

A man in a grey sweater is seen from the side, sitting at a desk in an office. He is looking at a computer monitor that displays a landscape image. The office environment includes a desk with a keyboard, a mouse, and a framed picture on the wall. The lighting is bright, typical of an office setting.

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EDITOR'S NOTE

The natural gas industry continues to be a driving force in job creation in Pennsylvania, and not just at wellheads. // Tim Schoen is a perfect example. // Just a few years ago, Schoen thought he was headed for a career in journalism. But today, the 2013 Penn State graduate is a marketing analyst with Borton-Lawson, a Wilkes-Barre Township-based engineering and architecture firm. The firm assists natural gas companies with well-site selection, design, permitting and construction administration. // Schoen is just one of many to find employment thanks to Pennsylvania's booming natural gas industry. // The job growth is not without pain, however. Landowners fear the effects of natural gas pipelines on their property and complain they don't get much help from regulatory agencies. // As the industry continues to expand, gas companies, landowners and government agencies must find a way to make natural gas a winner for Pennsylvania.

— Joe Soprano

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THE RIPPLE EFFECT

PA's natural gas industry driving job creation

By Eileen Godin
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Three years ago, Tim Schoen was a sports reporter intern covering Penn State football games for the Altoona Mirror and on track to become a journalist.

Today, Schoen is one of the thousands of Pennsylvanians employed in a job created indirectly by the Commonwealth's developing natural gas industry.

A 2013 Penn State graduate, Schoen acquired a marketing analyst position with Borton-Lawson, a Wilkes-Barre Township-based engineering and architecture firm.

The firm assists natural gas companies with well-site selection, design, permitting and construction administration.

So how did a young reporter obtain a job with a firm associated with the natural gas industry?

As his graduation date drew near, the Scranton native started to second-guess his career choice.

"As my college career was winding down, I was not sure if journalism was the right path for me," he said. "Journalism is highly competitive and hard to get in."

On a fate-changing Saturday during his senior year, Schoen attended an event held by the Penn State University Public Relations Students Society of America, an on-campus public relations organization.

The event featured marketing representatives from the natural gas industry discussing the variety of career opportunities.

At this time, Schoen, whose hometown of Scranton was not far from where the gas extraction boom in Pennsylvania's northern counties was happening, knew a little about the natural gas industry.

Jobs in the field, he thought, consisted primarily of construction, engineering, truck drivers



Pete G. Wilcox | NEPA Energy Journal

Penn State University Broadcast Journalism graduate Tim Schoen switched career goals and acquired a position with Borton-Lawson, an engineering and architecture firm in Wilkes-Barre Township. The position was created due to growth in the state's natural gas industry.

and surveyors. Industry-related jobs had typically been thought of as restaurant, retail or hospitality staff.

But the PRSSA event proved to be an eye-opening experience.

He remembered listening to speakers Rob Boulware of Seneca Resources and Brittany Thomas of Cabot Oil & Gas, who discussed the availability of non-technical jobs.

Schoen was surprised to learn about the need for marketing services created by the gas industry.

The impact of jobs spawned by the state's natural gas industry created a ripple effect, reaching ancillary industries such as marketing, real estate, business, information systems and hos-



Spry



Sutzko

pitality fields, said Susan Spry, vice president for Workforce and Community Development at Luzerne County Community College in Nanticoke.

"The positive effects (of indirect jobs created by the natural gas industry) are hard to quantify," Christopher Sutzko, director of the Office of Career Planning at Kings College in Wilkes-Barre,

said.

Hotel management and health-care fields have seen an increase, Sutzko said.

In the third quarter of 2014, about 89,314 state residents were employed by the natural gas companies, by industry suppliers or by businesses that supply services to gas industry employees, according to the Pennsylvania Department of Labor and Industry.

The state agency also reported "direct employment in natural gas development grew from 9,659 to 33,137 over the past seven years."

This industry growth has created 15,648 jobs with suppliers and 20,269 jobs with companies that provide goods

and services to gas industry employees, according to the state Department of Labor and Industry.

Although the numbers of created jobs are impressive, Doug McLinko, a commissioner from Bradford County sees the benefits in a very real, tangible way.

To date, Bradford County has a cumulative total of nearly 2,000 drilled and permitted natural gas wells, McLinko said. When he drives through the communities what he sees from industry-related jobs creation are residents putting new roofs on barns, an increase in materials purchased from local suppliers.

“The gas industry is a blessing from God,” McLinko said. “Jobs — it is the best four-letter word in America.”

When the industry first came into his town eight years ago

natural gas industry personnel came too, McLinko said. These individuals trained in-state people.

“It was a great learning curve,” he said. “People trained-up.”

The job uptick in Luzerne County and its neighboring counties does not seem to be leveling off. Natural gas pipelines plans pending approval from Federal Energy Regulation Commission will create an additional surge of employment opportunities.

Chris Stockton, a spokesman for Williams, said a Penn State economics study on the planned Atlantic Sunrise Pipeline reported 2,300 direct job opportunities with \$245 million in direct labor income will be generated. The

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“The gas industry is a blessing from God. Jobs — it is the best four-letter word in America.”

— Doug McLinko,
Bradford County
commissioner


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Walt and Robyn Kochan talk about their efforts to relocate the proposed route of a gas pipeline away from their home on Lake Catalpa Road in Dallas Township.

Photos by Bill Tarutis | For NEPA Energy Journal

PIPELINE CONCERNS

Proposed routes worry land owners

By Ron Bartizek
For NEPA Energy Journal

As natural gas drillers look forward to the taps opening on two new interstate transmission pipelines that will bring Marcellus Shale gas to market, some property owners along the route are resisting pipeline developers' requests to cross their land, or even to conduct surveys.

Since they have been granted the right to take needed property under federal eminent domain statutes, the builders of the Atlantic Sunrise and PennEast pipelines ultimately have the upper hand, but say they'd rather negotiate fair compensation and accommo-

date other requests from property owners.

"PennEast is committed to working with directly involved landowners throughout the survey process and easement agreement negotiations. Where safely and logistically feasible, PennEast will continue to be as responsive as possible in accommodating requests of landowners," said Pat Kornick, a spokesperson for PennEast.

