LOCAL FUNDING GUIDE :: NOVEMBER 2012 *(UPDATED FEBRUARY 2013)*

PENNSYLVANIA ACT 13 CONSERVATION AND RECREATION FUNDING

THE TRUST *for* PUBLIC LAND

CONSERVING LAND FOR PEOPLE

The Trust for Public Land (TPL) is a national nonprofit land conservation organization working to protect land for human enjoyment and well-being. TPL helps conserve land for parks, greenways, recreation areas, watersheds and wilderness. To date, TPL has helped protect some 1,500 properties, totaling more than one million acres in 45 states.

To help public agencies or land trusts acquire land, TPL assists communities in identifying and securing public financing. TPL's conservation finance program offers technical assistance to elected officials, public agencies and community groups to design, pass and implement public funding measures that reflect popular priorities.

In Pennsylvania, TPL has helped protect more than 3,000 acres. TPL has supported 9 statewide and local conservation finance ballot measures in the state. All these measures were approved by voters, generating $600 million dollars for parks and land conservation purposes.

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INTRODUCTION

Pennsylvania state agencies and local governments are now receiving millions of dollars from the recently enacted legislation imposing impact fees on oil and gas drillers. The legislation, known as Act 13, specifies how the fee revenues shall be distributed and the purposes for which they may be expended. Income from the fee will go to a wide range of recipients, from state agencies and local government to private entities to address the direct and indirect impacts of shale gas drilling as well as a host of other current and future needs. For example local funds may be used to fix roads, bridges and other infrastructure, provide affordable housing, repair and maintain stormwater and sewer systems, and preserve open space for parks and trails among other purposes. The state's portion of the impact fee revenues will fund programs that benefit communities inside and outside of the Marcellus Shale region. Some state monies will be directed to the Environmental Stewardship Fund, water and sewer projects, open space preservation, transportation infrastructure, and grants to buy or convert vehicle fleets to natural gas. The purpose of this document is to provide a guide for local governments and non-profits to access those funds that can be used for land conservation, parks, trails, and recreation.

Other provisions of Act 13 updated the Commonwealth's regulation of oil and gas development and a restriction of municipalities' authority to enact zoning ordinances that regulate where oil and gas development may occur. Both provisions, as well as the fee structure itself, have been controversial. Those portions of the law are beyond the scope of this document. It is intended to serve as a guide for local governments to better understand funds available under Act 13 to support land and heritage conservation, parks, and recreation.

BACKGROUND

In February 2012, the state General Assembly passed legislation[1] that gives counties where unconventional (horizontal) wells have been drilled the authority to impose an impact fee on such wells. To date, 37 counties have adopted an ordinance to impose the fee.[2]

Fee Structure

The impact fee is levied annually on unconventional gas wells with output beyond 90,000 cubic feet per day. A sliding scale was established with duration of 15 years for each well, coupled with a schedule based on the average annual price of natural gas and the overall schedule is adjusted for inflation each year. For 2011, the average price of gas was $4.08 which triggered an impact fee of $50,000 per well.

The first payments for wells spud[3] from 2007 through 2011 were due on September 1, 2012. All fees collected are deposited into an Unconventional Gas Well Fund established in the State Treasury. In subsequent years, the fees are due by April 1st, and funds will be distributed by July.

[1] http://www.legis.state.pa.us/WU01/LI/LI/US/HTM/2012/0/0013..HTM
[2] http://www.puc.state.pa.us/NaturalGas/pdf/MarcellusShale/12_Act13_FAQs.pdf
[3] The actual start of drilling of an unconventional well. Pennsylvania H.B. 1950.

Under the law, the Pennsylvania Utility Commission (PUC) administers the collection and disbursement of the fees.

Distribution of Funds

Approximately $204.8 million has been invoiced to well operators, and $204.2 million has been collected as of October 12, 2012. By law, the funds must go to the counties, municipalities, and state agencies by December 1, 2012,[4] but the PUC aims to disperse funds prior to that date if possible. Funds that are eligible for parks, recreation and conservation projects will be described again in greater detail beginning on page 5.

The distribution schedule is described below and in the table in Appendix A.

Off-the-Top

There are several annual (off-the-top) distributions made from the impact fee revenues as described below. These distributions total $23 million for the first year.

County Conservation Districts: $2.5M for 2011; $5M for 2012; $7.5M for 2013; for 2014 and thereafter the amount will be increased by the percentage increase in the Consumer Price Index [One half to be distributed equally among conservation districts; one half distributed consistent with the Conservation District Fund Allocation Program.]

