

Protecting Communities and Special Places



e-Newsletter May 22, 2014



"If we desire respect for the law, we must first make the law respectable." - Justice Louis D. Brandeis

IN THIS ISSUE

The Right to Know
(only what the Government wants
you to know)

What's Your Opinion?
(2 Research Surveys)

More "Fleasings"
of Public Wealth

Frack Free Parks
(Take Action!)

Upcoming Events:
(You are invited!)

Gas Well Pad
Conventional Use Hearing

Keep It Wild Hike - Rider Park

Fracking Pennsylvania Book
Signing by Author Walter Brasch

Fairfield Township Meeting
(Shaheen Well Site)

Lobby Day in Harrisburg

The Right to Know (only what the Government wants you to know)

by Kristen Hayes, Guest Contributor

In 2009, Pennsylvania's Right-To-Know-Law (RTKL) went into effect. With the passage of RTKL, legislators affirmed the need for government transparency and the right of citizens, agencies, public officials and members of the media to obtain public records of government communications.

PA State Representative Greg Vitali of Delaware County, Democratic chairman of the House Environment Resources and Energy Committee, filed a RTKL request on March 5th of this year, seeking information from the Department of Conservation and Natural Resources (DCNR) concerning plans for gas drilling on public lands. As quoted in Mainline Media News, Vitali states his position on the subject, "I feel we have leased off too much state forests for drilling... If we knew then what we knew now, we would have fought [shale gas drilling in state parks] a lot harder."

Cove Point Rally in D.C.

Urge President Obama to halt the approval of LNG Export Terminals

Request a Moratorium on Further Drilling of our State Park and Forest Lands

Quote of the Day

Join RDA

SUBSCRIBE TO THE NEWSLETTER

Missed a week?
Find former newsletters [here](#).

UPCOMING EVENTS

Gas Well Pad Conventional Use Hearing

**Tuesday, May 27
6:45pm**

Loyalsock Township Building
2510 East Third Street

Conventional use hearing for the appeal of Inflection Energy, LLC to be allowed to construct and operate a natural gas well pad with a proposed 4 to 8 gas wells on a property at 1359 Palmer Hill Road.

Oil and gas development is a conditional use in the agriculture rural residential zoning district.

[CLICK HERE](#)
for more information.

Keep It Wild Hike

**Rider Park
Saturday, May 31
11am**

We will be hiking the Katy Jane Trail in celebration of "PA Hiking Week" this Saturday. Come & enjoy one of the "Special Places" a few members of our organization fought so hard



DCNR has denied most of Vitali's RTKL request, contending portions of it were overly broad. Vitali calls this response "nonsense," and claims the Corbett administration is stonewalling when it comes to information about gas drilling on PA's public lands.

Vitali is seeking records that would answer four main questions: How does the Corbett administration plan to raise the \$75 million listed in the current state budget as new income from public lands? How many acres are being considered for leasing? What specific state lands, including parks and forests, are being considered? Which gas companies are involved in the negotiations?

Calling these questions "overly broad" does seem nonsensical and this gives rise to another question: How can a public servant be denied information that he needs to represent the people he was elected to serve - in this case, to ensure that the Commonwealth is acting as a responsible trustee of its natural resources for the benefit of both present and future generations?

"It is clear that the Corbett administration knows far more than it is telling about its drilling proposal and wants to keep the public and the (legislature) in the dark for as long as possible," said Vitali in a press release last month.

The RTKL could soon be in for a major overhaul. Any amendments made must be done so to improve the law and its effectiveness in promoting access to government records rather than bowing to the whims and/or complaints of special interest groups. Without transparency, citizens are unable to hold politicians accountable for their actions or lack thereof. By definition, a commonwealth is a state founded on law and united by compact or tacit agreement of the people for the common good in which supreme authority is vested in the people. We the people have the right to know. "If we desire respect for the law, we must first make the law respectable." - Justice Louis D. Brandeis

What is to come of Vitali's RTKL request, and the revamping of the Right To Know Law itself? We'll be watching.