That's little comfort to Mary Leeds, who is waiting to see what is going on with the proposed pipeline that she learned about in a letter last August, stating her land on Manor Drive in Kingston Township, Luzerne County, "could be identified as an affected property" in the first round of planning for the 114-mile, 36-inch pipe proposed to terminate in New Jersey.

"I get the suspicion they'd like to keep us in the dark," Leeds said.

Any lack of communication should not be misconstrued as a delaying tactic, said Christopher Stockton, a spokesman for

Atlantic Sunrise builder Williams. "This is a very long process. Our hope is to develop a dialogue with the landowner throughout this process so that we can be sensitive about balancing impacts to private property with the need install this important infrastructure.

Stockton said outreach began when the Atlantic Sunrise project was announced in the spring of 2014. Potentially affected property owners were contacted then, and 11 open houses were held from May to July last year.

"These surveys allow us to gather important information which is critical in making informed routing decisions," Stockton wrote. "Feedback from the landowner is included with the survey data and used to make routing decisions."

Both pipeline developers submitted pre-filings, which encourages involvement by landowners, government officials and other parties who believe they may be affected by the proposed project, and allows for adjust-

ments to the routes. Surveys are part of that process.

But many landowners, including Walt and Robyn Kochan, of Dallas Township, Luzerne County, have chosen to resist rather than participate. They have not granted permission to survey their land for environmental, cultural or other considerations.

The Kochans say investigating their options and reaching out for help to Williams and the Federal Energy Regulatory Commission, known as FERC, has been a full-time job since they were first approached last year by a landman hired to negotiate easements through properties along the route.

“We have a feeling they are stalling us to let the clock run out,” Walt Kochan said, before moving to take a 100-foot wide swath of the land they’ve lovingly cared for since 1989, then clearcutting trees and installing the 30-inch, high-pressure pipeline as a link in a system to transport gas as far south as Alabama from the Marcellus Shale fields to the north.

The line is to be constructed by Transcontinental Pipeline Co., a subsidiary of Williams, which handles nearly one-third of America’s natural gas supplies.

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Property owner Walt Kochan shows his frustration as he describes his efforts to relocate a proposed gas pipeline route away from the steep slopes surrounding his Dallas Township home.

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Survey shows change in Pennsylvanians' view of fracking

By Eileen Godin

egodin@timesleader.com

As Pennsylvanians better informed about hydraulic fracturing, their opinions and concerns about the process have changed, according to a recent survey by Robert Morris University Polling Institute.

Hydraulic fracturing, commonly known as fracking, is the process of extracting natural gas from underground Marcellus Shale formations through the use of a high-pressure combination of chemicals, sand and water. The solution is forcibly injected into rock formations to release the natural gas.

Just over a decade ago, fracturing was a new concept to

many Pennsylvanians.

RMU Polling Institute surveyed a sample of 529 Pennsylvanians and 1003 individuals nationally from May 8 through 16. The goal of the poll was to create a snapshot of opinions on the hydraulic fracturing process.

Comparing the recent survey to one RMU conducted in 2013 shows generalized views on fracking have changed.

The 2015 results show nearly 56 percent of respondents support fracking versus 42 percent just two years prior.

In 2013, RMU reported 45 percent of those polled stated they were familiar with hydraulic fracturing. In 2015, this number grew to just over 70 percent,

according to the RMU survey.

However, those polled were not required to divulge what county they resided in. In Pennsylvania's 67 counties, only 20 have active natural gas wells. Could this information omission taint the results of the survey?

No, according to Pennsylvania state Rep. Tina Pickett, R-Bradford, Sullivan and Susquehanna counties.

The area Pickett represents contains nearly 1,097 wells in Susquehanna County and 1,097 wells in Bradford County, according to a 2011 National Public Radio report.

Pickett believes the study accurately represents the opinions of her constituents.

"If I went out and talked to 100 people on the street, responses would be overall positive (on the natural gas industry)," Pickett said.

"I agree with the survey that awareness of fracking has grown in the last few years," Ken Klemow, Biology and Geo-Environmental Science professor at Wilkes University. "Some (residents) are opposed, some are in the middle and want to see stronger procedures and regulations."

Klemow said he would have liked to have people asked about where they get their information on fracking from, such as media, energy industry, activists and environmental groups.

"Who do you trust to give you information on fracking?" Klemow said.

Some people judge the industry based on information provided in television commercials that are "paid for by the gas industry," Scott Cannon, a spokesman for the Gas Coalition Awareness Group, said.

Increased information on the hydraulic process has created opinions nationwide and statewide on whether fracturing can contaminate underground water supplies.

In 2013, national respondents



Pickett



Klemow

did not voice an opinion on the issue. But in 2015, 61.2 percent of those surveyed agreed fracking can contaminate water supplies.

"The EPA (Environmental Protection Agency) may say yes (contamination could occur) but would add - not all the time," Klemow said.

In 2010 several Bradford County water wells were contaminated with methane and other substances. Chesapeake Energy was fined \$1 million due to this incident and others.

"When I talk with people about the natural gas industry, they don't pay attention to the negative effects of the industry until they are effected," Cannon said.

Another topic participants were polled on was "does methane gasses released at fracking sites contribute to climate change."

RMU national results from their 2013 poll consisted of no comments.

In 2015, 48 percent of those polled nationally and 50.3 percent of Pennsylvanians agreed with the statement.

Klemow would like to see RMU expand the survey and ask respondents if they would support the replacements of coal-fired plants in favor of natural gas-fired facilities.

"People tend to think about energy sources one at a time," he said. "People criticize all energy sources including wind, solar and fracking."

Reach Eileen Godin at 570-991-6387 or on Twitter @TLNews.

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LANDOWNERS' CONCERNS

For the Kochans, the prospect of a treeless pipeline easement conjures up fear of even worse flooding than they already endure. Their home, a converted barn, is set in a bowl, surrounded on three sides by steep, rocky slopes. Heavy rains unleash torrents of water that run down the hill-sides and through a series of ponds before rushing onto Lake Catalpa Road and then to Route 309 at Kunkle Corners.