Public Utility Commission: $1M per year for costs to administer the law.

Fish and Boat Commission: $1M per year for costs relating to the review of permits to drill unconventional gas wells.

Department of Transportation (PennDOT): $1M per year for freight rail assistance.

Department of Environmental Protection (DEP): $6M per year for administration of the act and enforcement of clean air and water acts.

Pennsylvania Emergency Management Agency (PEMA): $750,000 per year for response planning, training and coordination relating to natural gas production.

Office of the State Fire Commissioner: $750,000 per year for training and grant programs for first responders relating to natural gas production.

Natural Gas Energy Development Program: $10M for 2011; $7.5M for 2012; and $2.5M for 2013.

[4] Within three months after the date the fee is due.

Statewide Initiatives

Forty percent of the remaining fee revenue (approximately $72.4 million for the first year) will be deposited in the Marcellus Legacy Fund, and allocated as follows:

Commonwealth Financing Authority: 20 percent for acid mine drainage, abandoned well plugging, sewage facilities, programs to establish baseline water quality, watershed programs, flood control, and planning, acquisition, development, rehabilitation, and repair of greenways, recreation trails, open space, parks, and beautification projects. Up to 25 percent may be used for flood control projects.

Highway Bridge Improvement: 25 percent to be distributed to all counties to fund replacement and repair of locally owned at-risk bridges. Distribution is based on population with a $40,000 minimum. Funds are released by PennDOT on approval of a plan.

Growing Greener: 10 percent for the Environmental Stewardship Fund (ESF). Act 13 also designates funding to ESF from the Oil and Gas Lease Fund starting in 2013.

County Conservation and Recreation Projects: 15 percent to be distributed to all counties based on relative population with a $25,000 minimum allocation. Counties may use funds for greenways, recreational trails, open space, natural areas, community conservation and beautification projects, heritage parks, and water resource management. Funds may be used for planning, land acquisition, development, and rehabilitation.

Water and Sewer Projects: 25 percent to be distributed one-half to the Pennsylvania Investment Authority (PENNVEST) and one-half to the Commonwealth Financing Authority H2O program.

Department of Community Economic Development: 5 percent for projects relating to refining or processing natural gas or oil; all funds after 2013 are allocated to the Hazardous Sites Cleanup Fund.

Counties and Municipalities in the Marcellus Shale Region

Sixty percent of the funds remaining after the off-the-top distributions (approximately $107 million for the first year) will go to county and municipal governments by the following formula:

Housing Affordability Rehabilitation and Enhancement Fund: $2.5M for 2011; $5M thereafter.

Counties hosting unconventional gas wells: 36 percent. Distribution based on the number of wells.

Municipalities hosting unconventional gas wells: 37 percent. Distribution based on the number of wells.

Municipalities in counties with wells: 27 percent. Initial distribution is based on the number of wells. Further allocation is based on population and highway miles. Counties and municipalities may use funds for:

-Construction, maintenance, and repair of roadways, bridges, and public infrastructure;
-Water, stormwater, and sewer systems;
-Emergency preparedness and public safety;
-Environmental programs including trails, parks, and recreation, open space, flood management, conservation districts, and agricultural preservation;
-Preservation and reclamation of surface and subsurface waters;
-Tax reductions, affordable housing, social services, judicial services, career and technical centers, and local or regional planning.

Appendix A contains a table produced by the PUC that illustrates the overall impact fee revenue distribution schedule for 2012.

FUNDS FOR CONSERVATION, PARKS AND RECREATION

Parks, conservation, and recreation are clearly listed among the intended purposes for impact fee revenues in several of the allocation categories. The following pages will provide additional information on the categories most likely to be available to local entities for those purposes.

State Programs

Growing Greener / Environmental Stewardship Fund

The Environmental Stewardship Fund (Growing Greener I) provides for farmland preservation, open space protection, abandoned mine reclamation, watershed protection and restoration, water and sewer infrastructure, heritage conservation and the improvement and rehabilitation of parks and recreation facilities. This Fund is supported by certain landfill fees. Impact fee revenues to the fund are estimated at $7.2 million for 2012 which represents about a 10 percent increase in fund receipts.[5] Starting in 2013 the ESF also will receive transfers from the Oil and Gas Lease Fund of $20 million in 2013 and $35 million thereafter. The impact fee revenues for ESF will be distributed to four state agencies: the Department of Conservation and Natural Resources (24.1 percent); the Department of Environmental Protection (37.4 percent); the Department of Agriculture (14.8 percent), and the Pennsylvania Infrastructure Investment Authority for water and wastewater projects (23.7 percent), according to the Growing Greener I legislation.

