

NEWSLETTER

Winter 2024

PROTECT PT'S

Thanks for Coming to Our Holiday Party!



Pictured: Protect PT's Executive Director, Gillian, and Communications Manager, Kiara.



Pictured: Protect PT's Board; Front: David, Patricia, Michele, Pat, Lois; Back: Liz, Darlene, Ryan.



Pictured: Kids playing games.



Pictured: Protect PT's Community Organizer, Francisco, giving our ED her birthday cake.



Pictured: Protect PT members enjoying food and friendship!



Pictured: Protect PT's Staff! Front: Jim, Laura, Kiara, Gillian, May; Back: Francisco and Emily.

First things first, we would like to thank all of the members who attended our 2023 Holiday Party! We had a blast at The Blue Room and enjoyed karaoke, games, and lots of good eats! We are already counting down the days to next year's party!



Upcoming Events

- **January 25th:** Visioning Session for Turtle Creek Watershed & Airshed Communities @ Monroeville Public Library 7:00PM
- **January 30th:** PT Ordinance Community Meeting 5:30PM @ Protect PT's Office
- **January 31st:** Beaver Run Community Meeting 5:30PM @ TBD
- **February 1st:** Roststraver Community Meeting 5:30PM @ Rostraver Public Library
- **Starting February 1st:** Sustainability Book Club (every first and third Thursday)
- **February 17th:** I ♥ Clean Air Educational Event
- **Student Environmental T-Shirt Contest (Deadline: 04/19)**

For a list of all upcoming events, please visit www.protectpt.org/events.

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PO Box 137
Harrison City, PA, 15636

Penn Township Fails to Follow Ordinance

History of Draftina Land Disturbance

In 2016, Apex Energy first applied for a permit to place an unconventional well pad on the Draftina farm off of Slack Road in Penn Township. This application was first denied by the Zoning Hearing Board. Apex then sued Penn Township in Federal Court, and this resulted in a Consent Order by which Penn Township agreed to issue all seven permits for well pads in Penn Township that Apex had applied for. Those permits were issued in 2017-2018.

Penn Township's ordinance provides that: "If the establishment of the proposed use has not taken place or construction of the proposed use is not initiated and diligently pursued within 24 months of the approval of the conditional use or use by special exception where specified, the approval shall expire without written notice to the applicant." In the case of the Draftina well pad, Apex failed to diligently pursue construction of the pad within 24 months, so, therefore, the permit has expired.

On December 20, 2023, the Commissioners approved a "Land Disturbance Permit," which included a bond permitting Apex to begin construction of the Draftina pad. This approval is beyond the 24 month time limit on the 2017 permit, and Protect PT is appealing this to the Court of Common Pleas, where we will argue that Apex must reapply for the Special Exception.

What's Next?

"Under current Pennsylvania law, setbacks are subject to local zoning ordinances, including in Penn Township."

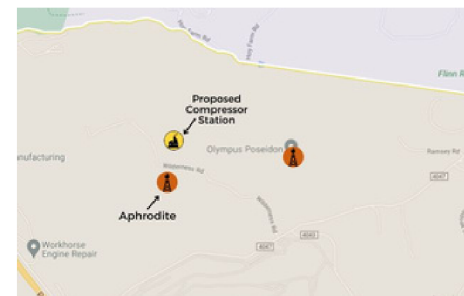
That is a quote from Chris Hess, General Counsel to Apex Energy LLC. Apex is the fracking corporation which operates Draftina Well Pad. Apex filed this document with the Pennsylvania Department of Environmental Protection on September 18, 2023. It is titled "Response to Draftina Objection Letters." The quote appears on page 14, and the gist of it is that Penn Township, if it wants to, can require that fracking well pads be located further away from your homes, businesses, schools, and daycares. This shocking admission by Apex reveals what we have long known: municipalities like Penn Township have the legal authority to enact setbacks from fracking.

The way this admission came about plays like an episode of a legal drama where the killer admits what they did on the stand. Apex was arguing to the Department of Environmental Protection that they did not have the power to enact setbacks, because Penn Township did. Apex did not expect us to realize that this argument could be turned around and used by the Township itself, if it wanted to enact setbacks.

Despite this silver bullet—this public admission from a corporation that they are subject to regulations like any other—Penn Township's elected Commissioners continue to feign helplessness. **This is why we need PT residents to attend Commissioners' meetings (every 3rd Wednesday in the Municipal Building at 7:00PM) to demand that the township enact larger setbacks.**

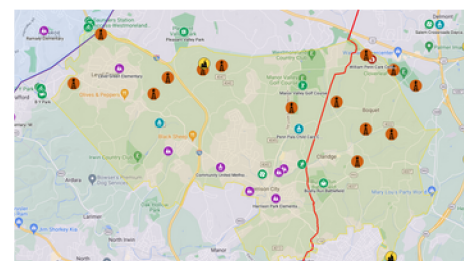
Current State of Aphrodite Land Development

Protect PT continues to oppose Olympus Energy's Aphrodite project at every turn! Olympus submitted an Erosion and Sedimentation plan to the DEP. Protect PT pointed out that the plan impinged on an existing stream, and the DEP required Olympus to change its location, a "major modification." Olympus submitted this new plan to the Township Commissions for approval without first conducting a hearing before the Township Zoning Hearing Board, denying residents of Penn Township their right to oppose the new development.