"It's a mountain of water coming at us," Walt Kochan said.

The proposed route map they received along with an offer of \$26,000 for easement rights shows the pipeline being built along the side of a steep slope behind their house. Because pipeline rights-of-way must be kept clear for maintenance, that would result in the removal of hundreds of trees whose roots now absorb at least some of the water.

"This is just insane, to put a pipeline on a slope like this, through three streams," Kochan said. "If the land was flat, I'd be happy to take their money. I understand that pipelines have to be built."

The Kochans suggested moving the pipeline

up the hillside, onto land in the Goodleigh Farms subdivision where flood retention ponds might catch some of the runoff. At the very least, their trees would be preserved.

Less than two miles to the south, Tom and Joan Byron have a similar tale as they struggle to conserve their nearly 250 acres, much of which they have made available to the Dallas School District and Misericordia University as running paths and playing fields, as well as opening it to "dog walkers and horseback riders," Tom Byron said.

"The bottom line is, we've spent 20 to 40 hours a week at meetings" and doing online research for more than a year, Joan Byron said.

While the Kochans estimate the pipeline will cover about 500 linear feet of their property, for the Byrons the easement could be seven times as long, and could divide their land while disturbing important habitat.

"It significantly impacts two wetlands, old growth forests and public domain use of the property," Tom Byron said. "We'll be forfeiting about a third of our land. It's never going to be able to be sold."

Joan Byron is convinced Williams will force its way in by eminent domain, a power granted to interstate pipeline developers. "These people are going to clear cut the forest probably in January or February," she said. "We have no rights."

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LEARN MORE

Find out more about the proposed natural gas pipelines:

- PennEast Pipeline, www.PennEastPipeline.com
 - Send questions to: Answers@PennEastPipeline.com
 - Atlantic Sunrise pipeline, <http://atlanticsunriseexpansion.com/>
- Read all of the filings for the Penn East and Atlantic Sunrise pipeline at www.ferc.gov. Put these terms in the search box:

- Penn East: pf15-1
 - Atlantic Sunrise: cp15-138
- You also can sign up to have comments and filings sent to you by email. Suspected wrongdoing in a pipeline right-of-way can be reported at 1-888-889-8030, or hotline@ferc.gov. Landowners can call FERC's alternative dispute resolution team at 1-877-337-2237, or email landownerHelp@ferc.gov.



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Walt Kochan stands next to the heavily wooded steep slope on his Dallas Township property near the proposed route of a gas pipeline.



PIPELINE, Continued from page 9

COMPANIES TOUT BENEFITS

On its website, Williams, the Atlantic Sunrise developer, claims \$1.7 billion in economic activity due construction and other operations related to Atlantic Sunrise. Penn East says its project will cost \$1 billion, support 12,000 jobs and provide enough gas to serve 4.7 million homes.

Both companies also promote the savings to consumers at every opportunity, emphasizing the increased volume of low-cost, clean natural gas that will be available to heat homes and power industry.

Anthony Cox, a PennEast spokesman, said most of the gas will go to utilities in New Jersey. "That's the large majority of the customer base," Cox said. "It's for local consumption."

But skeptics suggest another motive, to

move gas to liquefied natural gas terminals that are being built for the purpose of shipping gas to overseas buyers willing to pay several times the current price in the United States. They point out that once the gas enters the interstate pipeline network, increased volume becomes available to the terminals, including one being constructed at Cove Point, Maryland, on the Chesapeake Bay.

Eventually, critics say, domestic gas prices will rise along with overseas demand.

FERC ROLE IS LIMITED

The Federal Energy Regulatory Commission, or FERC, grew from the Federal Power Commission, established in 1920 to oversee hydropower dam development. It was subsequently given the power to regulate interstate transmission of electricity, natural gas and oil. FERC also reviews proposals to build liquefied natural gas terminals and

interstate natural gas pipelines like those planned here.

An independent federal agency, FERC is funded by fees and charges on the industries it regulates, which creates skepticism of its commitment to landowners and the environment.

Mary Leeds said the agency has offered little assistance, mainly "two little, really generic things," stating that if she received a mailing, a company might be considering a route through or adjacent to her property.

Walt Kochan said the FERC website, where every filing and comment about a pipeline is published, is "confusing and opaque."

The Kochans supported a comment to FERC with photos of previous flooding and Dallas Township also made the regulator aware of its concerns, but there has been no meaningful response. They said a subsequent map that Williams characterized as realigned looked no different than the original.

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Tamara Young-Allen, a FERC spokesperson, said the agency's involvement is limited by law primarily to environmental impacts, and it cannot get involved in land disputes.

"Congress mandated those are state issues, not FERC's," Young-Allen said, and would have to be addressed in state courts.

What FERC offers is a public forum where the companies and affected parties can make comments and receive responses. The agency does not get involved until it issues a draft environmental impact statement.

If there are enough credible complaints about a particular pipeline route, FERC can force a change "if we find an alternative that's more environmentally acceptable," Young-Allen said. That won't happen, though, until the agency files an environmental impact statement, probably later this year.

For now, landowners can try to negotiate route adjustments with the companies as they seek easements. Stockton, the Williams spokesperson, said Williams has made more than 150 changes along 180 miles of the route and recently filed with FERC to make 40 more, including two in Luzerne County, where the pipeline is slated to cross 151 properties.



Dallas Township property owner Walt Kochan shows an aerial photograph of the proposed gas pipeline route (red line) on his land and points to his suggested route near the top edge of the map.



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EASEMENTS NOT EASY

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Williams has asked for a 3,500-foot easement through land belonging to Joan Greulich and Thomas Byron in Dallas Township for the proposed Atlantic Sunrise natural gas pipeline.

Charlotte Bartizek | For NEPA Energy Journal

Landowners must negotiate carefully

By Ron Bartizek
For Times Leader

There's no standard play-book for property owners facing the threat of an interstate natural gas pipeline coming through their land. And some local landowners say there's not much help available from the Federal Energy Regulatory Commission, known as FERC, which is charged with overseeing pipeline construction.