Department of Conservation and Natural Resources

The Department of Conservation and Natural Resources (DCNR) portion of the ESF is invested in state park and forestry infrastructure as well as grants for recreation, parks, conservation acquisition, development, education and technical assistance efforts. As of October 2012, impact fee funds have not been recognized in the 2012-2013 department budget and the DCNR has not determined the allocation of anticipated impact fee funds among department priorities. Impact fee

[5] According to the Governor's Executive Budget 2012-2013, the ESF receipts were $72.8 million for 2011 and $66 million for 2012.

revenues are expected to go toward existing programs and new programs are not envisioned. Guidelines will be established before the grant application period opens in January 2013.

Community Recreation and Conservation grants are awarded to local governments and authorized nonprofit organizations for recreation, park and conservation projects. These include the rehabilitation and development of parks and recreation facilities (development projects); acquisition of land for active or passive park and conservation purposes (land acquisition projects); and planning for feasibility studies, trails studies, conservation plans, site development planning, and comprehensive recreation, greenway and open space (planning projects). Most projects require a 50 percent match, which can include a combination of cash and/or non-cash values. Funds received from the local government impact fees or county fees distributed by population can be used toward the required match for DCNR conservation and recreation grants.

This grant program is administered by the Bureau of Recreation and Conservation. Additional information and application guidelines are provided at:
www.dcnr.state.pa.us/brc/grants/index.aspx

Department of Agriculture

The Pennsylvania Agricultural Conservation Easement Purchase Program was developed in 1988 to help slow the loss of prime farmland to non-agricultural uses. The program enables state, county and local governments to purchase conservation easements, sometimes called development rights, from farm owners. The program is funded through a flat appropriation of $20.5 million per year from the cigarette tax in addition to funds from the Environmental Stewardship Fund, in coordination with the Growing Greener 2 initiative. In 2011, the fund provided $5.11 million. The total investment in farmland preservation in 2011 was $36,043,582, including federal, state, county and local dollars.

Counties participating in the program have appointed agricultural land preservation boards with a state board created to oversee this program. The state board is responsible for distribution of state funds, approval and monitoring of county programs and specific easement purchases.

Farm owners apply to the county program. Farm applications are ranked and then forwarded to the state board for approval after offers have been made. To date, more than 442,000 acres have been permanently protected. Pennsylvania leads the nation in farmland preservation. Applications can be obtained at the county level.

Commonwealth Financing Authority

The Commonwealth Financing Authority (CFA) was established as an independent agency of the Commonwealth to administer Pennsylvania's economic stimulus packages. The CFA administers and funds economic stimulus programs; the programs offer financial assistance through loans, grants, guarantees, sales, leases, investments, lines and letters of credit, and other authorized financial arrangements. The CFA is governed by a seven-member board, including four legislative appointees. The Secretary of Community and Economic Development, Secretary of the Budget, and Secretary of Banking (or their designees) serve as ex-officio members of the Board.

For the first year collections, the CFA will receive roughly $14.5 million from oil and gas impact fees for the following seven purposes: acid mine drainage, abandoned well plugging, sewage facilities, programs to establish baseline water quality, watershed programs, flood control, and planning acquisition, development, rehabilitation, and repair of greenways, recreation trails, open space, parks, and beautification projects. Up to 25 percent ($3.6 million) of the funding may be used for flood control projects.

In February 2013 the CFA began accepting applications for five programs established by the Act 13 Marcellus Legacy Fund to support conservation projects and environmental protection measures. The program guidelines establish eligibility requirements for five separate programs:

Greenways, Trails, and Recreation Program provides grants for the planning, acquisition, development, rehabilitation and repair of greenways, recreational trails, open space, parks and beautification projects.

Uses: Projects which involve development, rehabilitation and improvements to public parks, recreation areas, greenways, trails and river conservation.

Funding: Grants shall be awarded to eligible applicants for projects that do not exceed $250,000. Most projects require a 50 percent local match of the total project cost. Applications from municipalities with a population of fewer than 5,000 require a 20 percent match of the total project cost. Match may be cash or non-cash and must be directly related to the approved scope of work.