Kristen Hayes is a Candidate for PA State Representative
84th District, Lycoming County

to protect.

We hope you can join us!

Directions: From Williamsport, take I-180 East/US-220 North toward Montoursville. Take the Warrensville Road Exit. Turn left on Warrensville Road just before the bridge to Montoursville. Travel North on Warrensville Road to Warrensville, past the junction of Route 973. Approximately one mile from that intersection, turn right onto Caleb Creek Road. Take Caleb Creek Road for about 1.7 miles to the parking lot and gate to Rider Park.



Fracking Pennsylvania
Book Signing by Author,
Walter Brasch, Ph. D.

Friday, June 6
6 - 8 pm

Otto's Bookstore
107 West Fourth Street

Mr. Brasch will be signing his works including the NEW edition of Fracking Pennsylvania, which has 70% more content than the 1st edition and twice the graphics; current to 2014.)

Fairfield Township Meeting
(Shaheen Well Site)

RDA will be hosting an informational meeting for the residents of Fairfield Township who will be effected by the Shaheen Well Site.

More details to follow.

What's Your Opinion?

RDA cordially invites you to participate in two important research surveys.

The first survey is open to all, and is conducted by Chris Clarke, Ph.D. of the Department of Communication at George Mason University in Fairfax, Virginia. This survey involves your impressions of media coverage of gas drilling. [Click here to learn more and get involved.](#)

The second survey is conducted by David Casagrande, Ph.D. of the Anthropology Department at Lehigh University in Bethlehem PA and is open to anyone who has an opportunity to lease with the gas industry. Regardless of your final decision, both those folks who have leased and those who have declined are invited to participate. [CLICK HERE to learn more and get involved.](#)



More "Fleasings" of Public Wealth

by Ralph Kisberg, RDA Working Group

When it comes to gas development in our State Forests, bad decisions made by the Rendell administration continue to reverberate today, this time with Governor Corbett's plan to end the current DCNR moratorium and lease out more State Forest, and possibly some State Park land for so-called *non-surface disturbance leasing*.

A few details of the Governor's proposal were revealed at the DCNR's Natural Gas Advisory Committee meeting in State College on April 16th. DCNR Assistant Secretary Dan Devlin explained to the committee and those of us in attendance, that Corbett's proposed figure of \$75 million dollars, expected to be generated to help this year's budget deficit via more state forest leasing, is based on feedback from well operators. Devlin explained that the tracts to be made available will be "nominated" by well operators, not chosen by the DCNR.

Some of the non-industry members of the committee were able to wring out more detail. Katy Dunlap of Trout Unlimited asked if the Bureau of Forestry will do evaluations of proposed acreage prior to the nominations. Devlin answered, "After they are proposed."

Ephraim Zimmerman of the Western PA Conservancy asked if DCNR is considering changes to its existing leases in connection with the new development. Devlin replied there will not be new infrastructure. The operators will use existing roads and pads to access the newly nominated tracts. This prompted the representative of Pennsylvania General Energy to begin whining about that restriction. PGE is the operator currently working in the Tiadaghton State Forest as well as adjacent State Game Lands 75 in western Lycoming County. If you want to see what a lovely job PGE and its financial partner Exxon, are doing in your state forest, head up Truman Run Road in far western Lycoming County and take a look for yourself (Warning: prepare to be disgusted.)

Lobby Day in Harrisburg

June 17th

Join us in Harrisburg to show the State Legislature we oppose further leasing of our State Park & Forest land to help balance the budget.



Cove Point Rally

July 13th
Washington, D.C.

Save the date!
Join us as we head to D.C. to protest this atrocious proposed LNG export terminal.

More details to follow.

Urge President Obama to halt the approval of LNG Export Terminals

[CLICK HERE to take action](#)

Right now, communities across the country are facing air, water, and climate pollution at the hands of natural gas companies. And the stakes have gotten even higher -- the potential for more fracking so the natural gas industry can export LNG to other countries.