"It's a sham; there's no regulation here," said Walt Kochan, whose land in Dallas Township in the line of the proposed Atlantic Sunrise pipeline.

Don't look to the state for help either, said Alex Lotorto, Shale Gas Program Coordinator for the Energy Justice Network, which assists a coalition of landowners in Susquehanna, Wyoming and Luzerne counties who own

parcels in or near the proposed Atlantic Sunrise pipeline route.

In Pennsylvania, there is no agency that supports landowners, or investigates development "in a neutral way," Lotorto said.

That leaves landowners to negotiate directly with the pipeline companies – or more typically with the "landmen" they use to acquire easements – or to hire an attorney.

You'd expect lawyers to recommend the latter course, but they're not the only ones.

"We advise landowners to consult a lawyer," said Pat Kornick, a spokesperson for the proposed PennEast Pipeline, during a June 4 meeting with the Times Leader editorial board.

Talk not just to a lawyer but also to a banker and a tax consultant, advises Dory Hippauf, a member of the Gas Drilling

Awareness Coalition. And don't just review the agreement presented by the company, she said, negotiate points that are not addressed by the companies, including the precise location of the line.

And remember, you are facing a formidable opponent, said Garry Taroli, a partner in the Rosenn Jenkins Greenwald law firm in Wilkes-Barre.

"When you're taking on a pipeline company you're up against a pretty deep pocket," Taroli said. But landowners have some advantages, chiefly that they have something the companies need.

"The fact is, they don't like litigation and are willing to pay a premium to avoid it," Taroli said.

Both companies say they are committed to working cooperatively with landowners.

"Where safely and logisti-

cally feasible, PennEast will continue to be as responsive as possible in accommodating requests of landowners," Kornick said by email.

"If you are affected by pipeline construction, a Williams representative will meet with you to make certain the job is performed with the least possible impact to you and the environment," Williams says on its website, where the company also pledges to offer fair compensation.

MONEY & MOVEMENT

Some landowners are looking to raise the compensation the companies pay them for giving up use of a portion of their land, while others want pipelines to be routed away from woods or wetlands, or even entirely off their property.

Joan Byron, who with her husband Tom owns nearly 250 acres in Dallas Township, was offered \$20 per foot for a proposed 3,500-foot easement.

Money isn't the most important consideration, Byron said. "It significantly impacts two wetlands (and) old growth forests," as well as "public domain uses" the Byrons have granted to schools and youth sports organizations.

Walt and Robyn Kochan fear increased water runoff that could ruin their 16-acre property near Kunkle Corners if a pipeline is built across a ridge behind their home. Like the Byrons, they've spent many hours each week researching their options, attending meetings and filing comments with the Federal Energy Regulatory Commission, known as FERC, which oversees interstate pipeline construction.

Neither the Byrons or the Kochans have yet retained a lawyer.

"We've gotten a wide variety of legal opinions, some reasonable

some absurd and some uninformed," Tom Byron said.

Walt Kochan said he's spoken to lawyers, but is wary of the expense and thinks that once retained, they'll press for a deal that earns them the highest fee.

Getting on the companies' radar by filing comments with FERC is an important step, said Carl Engleman Jr., a Reading-area attorney who has expanded his practice into the Marcellus Shale region. And it doesn't cost any money, just time.

"The way you let them know you're concerned is to get set up at FERC," Engleman said during a landowner presentation held in early June at Penn State Wilkes-Barre.

Tamara Young-Allen, a FERC spokesperson, said it's possible a route will be moved if there are enough complaints against its negative environmental effects.

More likely, though, each landowner will have to deal with a company's request to go through their property, and that's where a lawyer can help. Nationally, 90

"When you're taking on a pipeline company you're up against a pretty deep pocket."

— Garry Taroli,
a partner in the
Rosenn Jenkins Greenwald
law firm in Wilkes-Barre

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Dory Hippauf, a member of the Gas Drilling Awareness Coalition, advises landowners in the path of proposed pipelines to not just talk to a lawyer but also to a banker and a tax consultant.

percent of rights-of-way are negotiated, said David Messersmith, an educator with Penn State Extension.

“I would engage them and then try to get your issues addressed,” Taroli, the attorney, said, whether that is the amount of payment or considerations such as preserving trees or moving the route away from potential building lots.

Easement issues can be extensive and detailed, from compensation and routing to the type of grass used as cover the ground. It’s important not to simply accept a company’s first offer, which Engleman said usually is “extremely one-sided,” often including language that releases the company from damages.

Generally, an easement should be limited as much as possible in what it allows a company to do.

“You have to be very careful,” because their documents will say they can do just about anything, Taroli said. For example, wording should limit the agreement to installation of one pipe not “pipes.”

IS EMINENT DOMAIN BETTER?

Some pipeline opponents say forcing the companies to take land by eminent domain gives landowners more leverage and legal protection.

“People are better off forcing eminent domain because eminent domain is more expensive for the company,” said Dory Hippauf, a member of the Gas Drilling Awareness Coalition. “The pipeline company isn’t interested in negotiating,” she said, and many people have received more compensation through eminent domain.

Also, “If they force the eminent domain the property owner can’t be held responsible for any problems with the pipeline or the right-of-way,” such as stormwater runoff problems, Hippauf said.

While he thinks in most cases it’s better to negotiate, Taroli agrees that companies don’t like to use eminent domain, and if they take that course the property owner may have some leverage.

A property owner has 30 days to respond to a company’s declaration of taking in the eminent domain process. A “board of view,” typically with three members will hear a landowner’s appeal, and they often are sympathetic, Taroli said, so “utility companies are not generally fond of throwing their fate to a board of view.”

“Very often a board of view will award attorney’s fees to the property owner,” he said.

If the appeal fails, though, the next step is in state court, which can be more difficult and expensive for the property owner.

“The best thing to do is sit down and talk to them,” Taroli said. “It’s like playing poker and having a bluffing hand, you typically have let them walk away from the table a few times.”

Pipeline easement FAQ

Compiled by Ron Bartizek

If I received a letter from a pipeline company, does that mean they want to go through my property?