Eligibility: Municipalities, Councils of Governments, Authorized Organization, Institution of Higher Education, Watershed Organization, For-Profit Businesses

Watershed Restoration and Protection Program provides grants to restore and maintain stream reaches impaired by the uncontrolled discharge of nonpoint source polluted runoff.

Uses: Projects which involve the construction, improvement, expansion, repair, maintenance or rehabilitation of new or existing watershed protection Best Management Practices (BMPs).

Funding: There is a maximum of $300,000 for any project. A 15 percent match of the total project cost is required.

Eligibility: Municipalities, Councils of Governments, Authorized Organization, Institution of Higher Education, Watershed Organization, For-Profit Businesses

Abandoned Mine Drainage Abatement and Treatment Program provides grants to restore and maintain stream reaches impaired by abandoned mine drainage and ultimately, to remove these streams from the Department of Environmental Resources Impaired Waters list.

Uses: Projects which involve the reclamation of Abandoned Mine Well(s), construction of a new AMD site, remediation and repair of existing AMD project sites, operation and maintenance maintaining current AMD remediation sites, establishment of trust fund to ensure ongoing maintenance is achieved, and monitoring of water quality to track or continue to trace nonpoint source load reductions resulting from AMD remediation projects.

Funding: Grants shall be awarded to eligible applicants for projects that do not exceed $1,000,000. The grant requires a least a 15% match of the total project cost.

Eligibility: Municipalities, Councils of Governments, Authorized Organization, Institution of Higher Education, Watershed Organization, For-Profit Businesses

Baseline Water Quality Data Program provides grants to use the scientific principles and practices for water sample collection and analysis to document existing groundwater quality conditions on private water supplies.

Uses: Projects which involve practices for water sample collection and analysis to document existing groundwater quality conditions on private water supplies.

Funding: Grants shall be awarded to eligible applicants for projects that do not exceed $250,000. The grant requires at least 15 percent match of the total project cost.

Eligibility: Municipalities, Councils of Governments, Authorized Organization, Institution of Higher Education, Watershed Organization, For-Profit Businesses Councils of Governments

Orphan or Abandoned Well Plugging Program provides grants to provide mechanisms to plug abandoned and orphaned wells that may cause health, safety or environmental concerns.

Uses: Projects which involve the cleaning out and plugging of abandoned and orphan oil and gas wells; stray gas mitigation systems; and well venting projects.

Funding: There is a maximum of $250,000 for any project.

Eligibility: Municipalities, Councils of Governments, Authorized Organization, Institution of Higher Education, Watershed Organization, For-Profit Businesses

Applicants can begin applying immediately under the new guidelines for the Act 13 Programs through DCED's electronic single application system. Applications are currently being accepted through July 31, 2013 for consideration at the Nov. 13, 2013 CFA meeting.

For more information, see the authority's website at http://www.newpa.com/find-and-apply-for-funding/commonwealth-financing-authority

H2O PA Program

Act 13 makes an additional allocation from impact fee revenue specifically for the H2O PA program which is administered by the CFA. This allocation amounts to $9 million for the first year. The H2O PA Act was established by the General Assembly in 2008. The Act provides for single-year or multi-year grants to local governments or municipal authorities to assist with the construction of drinking water, sanitary sewer and storm sewer projects. Acquisition of land and easements are among the eligible uses of program funds. Grant amounts range from $500,000 to $20 million for a project. A 50 percent match is required. The match may come from any other source including PENNVEST. PENNVEST is described further below.

The H2O PA program is currently closed as applications far exceed existing funding. Because the grant amounts typically requested from this program are so large, the CFA may wait until significant funds have accumulated before reopening the program to applications.

Pennsylvania Infrastructure Investment Authority (PENNVEST)[6]

PENNVEST is an independent authority that provides loans and grants for water, sewer and storm waste projects across Pennsylvania. It is supported by the Department of Environmental Protection (DEP). PENNVEST also manages the Clean Water State Revolving Fund (CWSRF) and the Drinking Water State Revolving Fund (DWSRF) as well as the American Recovery and Reinvestment Act of 2009 (ARRA) funds.

The Pennsylvania Infrastructure Investment Authority was established in 1988 with the primary goal of improving water quality in the state through low interest funding of drinking water and wastewater capital improvement projects. The program was originally established to reduce point source pollution. However, in 2009 funding opportunities were expanded to include nonpoint source pollution (NPS) projects.

