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Marcellus impact fee getting close look

BY ROBERT SWIFT (HARRISBURG BUREAU CHIEF)

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Marcellus Shale

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HARRISBURG - Senate Republican leaders are giving consideration to letting local governments charge impact fees to offset the impact of natural gas drilling operations.

Senate President Pro Tempore Joseph Scarnati, R-25, Jefferson County, is the latest to broach the subject, suggesting impact fees would help municipalities and counties deal with road repairs, water usage, accident cleanup and other issues related to drilling.

"Marcellus Shale issues aren't going away," said top Scarnati aide Drew Crompton on Monday. He expects work to continue in the next session on comprehensive legislation dealing with the host of issues spawned by the drilling boom in the Marcellus Shale formation.

The impact fee concept is seen as an alternative to a state severance tax on natural gas production, a proposal pushed in recent months by outgoing Democratic Gov. Ed Rendell. Efforts to pass a severance tax prior to the election were unsuccessful despite by a written agreement in July by House and Senate leaders declaring their intent to do so.

Republican Gov.-elect Tom Corbett said during the campaign that he's opposed to a severance tax. He signed a pledge by an Washington, D.C., advocacy group not to support a state tax increase unless it's offset by a tax cut of similar size. Mr. Corbett also said he's opposed to hiking state fees as well.

An impact fee is drawing attention as lawmakers weigh the implications of Mr. Corbett's tax pledge, said Mr. Crompton. There's discussion about tandem state and local impact fees as well, he added.

Senate Republicans have proposed a share of Marcellus Shale revenues for statewide environmental projects, so that would call for some form of state impact fee, said Mr. Crompton. Local government needs range from the roads, water systems and emergency services to the demand on county courthouse offices for legal documents and property title checks.

GOP senators want to address local zoning, natural gas pipeline and workplace safety as part of a comprehensive package.

The exchange comes come several weeks after House Speaker-designate Sam Smith, R-66, Punxsutawney, said that support exists among House GOP lawmakers for an impact fee on the drilling industry, but the caucus hasn't taken a position on it yet.

Local impact fees are no substitute for a state severance tax, one environmentalist says.



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Local officials lack jurisdiction over waterways and state roads that can be impacted by drilling so an impact fee would have limited reach, said Jan Jarrett, president of PennFuture, a statewide environmental group.

"It's an inadequate solution," she added.

Impact fee legislation was last seriously debated a decade ago when Pennsylvania sought to give municipalities more leeway to address problems created by sprawl. But the impact fee bills fell by the wayside to laws giving officials in neighboring municipalities new incentives to work together on development issues.

A 1990 state law allows for local impact fees on developers to cover off-site transportation improvements near new developments. But the law requires a municipality to take a number of costly steps, such as having a comprehensive plan and doing a roadway sufficiency analysis, before it can adopt such an ordinance. Only several dozen municipalities have enacted transportation impact fee ordinances.

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Having failed to do what they promised to do, lawmakers will now put the onus on local governments. When local governments impose the impact fee, Gov.-elect Corbett will claim that he didn't raise taxes or fees (even though the fees can't happen without his signature), and everyone will complain about local governments when they try to make up for the irresponsibility of state officials.

This is the kind of grotesque behavior that compels a Constitution convention. PA can't do business like this any longer and hope to prosper.

 Power_to_the_People liked this

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In other news...XTO dumps 13,000 gallons of frac fluid in an unknown tributary.

XTO spokesman has no idea how valve got left open.

Be on the lookout for more of this...it's a lot cheaper to dump frac fluid in the water ways than to dispose of it properly!!!

<http://www.portal.state.pa.us/portal/server.pt/community/newsroom/14287?id=15315&typeid=1>

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> impact fees would help municipalities and counties deal with road repairs, water usage, accident cleanup and other issues related to drilling.

Easier not to do it in the first place. The impact is underestimated. No tax will be able to cover the damage. Farms are becoming large industrial sites with water supplies tainted by high levels of toxic chemicals. Landowners are unable to get mortgages or insurance to cover potential liability. Folks are being told by the banks that their land is now basically worthless because of the drilling activity. According to a memo from a top executive at Wells Fargo Bank, it is "very difficult to obtain financing due to the potential hazard," as well as "unknowns," such as what a drilling lease would do to "the marketability of a property." As for your neighbors, the Federal Housing Agency won't insure mortgages for homes that are closer than 300 feet from an active or planned drilling site.

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yet no where in this article do they mention any last minute loop hole re: total disclosure on What Exactly the local water treatment plants are Treating..... Before reintroducing back into the Susquehanna/ local watershed.

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Ban all drilling operations now, before any more of Pa. is POISONED!!!!

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