Not necessarily. The initial planning corridor is 600 feet wide, which captures properties that may be near the desired route.

How big is a pipeline easement?

Typically, a permanent easement, sometimes improperly called a right-of-way, is 50 feet wide. A temporary construction easement usually is 100 to 125 feet wide.

Who owns the land the easement?

The property owner continues to own the land and the tax liability. They are granting the right to use the land within easement for a defined purpose.

How much is the landowner paid?

The amount and rate paid for each easement can vary, depending on many factors. In most cases the landowner and company negotiate terms, which can include compensation, precise location and other details, including how the property will be restored and maintained.

Is there a 'standard' easement agreement?

No. Companies may offer a basic agreement that addresses only fundamental issues but lacks extensive protections for the landowner. There is no obligation to accept those terms.



Clark Van Orden file photo | NEPA Energy Journal
Anthony Cox, PennEast Pipeline project manager, talks about the proposed pipeline project. At left is Pat Kornick, project spokesperson.

What can be done within the easement?

Normal activities, such as farming or recreational use, can take place on eased property. Buildings, heavy vehicle traffic and trees are generally not allowed.

Can more than one pipe be laid within an easement?

Yes, but landowners are advised to limit the agreement to one pipe. That way they can renegotiate if another pipeline is requested in the future.

Who maintains the easement?

The pipeline owner will retain the right to enter an easement for inspection and maintenance.

Typically it must be kept free of trees or other large vegetation.

What is eminent domain?

Federal law allows developers of interstate pipelines to take ownership of private land to complete their route, provided there is a "public purpose" for doing so. Landowners are paid for the land based on its use and value.

Who regulates pipelines?

Interstate transmission pipelines like Atlantic Sunrise and PennEast are overseen by the Federal Energy Regulatory Commission, known as FERC. The agency's role is strictly defined by law and its primary focus is environmental impact.

Gathering pipelines that move gas from wells to a compressor station are regulated by the state.

How long does it take to build a pipeline?

The entire process from pre-filing to completion typically takes two to three years. Actual construction takes less than a year.

Where can I learn more?

Penn State Extension has extensive information on its website. Visit <http://tinyurl.com/omazbub>

Sources: Penn State Extension, Federal Energy Regulatory Commission, attorney Garry Taroli.



Gas industry should pay fair share



Rep. Mike Sturla
Contributing columnist

The natural gas industry's drilling of Pennsylvania's Marcellus Shale provides economic benefits to the state, including job opportunities and a reliable domestic energy source.

That has been true in every state where the industry exists.

A recent study by the American Petroleum Institute reported the natural gas industry pumps \$7 billion to the state economy and Pennsylvania's shale gas production has increased exponentially over the past few years.

Yet, Pennsylvania is the only major gas-producing state that does not charge a severance tax.

The industry generously profits from the state's natural resources.

A reasonable severance tax would help address the state's needs and invest in one of our greatest resources: Pennsylvania's children.

The opposition to a common sense severance tax is being fed to the public directly from the industry and their paid operatives. The opposition fails to acknowledge the inherent need to fund Pennsylvania's schools and take care of our environment.

Despite claims to the contrary, natural gas companies remain strongly profitable.

In 2013, the market value of natural gas produced in the Keystone State was \$11.8 billion compared to \$4 billion in 2011. Drillers paid just 1.9 percent of that in impact fees.

As the industry flourishes, the Pennsylvania Department of Revenue reports the industry's corporate net income taxes paid in 2013 fell below pre-Marcellus drilling levels in spite of increased production.

The industry and its special interest allies continue to perpetuate the myth that Pennsylvania's favorable tax climate is the cause for Pennsylvania's low natural gas prices, but the facts show otherwise.

The reality is that an estimated 80 percent of the natural gas produced in Pennsylvania is exported out of the state and thus any additional cost due to a severance tax would be paid mostly by non-Pennsylvanians.

Furthermore, Pennsylvania's residential prices

in February 2015 were 53 cents higher than West Virginia's and our commercial prices were 54 cents higher.

The Pennsylvania Chamber of Commerce, Commonwealth Foundation and other special interest groups claim that a severance tax would negatively impact Pennsylvania's competitive edge to attract more gas drilling.

Drillers haven't left Alaska, Texas, North Dakota, West Virginia or any other state with gas reserves that are taxed.

The total energy under the ground in Pennsylvania is estimated to exceed the energy value of Saudi Arabia. Pennsylvania has the natural resources with an estimated 1.925 billion cubic feet of recoverable gas in the Marcellus Shale and would still be offering a competitive business environment for the industry.

At the same time that a small impact fee went into effect in Pennsylvania in 2012, Pennsylvania jumped from seventh to third in the rankings of natural gas producing regions. Unfortunately, the majority of that impact fee revenue stays in localities with gas wells and does not apply to areas with pipeline and compressor station disruptions.

In 2009, Chesapeake Energy said, "We gladly pay a severance tax in every state where we're active, except in New York and Pennsylvania."

The industry needs to make a reasonable investment in the state, the same as all hard-working Pennsylvanians do, to improve our educational system and our future.

As Governor Tom Wolf has repeatedly warned, we cannot continue to do the same thing and expect a different result.

The last administration's policies had a devastating effect on the state and we are working hard to reverse that and turn Pennsylvania back into an innovator and leader in energy as well as education. We need to work with the Governor to break the cycle of placing oil and gas interests ahead of Pennsylvania's children and our environment.

P. Michael Sturla, D-Lancaster County, is a member of the Pennsylvania House of Representatives.

JOBS, Continued from page 5

pipeline is estimated to create nearly 6,000 indirect jobs, Stockton said.

Atlantic Sunrise and PennEast pipelines are planned to cross Northeastern Pennsylvania to transport natural gas to other markets.

The Atlantic Sunrise Pipeline consists of 57 miles of a 30-inch pipeline starting in Susquehanna County and reaching into Columbia County. Plus, a 42-inch, 125-mile pipeline starting in Columbia County and ending in Lancaster County and several above-ground facilities.