PENNVEST actively funds Green Initiatives that promote and encourage environmental responsibility and creative and innovative green solutions for water quality management. These solutions can be as simple as installation of water barrels for water collection and re-use, to regional projects that reduce sediment and nutrient contamination of the Chesapeake Bay watershed by reducing storm water runoff from agricultural areas.

The PENNVEST brownfields program provides low-interest loans for the remediation of sites that have been contaminated by past industrial or commercial activity and pose a threat to local groundwater or surface water sources. Brownfields remediation facilitates the creation, preservation, or addition to parks, greenways, open spaces and other recreational properties

The PENNVEST and Growing Greener programs coordinate their review of applications. The DEP reviews applicants for their Growing Greener grant funding and refers to PENNVEST some of those that they are not able to accommodate at the time of review. These referrals likely will be applicants for drinking water, wastewater and storm water infrastructure projects such as those traditionally funded by PENNVEST. Likewise, any application that is eligible under a PENNVEST project will be considered for the Growing Greener grant funds automatically.

Grants provide up to $11 million per project for one municipality; and up to $20 million for more than one municipality. The average project size is $1.5 million. No matching funds are required. There is a limited amount of money set aside each year for grants and therefore grant money is not always available. In 2012, it is expected that approximately $20 million will be available for grants for all PENNVEST project categories (non-point source, wastewater and drinking water).[7] PENNVEST will receive roughly $9 million from oil and gas impact fees from the first year collections in addition to a portion of the fees for the Environmental Stewardship Fund.

[6] This section is largely excerpted from the PENNVEST website.
[7] PENNVest General Information Brochure, and PA Assn. of Conservation Districts, pacd.org/pennvest-application-assistance/faq/

Any owner or operator (public or private) of an existing or proposed drinking water or wastewater system is eligible to apply. Also, any municipal owner of a storm water conveyance system is eligible. Only governmental units may apply for nonpoint source program grants, this includes cities, municipalities, county conservation districts, and multi-county and municipal authorities. However, non-governmental agencies, including non-profit groups, private farmers and the like, may apply through a local governmental agency sponsor. Land costs are eligible under certain circumstances. In all cases a water quality benefit must be demonstrated.

Local Governments

In 2012, approximately $107 million will be distributed to oil and gas counties and municipalities to be used for a host of local needs including roads, bridges, public safety, water, sewer, tax reductions, conservation, recreation, and other services. Another $10.8 million will be allocated from the Marcellus Legacy Fund in 2012 to *all* counties for parks, recreation, greenways, and conservation. The Public Utility Commission released the amounts to be allocated to each jurisdiction on October 15, 2012 and has begun the process of distributing funds to local governments. The table in Appendix B details disbursements to county government. For more information about municipal allocations, refer to the PUC website.[8]

County Conservation and Recreation Projects

For the 2011 collection of impact fees, all counties will receive a share of $10.8 million. Funds are allocated proportionately based on the population of county relative to that of the Commonwealth. The minimum distribution is $25,000. Funds may be used for a variety of environmental and recreation purposes. Specifically, funds may be used for the planning, acquisition, development, rehabilitation and repair of greenways, recreational trails, open space, natural areas, community conservation and beautification projects, community and heritage parks, and water resource management. Funds may be used to acquire lands for recreational or conservation purposes and land damaged or prone to drainage by storms or flooding. See the chart in appendix B for distribution amounts to each county.

Counties and Municipalities (oil and gas jurisdictions)

The largest distribution of impact fee funds, after the off-the-top allocations, will go to local governments hosting oil and gas production. In 2012, counties with wells will receive roughly $38.2 million; municipalities with wells, $39.3 million; and municipalities that are near to well locations, $28.6 million. Each county will receive a minimum of $40,000 to the extent funds are available. The amount allocated to each municipality is limited to the greater of $500,000 or 50 percent of the total budget for the prior fiscal year.