Request a Moratorium on Further Leasing of Our State Park & Forest Lands

[CLICK HERE to take action](#)

PGE's corporate person threatened that if the leasing does not allow for changes to existing infrastructure, "You may not get my bids" and "It may void the (original) lease." Another industry person explained that existing pads might need to expand or be adjusted in order to use them to reach adjacent new leases. The typical lease gave them a fixed maximum number of pads, but most ended up using less than originally planned. Could they now ask for more? Answer: Case by case basis.

It was obvious to those in attendance that DCNR, or perhaps more likely the Governor's Energy Executive, Patrick Henderson, also in attendance, had not thought the plan through thoroughly.

More questions were asked. Katy Dunlap: What is considered surface disturbance? Is it walking in the woods? Reply: "Moving soil."

PGE chimed in again: All we can give you is a notion of a development plan based on what we know. If there is no flexibility with adjacent lands, it may be an abrogation of the lease.

PSU Pedology (soils) Professor Patrick Drohan asked about pipelines on existing leases. PGE replied that their gathering lines are 24", with smaller lines from the pads to the larger gathering lines. PGE stated: "Operating abilities are severely restricted if we can only use existing infrastructure."

The Shell corporate person asked DCNR about their vision for the leasing process. How? Competitive bids? Sole sourcing? No formal lease sale, just wait for a nomination?

Shell and the other multi-national operators work in a world where most nations own their own mineral rights. Those countries operate far differently than Pennsylvania when it comes to their public mineral wealth. The usual practice is for countries to contract exclusively for seismic data; after the government chooses the areas for development, operators must buy the data from the government, not the seismic testing company. The notion of companies nominating publically owned land where they want to operate is hard to fathom, but here in good old gas-industry-sap, PA, there is precedent.

In 2010, following two years of leasing of expected high value public resources, or "sweet spot" areas, the Rendell administration invoked a section of the Act 18 legislation, the Conservation & Natural Resources Act, Section 301 (a) (13), which gives the DCNR the following power:

"To have the authority, with the approval of the Governor, to enter into agreements with owners or lessees of property or property rights located in the same area as lands owned or leased by the Commonwealth, for the protection, preservation or recovery of metallic or nonmetallic ore, fuel, oil, natural gas or any other mineral deposits underlying those lands, provided the deposits are owned by the Commonwealth."

The public rationale behind this screaming deal was explained in [this May, 2010 article in the Philadelphia Inquirer by Andrew Maykuth](#).

In terms of the long-term management of our common wealth, it was a bad idea then. It is an even more galling idea now, in the middle of an election year, when the sitting Governor reaps millions of dollars in campaign donations from gas industry people or related people, corporate or human.

Why do Pennsylvanians put up with blatant favors of additional acreage made available to the gas industry in the current depressed land market? Why are our expectations so low for our fair share of a public asset that will be worth billions of dollars over time? Why again let the excuse of a budget problem (in a state that, unlike all other major producers, has no severance tax) allow for another bargain-basement current market price giveaway? Surely one day, when the market is not awash in gas and some of the long-term consequences of the development have emerged, the gas rights to these same public lands could be valued much differently by the real owners of the resource. Is it generationally fair to take that possibility away now, when so much was given up already?

The Democratic nominee for Governor has stepped up to say no more state land leasing now. Will the legislature? Will you?

Our state forests are rare places that provide respite and recreation for our citizens. The proposed lift on the moratorium of gas leasing will lead to further drilling that will jeopardize fragile ecosystems. Our state forests and parks should be set apart, protected and held in trust for the future.

We need your help to stop additional gas leasing of state park and forest land. We urge you to please take action by sending a message to your legislators so the General Assembly will not open the door to additional leasing.

Join RDA!