When the Commissioners approved the major modification without the hearing, Protect PT appealed the decision to the Court of Common Pleas of Westmoreland County. Finally, Olympus was granted drill and operate permits for several wellbores on the Aphrodite Pad by DEP.

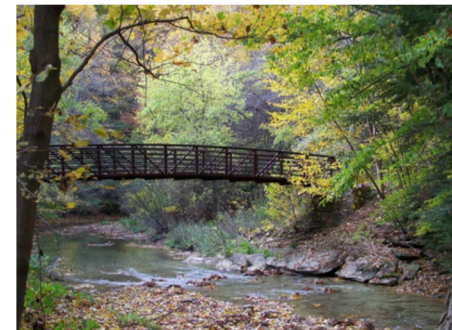
Protect PT has appealed all of these permits to the Environmental Hearing Board. **We fight the good fight!**



Protect PT's Online Fracking Map

Protecting Our Parks Leasing in Murrysville

In October 2023, an opportunity arose to defend Murrysville's parks from proposed subsurface fracking leases. We led efforts to fight the proposed subsurface fracking leases. We led efforts to fight the proposed subsurface leases. While some leases were still granted, others were stopped as a result of effective neighbor-to-neighbor organizing and petitioning.



Pictured: Duff Park in Murrysville

In total, about 250 acres out of about 600 acres were protected against subsurface fracking by our efforts. Efforts to protect another 70 acres are ongoing. We intend to build on this work in 2024 by staying engaged with this new group of community members and educating them on other efforts in order to make broader change in our region.

Murrysville is the location of the first commercial-scale natural gas well in history, and the gas well is depicted on their city seal. It is significant that we won any concessions from a Council that meets in front of that seal.

If you are a Murrysville resident or taxpayer, and you want to help protect parkland, go to the Take Action page on our website, ProtectPT.org.

Why Are We Conserving Water?

Addressing the Beaver Run Reservoir Withdrawals

An average of less than half an inch of rain fell into the **Beaver Run Reservoir** in November 2023. By comparison, in November 2022, there was an average of 3.5 inches of rainfall into the reservoir—this represents a minimum of an 85% decrease in rain. Due to this drought, over 56,000 residents were asked to "conserve" water to prevent the reservoir levels from dropping any further. MAWC gave the following uses of water that customers should avoid to conserve water: 1. hosing off surfaces 2. watering lawns or using irrigation systems 3. washing vehicles.

While residents are asked to conserve water and fear for the future of the Beaver Run Reservoir, MAWC has sold hundreds of millions of gallons of water to oil and gas companies. Corporations such as CNX and Olympus operate over 10 wells surrounding the Beaver Run Reservoir, which each consume millions of gallons of water. Matthew Junker from MAWC justified these sales by emailing a resident: "We sold 129 million gallons to the gas companies from the reservoir. To put that in further perspective, over two small rains in November of 1.7 inches deposited 246 million gallons." However, what happens when the rains stop coming?

Water used in fracking is forever removed from the water system due to radioactive and toxic additives used by fracking companies. Therefore, MAWC relies on rain to replenish the

the lost water, because the water sold will never enter the system again. In fact, the water sold is largely quarantined underground through the use of injection wells after use by CNX, Olympus, and other frackers. MAWC sells the water and counts on rain to help the reservoir, but, as we've seen, that rain has become scarcer and the residents shoulder the burden.

As it stands now, the Beaver Run Reservoir is still suffering the effects of a rain deficit in the area. This is also not an isolated issue, as residents across the watershed are feeling the effects of the ongoing drop in precipitation. 26,000 residents in Derry Borough are under voluntary water restriction with Municipal Authority manager Ronald Seich Jr. claiming that all of the water for customers comes from 30-acre Ethel Springs Lake, which was down 116 inches in 2023. He remarked: "This is the lowest I've seen it in eight years."

In order for us to protect Beaver Run Reservoir and our access to drinking water, MAWC must stop selling millions of gallons of water a day to fracking companies. The waters of the commonwealth should not be bought, sold, or contaminated for the rest of time. Join us for a meeting on **January 31st, 2024** to discuss how we, as a community, can come together and fight this injustice.



Photo Credit: Bob Donnan