The PennEast Pipeline will pump nearly one billion cubic feet of gas a day through a five-county path from Luzerne County, Pennsylvania into New Jersey.

"The pipelines will create a pipeline of opportunities," Susan Kornick, a spokeswoman with PennEast Pipeline said.

An economic study on the PennEast Pipeline is expected to create nearly 12,000 jobs during the pipeline construction period and 2,000 jobs following construction, Kornick said.

Common indirect jobs created by the pipelines include marketing, real estate appraisals, legal consultants, tree clearing, road repair crews, housing, fuel providers, hard-



Tim Schoen is a 2013 grad of Penn State University and now works at Borton Lawson in Wilkes-Barre.

ware stores. A increased demand on these industries may create another ripple effect in their respective fields, Kornick said.

Kornick added other indirect employment created by the pipelines included Geo-Technicians, environmental specialists and

engineering firms.

"We are still in the baby stages of this industry," McLinko said.

Reach Eileen Godin at 570-991-6387 or on Twitter @ TLNews.

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Wolf should support, not tax, gas industry



Gordon Tomb
Contributing columnist

Recently, Gov. Tom Wolf sent a letter to 17 business advocacy groups opposing his proposed severance tax on natural gas — accusing them of siding “with corporate special interests who simply seek to oppose progress and real economic development.”

The irony is the chief proponents of the severance tax are government union special interests looking for a cut of Pennsylvania’s productive natural gas industry.

Trade unions working in the energy sector offer a different perspective.

Different perspective

Dennis Martire, vice president of the 40,000-member Laborers’ International Union of North America, opposes a severance tax because it risks reversing an unprecedented economic revival.

“We already have seen a reduction in pipeline man-hours over the past two years related to falling gas prices,” reports Martire. “If you excessively tax the shale industry, you risk hurting employers, workers and communities across the state.”

Given Pennsylvania’s tax structure, it’s hard to argue the industry isn’t already paying its fair share. From high corporate taxes to a special impact fee, natural gas companies are paying plenty.

Pennsylvania’s 9.99 percent corporate income tax rate is the most striking example of the Commonwealth’s disadvantages. The tax rate is the highest among gas-producing states. Texas and Wyoming have no corporate tax, and neighboring West Virginia has a corporate tax of only 6.5 percent.

Unlike Pennsylvania, the majority of the top 13 gas-producing states offer some severance tax exemption for newly drilled unconventional wells.

For example, Louisiana suspends severance taxes for horizontally drilled well, for two years or until payout of the well cost is realized.

Also unique to Pennsylvania is the state’s so-called impact fee, which has amounted to a 2.1 percent assessment on production, generating more than \$600 million for the state and municipalities from 2011 to 2013.

The overall tax climate of Pennsylvania ensures that any business, including gas companies, pays its fair share.

Fair tax?

In contrast, Wolf’s tax proposal is anything but fair.

How would you react if you made \$60,000 last year, but the IRS taxed you as if you’d made \$90,000?

That is, essentially, what Wolf plans to do to the gas industry.

Gas prices have been hovering below \$2 in recent months, but Wolf is proposing to tax

drillers as if prices were at minimum \$2.97.

Apart from fairness, excessively taxing the natural gas industry hurts employment and economic growth throughout the Commonwealth.

In their original letter to Wolf, business groups predicted that a severance tax would cost Pennsylvania more than \$20 billion in gross domestic product and drive away up to 18,000 jobs over the next decade. Wolf called that “bogus rhetoric” in his response, but those on the ground disagree.

Gina Severcool Suydam, executive director of the Wyoming County Chamber of Commerce, describes the tax as an “economy killer.”

“It would be a serious additional cost burden in maintaining the competitiveness of Pennsylvania gas, consuming any advantage our producers currently have over gas from other areas,” Suydam said.

Impacts

Just the suggestion of a severance tax is impacting Pennsylvania’s economy.

Huntley & Huntley Energy Exploration withdrew a subsurface lease offer for approximately 90 acres of land owned by Harmar Township in Allegheny County due to tax uncertainty.

If Wolf wants “real economic development,” he need look no further than Bureau of Labor Statistics Data.

The bureau reported, from 2008-2014, Pennsylvania’s Marcellus Shale counties dramatically outgrew other counties:

- 8.7 percent employment growth compared to 0.6 percent.
- 29.9 percent growth in total wages compared to less than half that.
- 20 percent growth in average weekly wages compared to 11 percent.

That kind of growth translates into billions of dollars paid to landowners in royalties, and billions more to state and municipal treasuries in income and gas-related business taxes.

Energy consumers benefit as well.

Mercator Energy analysis found low natural gas prices helped poor families by reducing their utility bills by \$10 billion per year.

In contrast, the Independent Fiscal Office found that about \$181 million of Wolf’s severance tax would ultimately be paid by families earning less than \$100,000.

All Pennsylvania businesses and workers want is the freedom to earn an honest living.

Gov. Wolf should be making that aspiration easier to achieve—not threatening the best thing that has happened to the state’s economy in decades.

Gordon Tomb is a senior fellow for the Commonwealth Foundation, a Pennsylvania-based, free-market think tank.

Agency posts Marcellus Shale impact fee disbursements

By Steve Mocarisky

smocarisky@civitasmedia.com

HARRISBURG – The Pennsylvania Public Utility Commission last month released information regarding the final approved distribution of \$223.5 million from impact fees on natural gas producers authorized under Act 13 of 2012.

Luzerne and Lackawanna counties, which have no eligible gas wells, will receive no distribution from the total reserved for counties affected by drilling. They will receive \$306,862 and \$205,082, respectively, from the Marcellus Legacy fund.

Wyoming County will receive \$26,844 from the fund and another \$1.3 million based on wells in the county. Twenty-three municipalities in the county will divvy up

\$2.3 million according to the number of wells in and around those municipalities.

The PUC's Act 13 reporting website — www.act13-reporting.puc.pa.gov — provides a detailed breakdown of the payments to county and municipal governments, along with specifics on how much money has been collected for each year, since 2011; how that money has been allocated, by category; and comparisons to previous years.