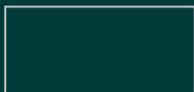
We welcome your active participation and are in need of help for special events, publicity, research, and other projects. Contact us for details.

Membership levels:

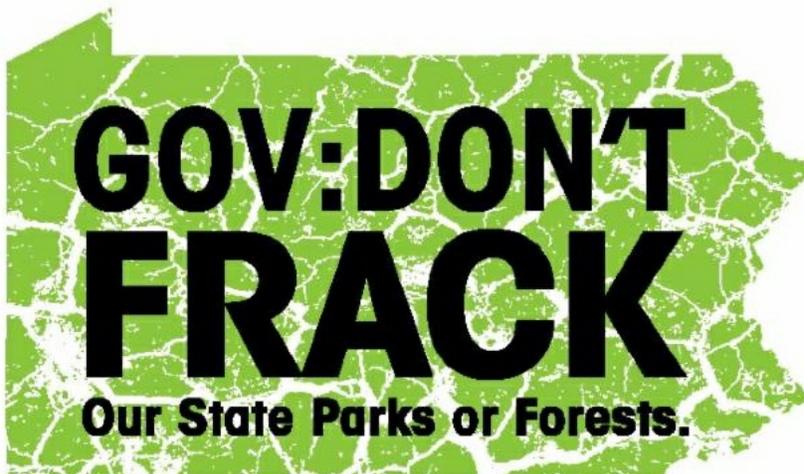
Adventurer.....\$10
Explorer.....\$20
Woodlander.....\$50
Guardian.....\$100
Naturalist.....\$500
Preservationist...\$1,000

As a 501(c)(3) non-profit organization, RDA relies on donations for the important work we do. In order for RDA to continue its valuable education and advocacy outreach in 2014, please consider a tax-free contribution to our efforts.

Please use the Donate button below to send a donation or join online, or [download the membership form here](#).



Frack Free Parks



#frackfreeparks

The Governor plans to include gas leasing under State Parks and Forests as part of our State Budget. Help stand up to his plan to expand drilling in our state parks and forests. Take your picture with this sign and share wherever you can!

Let us see your photos by the end of Memorial day weekend. The campaign will continue all summer, so as you visit state parks and forests, take more & get creative!

Send your picture to frackfreeparks@gmail.com for the Tumblr page.

Be part of it on Tumblr, Facebook and Twitter!

[CLICK HERE](#) for more details.

Now there's an easier way to get to our website!

Check it out: RDAPA.org

RDA Newsletter

Brooke Woodside, Managing Editor
Ted Stroter, RDA Board of Directors, Editor
Ralph Kisberg, RDA Working Group, Contributing Editor
Robbie Cross, President - RDA Board of Directors
Jenni Slotterback, Secretary - RDA Board of Directors
Barb Jarnoska, Treasurer - RDA Board of Directors
Mark Szybist - RDA Board of Directors
Roscoe McCloskey - RDA Board of Directors
Jim Slotterback - RDA Board of Directors

This weekly e-letter is written and designed by the RDA consultants and Board of Directors and sent to RDA members/subscribers. Every effort is made to assure complete accuracy in each issue. This publication and the information contained herein is copyrighted by RDA and may not be reproduced without permission. All rights reserved. Readers are invited to forward this newsletter in its entirety to broaden the scope of its outreach. There is a forward link below. Readers are also invited to submit articles to be considered for publication in a future issue.

Please note: The RDA newsletter includes reporting on a variety of events and activities, which do not necessarily reflect the philosophy of the organization. RDA practices only non-violent action in voicing the organization's beliefs and concerns.

Return to top

Contact RDA with questions and comments using either the address below, by email at responsibledrillingalliance@gmail.com or by phone at 888.332.1244 (toll free).

For more information, visit the [RDA web site](#), or like us on [Facebook](#).

Donations can be sent by mail to: Responsible Drilling Alliance, P.O. Box 502, Williamsport, PA 17703

Thank you for your support!