County and municipal governments receiving funds under this section are authorized to use them for a wide variety of purposes, ranging from roads and bridges to social services to tax reduction. Conservation and recreation programs are among the expenditure purposes as are water, stormwater, and agricultural preservation. Local governments may encumber or budget impact fee funds prior to their distribution. For example, funds received by local government in the next

[8] http://www.puc.state.pa.us/filing_resources/issues_laws_regulations/act_13_impact_fee_.aspx

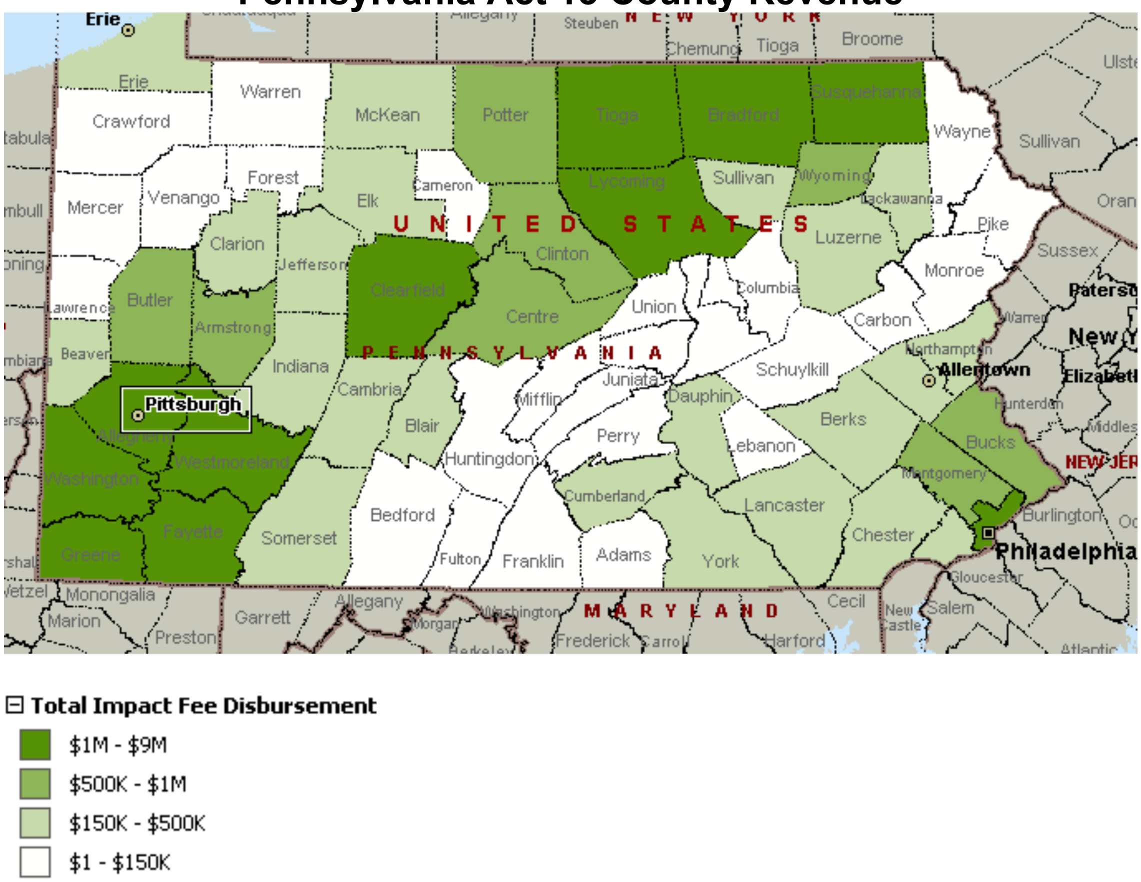
disbursement to occur on or before April 2013 may be applied to expenditures incurred through the calendar year.[9] Conversely, if a county or municipality does not expend impact fee funds in the current year, it can place the funds in the capital reserve category to expend in future years.

Eleven counties will receive at least $1 million apiece. They are: -

Allegheny County, $1.1 million
Bradford County, $8.4 million
Clearfield County, $1.15 million
Fayette County, $1.45 million
Greene County, $3.1 million
Lycoming County, $4 million
Philadelphia County, $1.3 million;
Susquehanna County, $3.9 million
Tioga County, $4.8 million
Washington County, $4.4 million
Westmoreland County, $1.7 million

The map below illustrates the distribution of impact fee revenue to counties throughout the state.

Pennsylvania Act 13 County Revenue



[9] County Commissioners Association of Pennsylvania, Act 13 – Impact Fee Revenues FAQs.