The interactive website provides numerous reports and graphics regarding the collection and distribution of these funds. Visitors can search and download statistics such as money paid by producers or money disbursed to state, county or local governments.

The information also breaks down the

distribution calculations in areas such as eligible wells per county/municipality.

The PUC has forwarded the information for payment and expects checks to be mailed prior to July 1.

From the total \$223.5 million distribution, \$123.3 million will go to counties and municipalities directly affected by drilling. Another \$18 million will go to certain state agencies. The remaining \$82.2 million will be placed into the Marcellus Legacy Fund, which was established under the law to fund environmental, highway, water and sewer projects, rehabilitation of greenways and other projects throughout the state.

Reach Steve Mocarisky at 570-991-6386 or on Twitter @TLSteveMocarisky.



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KLEMOW JOINS PIPELINE TASK FORCE

Wilkes professor brings academic background to DEP group

By Jerry Lynott

jlynott@timesleader.com

WILKES-BARRE — From the start Ken Klemow sensed this assignment was different.

The Wilkes University biology professor took his place last week on the state Department of Environmental Protection's Pipeline Infrastructure Task Force. He's one of 48 people appointed by Gov. Tom Wolf to the group assembled for the purpose of developing policies and guidelines for the pipelines to built throughout the state to transport to market the natural gas and other byproducts of drilling in the Marcellus Shale.

DEP Secretary John Quigley, a former Hazleton mayor, greeted Klemow, who also grew up in Hazleton, and was well aware of his background. Klemow said Quigley remarked, "You have a big torch to carry."

It's not that he's being asked to shoulder more of the burden, it's just that he's the only academic scientist among the group with representatives from the government, industry, business and labor and environmental sectors.

"I felt like I was in the company of a lot of very, very smart people," Klemow, 61, of Kingston said July 23, a day after he returned from the introductory meeting at DEP's Harrisburg office.

He staked out his role in the overall purpose of the group, saying it's his responsibility to make sure "the recommendations we develop are rooted in good science."

The task force has five

Biology professor Ken Klemow explains his role on the panel by saying it's his responsibility to make sure "the recommendations we develop are rooted in good science."



meetings scheduled, the next on Aug. 26, with the goal of providing a final report to the governor by next February. The task force is divided into 12 work groups and Klemow sits on the environmental protection panel chaired by Quigley. The panel has the specific tasks of finding ways to balance pipeline development and protection of the environment and identifying steps to make the permitting process efficient on the state and federal levels.

Klemow said he received a favorable response to sitting in on the conservation and natural resources work group that looks at how to keep to a minimum the effects of pipeline development on wildlife, habitat and state forests and game lands and received a favorable

response.

"That's something that I do as well," he said.

His experience is not limited to the classroom. He and Wilkes students have gained "real hands on experience" on a project underway on property the school owns in Buck Township. Approximately 1,700 feet of the Transco pipeline runs through the property and a parallel line called the Franklin Loop is planned. The loop line would cross a number of streams along the route.

"We're doing research right now on what the current conditions are in terms of vegetation and then we hope to do an expansion of that study in which we're going to be putting in test plots and monitor the water quality," Klemow said.

The expansion has yet to be funded and that's an issue Klemow said he wants to address as a task force member.

"Funding for doing research on pipelines is not that easy to get," he said.

As a scientist he's data driven, gathering it from his field work and relying on others in the academic community. The existing legislation, Act 13 that created the impact fee for counties home to shale gas drilling, limits the funding to studying the effects on groundwater. It doesn't fund research on air pollution, health studies or ecological effects, he pointed out. Neither does the governor's proposed severance tax direct any money toward the type of research Klemow says is needed.



“I do want to argue for more financial support for those of us that want to do research on pipeline issues,” he said.

It would go a long way to providing accurate information to the public because there is an abundance of misinformation circulating. “I know what people are worried about,” he said, having paid close attention to

the arguments pro and con on shale gas drilling and lectured on the issues.

The task force is committed to keeping the process transparent and Klemow said he came away satisfied with Quigley’s answer to his question about what DEP is doing to provide the scientific community with better access to data.

Scientists and educators alike would benefit from being able to tap into a database and Klemow said Quigley recognized the need to upgrade DEP’s digital facilities to make data available and understandable.

“That’s a commitment (Quigley) actually discussed with the governor during his interview,” Klemow said.

In the meantime, Klemow said he has homework to do reviewing the literature and connecting to the links provided to task force members.

“I think there’s going to be a learning curve for everyone involved,” he said.

Reach Jerry Lynott at 570-991-6120 or on Twitter @TLNNews



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In Brief

SENATE ENERGY AND NATURAL RESOURCES COMMITTEE PROMOTES U.S. ENERGY

WASHINGTON, D.C. — Senate Energy and Natural Resources Committee approved the Offshore Production and Energizing National Security, called the OPENS Act of 2015, and the Energy Policy Modernization Act of 2015 on July 30, 2015.

The bills' approval will remove a ban on crude exports, streamline the export of liquid natural gas, improve infrastructures, train workers and expand opportunities for coastal regions.

The OPENS Act provides coastal states with oil or natural gas offshore production an opportunity to receive a percentage of revenue collected by the federal government.

The Energy Policy Modernization Act contains plans for training of the U.S. workforce for the "next generation of energy jobs," and streamline the natural gas pipeline permit process.

"America is now the world's largest natural gas producer and our liquid natural gas exports will promote stronger domestic energy production, create more American jobs, and protect the security of the United States and its allies," Louis Finkel, executive vice president of American Petroleum Institute said in a written press release.

BRADFORD COUNTY ROYALTY SUITS SET FOR TRIAL IN TEXAS NEXT YEAR

A Texas judge set a trial date of June 7, 2016, for two lawsuits filed against Chesapeake Energy by Pennsylvania royalty owners.

The suits alleged Chesapeake underpaid royalties to property owners in Bradford County where the company has drilled for natural gas in the Marcellus Shale.

They were filed in Texas due to the fact that a co-defendant in the suit, Chief Exploration and Development, has its principal office in Dallas County. The other defendants are Statoil USA Onshore Properties, Anadarko E&P Onshore and Mitsui E&P USA.

