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MR. SEDER:

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Good afternoon, and thank you for the opportunity to comment on the conditions of proposed regulations. My name is Andrew Seder. I'm a field representative for Senator Lisa Baker. Senator Baker cannot be with us today because she's in session in Harrisburg.

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She would like the hearing record to reflect what an unfortunate consequence that the direction the Commission is taking. And she is giving notice of a legislative remedy she will be perusing. I submit the following testimony on her behalf.

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Across a wide area of northern and southwestern Pennsylvania, natural gas drilling is providing jobs, boosting the prospects of small communities, lowering energy costs and giving our state an energy advantage in the competition for keeping and bringing in jobs.

1 State regulations have  
2 been stiffened, enforced and  
3 strengthened and impact fees are being  
4 collected and distributed to affected  
5 communities. There is certainly more  
6 to be done, but we have recognized and  
7 responded to concerns about  
8 environmental impact and community  
9 safety.

23 So the assertion that  
24 drilling was an intolerable threat to  
25 water supplies just over the hill, is

1                   remarkably inconsistent and  
2                   contradictory. There is also  
3                   legitimate concern that this is the  
4                   beginning of an assault on other  
5                   economic enterprises. The impact here  
6                   is not necessarily limited to  
7                   hydraulic fracturing and could  
8                   potentially be applied to agricultural  
9                   enterprises and many other activities  
10                  that have an impact on water supplies.

11                  I believe this potential  
12                  action constitutes a taking, and I  
13                  will be proposing a legislative  
14                  remedy. Specifically, my bill will  
15                  clarify that while the General  
16                  Assembly does not seek to prevail any  
17                  lawful and off right action of the  
18                  DRBC to achieve its purposes, a ban on  
19                  the extraction of Marcellus shale gas  
20                  from properties located in the  
21                  Delaware River Basin constitutes the  
22                  exercise of Eminent Domain and would  
23                  require just compensation to impacted  
24                  landowners.

25                  The people of Wayne and

1 Pike Counties have consistently  
2 demonstrated that they are good  
3 stewards of the land, the water and  
4 the environment. And they should be  
5 permitted to continue exercising their  
6 prerogatives and judgements. Thank  
7 you.

HEARING OFFICER:

MR. MCGUINNESS:

14 Hi. My name is Kevin  
15 McGuiness. I'm Chairman of Dyberry  
16 Township Supervisors. I'm here to  
17 state the Supervisors' opposition to  
18 the fracking ban.