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Lease more state land? Impose gas tax?

Quigley and Hoeffel weigh in

[By SANDY LONG](#)

PENNSYLVANIA – “Fully a third of the state forests are now available for gas exploration and there are legislative calls for more leasing,” acting secretary of the Pennsylvania Department of Conservation and Natural Resources (DCNR) John Quigley told those in attendance at the Pennsylvania Land Conservation Conference held in Chester County on April 9.

The annual event, presented by the PA Land Trust Association, convenes land trust professionals from across the state – including staff and board members of the Delaware Highlands Conservancy – for networking and training.

“Legislation has been proposed that would require DCNR to offer for lease any acre of state forest that has been nominated more than once for drilling. That is all of it. All 2.2 million acres would fall within this category. If some in the legislature would have their way, we would lease the entire state forest.”

Quigley enumerated examples of what that acreage represents: 180,000 acres of wild and natural areas; 200,000 acres of old-growth forest; 90,000 acres of high-value recreation, water resources and eco-tourism land in the Poconos; 20,000 eco-tourism acres in the Laurel Highlands; 300,000 acres of primitive or semi-primitive non-motorized recreation areas; 130,000 acres of significant wetlands, riparian areas, viewsheds, vistas, steep slopes, threatened and endangered species, unique habitats and special recreation zones.

After highlighting successful conservation projects such as Growing Greener II and DCNR’s Conservation Landscape Initiative, Quigley focused on the Marcellus Shale play, calling it the overarching challenge of conservation and community revitalization in the state. “The state forest is being used to balance the budget,” he said. “Clearly, the state has been in dire economic straits and extraordinary measures were needed. Just as clearly, it is a significant economic opportunity, although in my opinion, the economic impact is overblown.

“While landowners are getting rich, the actual jobs touted by the industry in the studies they pay for when they buy off academics have largely been fiction. If you go up into the Northern tier now, you’ll see a lot of out-of-state license plates and folks who come

in, drill the wells and then go home. We should all be very skeptical of the job numbers that are touted by the industry. I'd discount them by a factor of about 100 percent."

Quigley spoke in support of implementing a gas severance tax. "The governor has proposed a very reasonable tax that is comparable to other states around us," he said. "The industry has purchased a huge microphone and tried the line that imposing this modest tax, which they pay in every other state in which they do business, is somehow going to strangle this poor infant industry in its crib. I am hard pressed to think that this is an infant industry that needs to be coddled when billions are being spent on industry consolidation, when a well alone costs eight or 10 million dollars, when investments in lobbying are well into the millions. It is an industry that needs to be taxed, that needs to pay its fair share, needs to compensate communities for the damages that it is creating and needs to pay back what it is taking from the commons, from all of us."

After cautioning listeners about the power and reach of the industry, Quigley posed a series of questions. "The industry is essentially changing our world and challenging the world of conservation," he said. "What is the role of conservation in the future of Pennsylvania? Is the value of sensitive lands only the gas that lies beneath them or is there something more? Does land conservation have to be measured against royalties, lease payments and industry profits? Will land protection go on or will it be blotted out by the bright blue shining light of the natural gas flame?"

"What is the role of the commons and of jointly shared natural resources, access to which is guaranteed by Pennsylvania's constitution? Will we continue to burn the furniture to heat the house by leasing public lands instead of protecting them and guaranteeing that we can pass them on to generations yet unborn? Will we maintain the balance and move Pennsylvania forward environmentally and economically, or just balance the budget by any means necessary? The answer to all of those questions is not up to me, it's up to you."

Quigley applauded the advocacy of the conservation community and urged increased vigilance. "We need to have a serious conversation about conservation and its place in our communities, our economy, our lives and in public policy. It will not be easy."

Following Quigley, Montgomery County Commissioner Joseph Hoeffel, the only PA gubernatorial candidate who accepted the invitation to address conference attendees, said that the Marcellus Shale is a remarkable economic opportunity for Pennsylvania, but that it will present significant environmental challenges.

Earlier this week, Hoeffel traveled to Northeast Pennsylvania's Susquehanna County to hear from residents of Dimock about their experiences with contaminated water wells. He has already visited Southwest Pennsylvania's Greene County, where drilling activities are suspected in the death of all aquatic life within a 35-mile stretch of

Dunkard Creek. Next, he will travel to Bradford County, where water well contamination has occurred at homes in the Hedgehog Lane area.

Hoeffel has concluded that a major challenge is the wastewater generated by drilling. "I think that we should put a moratorium on the permits until the industry and state figure out how to return that water to safe drinking water standards before it goes back into the streams," he said. "I think there should be a moratorium on leasing any more state land until we figure out through a public process how we want to rank our state land by taking an unbiased inventory of our gameland, forestland and parkland. We've leased a third of the forestland so far. That sounds to me like that's enough."

Hoeffel also argued for an extraction tax on the industry. "It is imperative for the state to put a robust tax that could be used to plus up the environmental protection department that's been cut 27 percent in this year's budget, just at a time when we need more inspectors and permit reviewers. We need a bigger DEP, not a smaller DEP."

Hoeffel said he would use some of the money to reinvest in communities where drilling is happening, and also to expand community college services and training to give middle- and low-income kids a low-cost start on higher education. "We need to fight that boom and bust cycle that is created with natural gas exploration," he said. "After the reservoir is played out, the companies will go back to Oklahoma and Texas far richer than when they came, and we don't want the communities that are left to go back into a bust economy."