

## **APPENDIX F: RECOMMENDATIONS OF THE REPORT TO THE GENERAL ASSEMBLY ON PIPELINE PLACEMENT OF NATURAL GAS GATHERING LINES**

*The following is a listing of recommendations, excerpted from the Report to the General Assembly on Pipeline Placement of Natural Gas Gathering Lines released by the Office of Governor Tom Corbett in December 2012 to inform the Pennsylvania General Assembly about the midstream development in Pennsylvania. The report lays out the following 16 recommendations:*

*The full report can be found at*

[http://files.dep.state.pa.us/OilGas/BOGM/BOGMPortalFiles/Act13/PipelinePlacementReport/FINAL\\_REPORT.pdf](http://files.dep.state.pa.us/OilGas/BOGM/BOGMPortalFiles/Act13/PipelinePlacementReport/FINAL_REPORT.pdf)

1. Legal impediments to the sharing of State and local roadway rights-of-way should be repealed or modified to allow for and encourage the use of existing rights-of-way and minimize new surface disturbances. For example, Section 3 of the Limited Access Highway Law (Act 402 of 1945), was repealed in part by Act 88 of 2012 to encourage the creation of Public-Private Partnerships and should be further repealed so as to permit the sharing of rights-of-way where appropriate.
2. The Public Utility Code should be amended to clarify that the sharing of pipeline capacity, for purposes of increased efficiency and smarter deployment of gathering lines, shall not constitute public utility status.
3. In conjunction with the U.S. Army Corps of Engineers, State and federal stream-crossing permits, including those required in 25 Pa.Code Chapter 105 and the Pennsylvania State Programmatic General Permit-4, should be aligned to remove existing duplications related to the protection and preservation of historic, cultural, and natural resources while increasing predictability in planning and permit processing time.
4. The Department of Environmental Protection should regularly review its Permit Decision Guarantee policy to ensure that administratively complete permits are reviewed in a timely manner, and where able, consider providing expedited review for projects that share rights-of-way or otherwise demonstrate steps that minimize conflicts with historic, cultural, or natural resources.
5. The Pennsylvania Natural Diversity Inventory environmental review tool should continue to be enhanced so as to assist in the up-front avoidance of conflicts with threatened and endangered species, flora, fauna, habitat, and other sensitive natural resources and increase certainty in decision making and long-term planning of pipeline operators.
6. The Underground Utility Line Protection Law, commonly referred to as “PA One Call,” should be amended to include mandatory participation beyond the requirements of 58 Pa.C.S. §3218.5, including specific location registration of all gathering lines.
7. The Public Utility Commission should work with PA One Call for purposes of creating a state map of unconventional natural gas pipelines.
8. County planning offices should be encouraged to work with drilling operators and gathering line companies so that operators and companies understand current and future development plans and can seek to maximize opportunities to share rights-of-way and pipeline capacity.

9. In accordance with standards adopted by the Department of Environmental Protection that ensure the protection of water quality, permits seeking to utilize horizontal directional drilling to cross under waterways and other topographic land features, such as steep inclines and declines, should be prioritized during review to recognize their potential to avoid surface disturbances, impacts on sensitive lands, forest fragmentation, viewsheds, and direct intersection with waterways.
10. Pipeline operators should collaborate to standardize right-of-way markers, including the spacing of markers, contact information for the pipeline operator, location of the pipeline, notation to contact PA One Call prior to any excavation, and other critical information. Multiple pipelines in a common right-of-way should be noted on the marker.
11. Landowner outreach efforts, such as those of the county extension offices, should be enhanced to expand landowner awareness of the opportunities, implications, standard terms and conditions, and other important information related to engaging in the leasing of pipeline rights-of-way.
12. County and municipal governments should be encouraged to consult with gathering line operators to better understand the implications of a proposed project on a county or municipal comprehensive plan.
13. The Public Utility Commission and the Department of Environmental Protection should continue their efforts at coordination and public outreach to further citizens' understanding of the respective roles each agency plays in the review of permitting, siting, and placement of natural gas gathering lines.
14. The Governor's Center for Local Government Services, in cooperation with the Public Utility Commission and the Department of Environmental Protection, should work with local government associations and county planning offices to assist in disseminating information on applicable laws, regulations, and other standards related to the construction and installation of natural gas gathering lines.
15. Pipeline operators should be encouraged to consult with the appropriate experts to replant rights-of-way with vegetation that fosters habitat development for wildlife.
16. Consideration should be given to utilization of existing or new pipeline pathways near existing or potential industrial development to maximize job creation, lower energy costs, and secure the nation's energy independence.