The table in Appendix B summarizes the county distributions. The PUC website contains a complete list of allocations for all local governments at: http://www.puc.state.pa.us/NaturalGas/pdf/MarcellusShale/Act13-County_Muncipality_Payments2011.pdf

Conservation Districts

Pennsylvania's conservation districts, established in 1945 under the Conservation District Law, are the local unit of state government that provides the link between the citizens and various local, state, and federal natural resource management programs and agencies. A volunteer Board of Directors is appointed by the County Commissioners from nominations received from county-wide organizations. Operating funds are generally obtained from the county with some support from the state. Other funding is generated by fees and fund raising activities. Conservation districts are authorized to purchase and manage land and easements for conservation purposes, but for the most part they are not typically active in conserving land for parks or open space.

The Pennsylvania State Conservation Commission (SCC) is a 14-member commission that has a primary mission to ensure the wise use of Pennsylvania's natural resources and to protect and restore the natural environment through the conservation of its soil water and related resources. The commission provides support and oversight to the state's 66 county conservation districts.

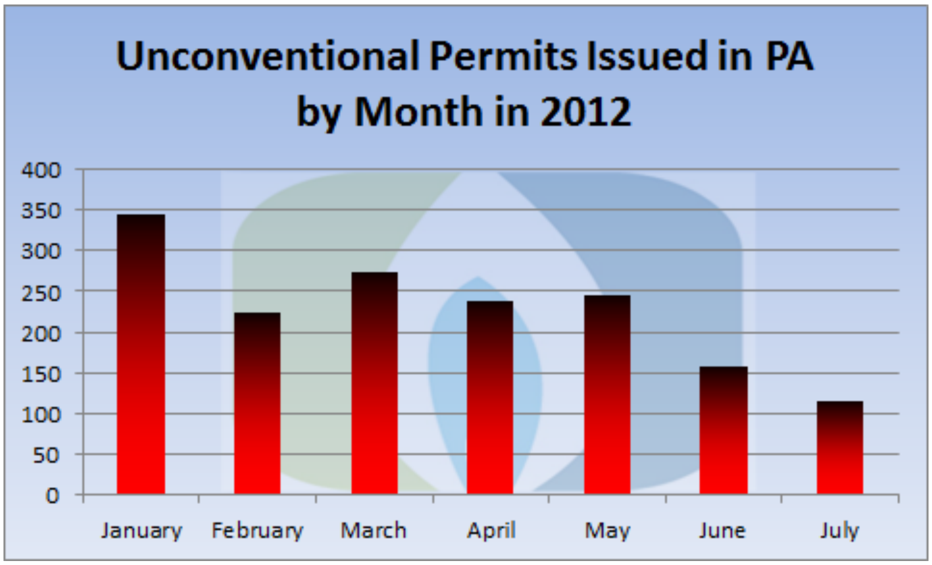
In 2012, the conservation districts and the Conservation Commission will receive $2.5 million from impact fees. The fee revenue will be split 50/50. Individual districts will receive an equal share of approximately $38,000.

REVENUE PROJECTIONS FOR FUTURE YEARS

The PUC has not published revenue projections from the oil and gas impact fees for future years as this point. However, the fee structure, current gas prices, and trends in the number of drilling permits issued over the past year indicate that revenues could decline. The fee structure over time is set up to take into account two things: the trading price of natural gas and the age of the well. As the average price declines (as it has through the first three quarters of 2012 to an average of $2.57) so will the impact fee. Likewise as the well ages its impact fee also falls each year for the next few years (unless the average price rises sharply above $5.99 in the second year) until it drops sharply for years four through ten. Thus unless significantly more wells are spud across the Commonwealth, or the price of gas rises dramatically over time, the revenue from impact fees and the amount shared by the State and counties is likely to decline next year and subsequent years. The gas based revenue boost for the state and local governments could be short lived depending on how strong the gas market is in the future.[10]

[10] Excerpted from Allegheny Institute for Public Policy, Oct 5, 2012, Policy Brief: vol. 12, no. 4 Marcellus Impact Fee Payments Roll In.

The table below illustrates the recent trends in drilling permits. Despite some peaks and troughs, the general trend has been declining over the past year. In January 2011, 319 new unconventional well permits were issued. In August 2012, only 154 new permits were granted.



