concerns and issues to the table for discussion and then develop action items which are a consensus of the municipalities represented.