The plaintiffs are represented by the McDonald Law Firm of Fort Worth. The firm has filed more than 300 suits and represents approximately 22,000 gas royalty owners throughout the country alleging they were underpaid several hundred million dollars in royalties. The cases are mainly in the states of Louisiana, Oklahoma, Pennsylvania and Texas. A total of 13 royalty cases are scheduled next year in Texas.

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SHALE GAS MONITORING REPORT GIVEN TO NATURAL GAS ADVISORY COMMITTEE

STATE COLLEGE, Pa. — The Pennsylvania Department of Conservation and Natural Resources provided its Shale Gas Monitoring Report to the Natural Gas Advisory Committee in July.

The nearly 265-page report focused on the effects the natural gas industry has had on the infrastructure of DCNR state forest lands.

“Our Bureau of Forestry continues to provide updated information on the shale-gas industry and its effect on state forest lands, focusing most recently on infrastructure and associated acreages in its core shale-gas state forest districts,” Cindy Adams Dunn, secretary of DCNR, said in a press release. “This monitoring updates is a snapshot of what our experts are tracking in the forest districts affected by the natural gas industry through December 2014.”

Dunn highlighted the following:

- In 2013, a total of 79 wells were approved for drilling on state forest land and 47 in 2014.

Currently, 608 wells are drilled on DCNR forest lands.

- In 2013, 19 new infrastructure pads (covering 73 acres) were constructed in the core gas districts. In 2014, eight infrastructure pads, covering 32 acres, were built. Since the start of Pennsylvania’s gas industry, 755 acres have been used to construct infrastructure pads.

- Four miles of road, in core gas districts, were created in 2013. In 2014, less than a mile of new road was constructed, totaling 26 miles of new road since 2007.

- In 2013, 22 acres of land was converted to roads and road modifications. In 2014, 16 acres were converted.

- In 2013, 49 acres were converted for pipeline rights-of-way in the core gas districts. Pipeline right-of-ways increased to 66 acres in 2014.

- There are 144 acres converted to non-forest in the core gas districts in 2013. In 2014, 114 acres were converted.



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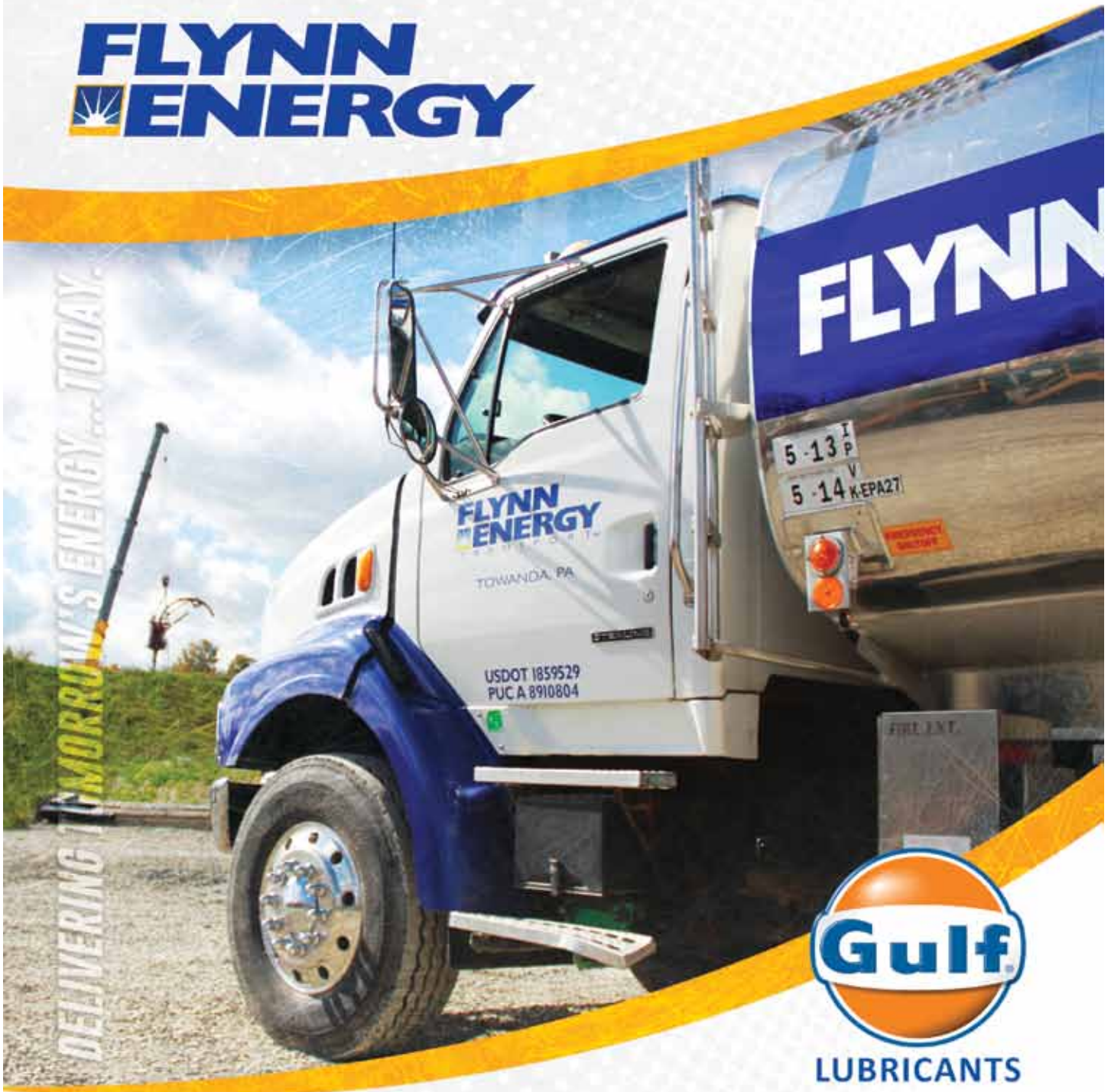
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