APPENDICES

Appendix A: Act 13 Revenue Summary

Pennsylvania Act 13 Oil & Gas Impact Fee Distribution Schedule			
		2011	**Formulas/Notes**
Total (*estimated as of Oct. 2012*)		**204,210,000**	*Deposited in the Unconventional Well Fund*
Off the Top (*designated allocations*)			
Conservation Districts & Conservation Comm.		2,500,000	
Public Utility Commission		1,000,000	
Fish & Boat Commission		1,000,000	
Dept. of Transportation		1,000,000	*These funds will be an interagency transfer*
Dept. of Environmental Protection		6,000,000	
PA Emergency Management Agency		750,000	
Fire Commissioner		750,000	
Natural Gas & Energy Development		10,000,000	
Total OTT		**23,000,000**	
Balance		**181,210,000**	
Marcellus Legacy Fund	**40%**	**72,484,000**	
Commonwealth Financing Auth.	**20%**	**14,496,800**	
Highway Bridge Improvement	**25%**	**18,121,000**	*Allocation formula based on population. Min. $40K to each county.*
Growing Greener			
Env. Stewardship Fund	**10%**	**7,248,400**	
Env. Stewardship Fund	*OGLF*		
County Conservation & Rec Projects	**15%**	**10,872,600**	*Allocation formula based on population. Min. $25K to each county.*
Water & Sewer Projects	**25%**	**18,121,000**	
Penn Infrastructure Invest Auth	*12.5%*	*9,060,500*	
H2O PA (CFA)	*12.5%*	*9,060,500*	
Dept. of Community Econ Dev	**5%**	**3,624,200**	
Hazardous Sites Cleanup	5%	-	*Hazardous sites to receive these funds after 2013.*
Hazardous Sites Cleanup	*OGLF*		
Counties & Municipalities	**60%**	**108,726,000**	
Off the top			
Housing Affordability		2,500,000	
Remainder		**106,226,000**	
Counites w/ wells	36%	38,241,360	*Allocation based on the # of wells.*
Municipalities w/ wells	37%	39,303,620	*Allocation based on the # of wells.*
Muni.s in Counties w/ wells	27%	28,681,020	*Allocation based on the # of wells, population, & highway miles.*
See PA Utility Commission for more detail: http://www.puc.state.pa.us/NaturalGas/pdf/MarcellusShale/Act13-Disbursement_Calculation.pdf			

Appendix B: Act 13 County Disbursements

Act 13 County Impact Fee Disbursement (as of 10/12/12)

County	Funds to County & Local Gov't with Wells	Marcellus Legacy Fund Disbursement*	Totals		County	Funds to County & Local Gov't with Wells	Marcellus Legacy Fund Disbursement*	Totals
Adams	$0.00	$86,033.77	$86,033.77		Lackawanna	$8,825.60	$181,928.50	$190,754.10
Allegheny	$79,430.47	$1,037,889.30	$1,117,319.77		Lancaster	$0.00	$440,697.50	$440,697.50
Armstrong	$511,885.27	$58,489.60	$570,374.87		Lawrence	$17,651.21	$77,296.09	$94,947.30
Beaver	$52,953.64	$144,685.40	$197,639.04		Lebanon	$0.00	$113,319.18	$113,319.18
Bedford	$8,825.60	$42,218.11	$51,043.71		Lehigh	$0.00	$296,513.50	$296,513.50
Berks	$0.00	$349,067.68	$349,067.68		Luzerne	$0.00	$272,267.05	$272,267.05
Blair	$52,953.64	$107,822.39	$160,776.03		Lycoming	$3,927,395.61	$98,508.65	$4,025,904.26
Bradford	$8,375,502.10	$53,128.55	$8,428,630.65		McKean	$379,501.14	$36,863.01	$416,364.15
Bucks	$0.00	$530,461.69	$530,461.69		Mercer	$0.00	$98,955.76	$98,955.76
Butler	$741,351.08	$155,988.65	$897,339.73		Mifflin	$0.00	$39,605.04	$39,605.04
Cambria	$44,128.04	$121,897.36	$166,025.40		Monroe	$0.00	$144,094.07	$144,094.07
Cameron	$97,081.68	$25,000.00	$122,081.68		Montgomery	$0.00	$678,613.66	$678,613.66
Carbon	$0.00	$55,357.30	$55,357.30		Montour	$0.00	$25,000.00	$25,000.00
Centre	$529,536.48	$130,645.22	$660,181.70		Northampton	$0.00	$252,598.58	$252,598.58
Chester	$0.00	$423,255.23	$423,255.23		Northumberlanc	$0.00	$80,197.62	$80,197.62
Clarion	$123,558.51	$33,925.85	$157,484.36		Perry	$0.00	$39,000.14	$39,000.14
Clearfield	$1,076,724.19	$69,265.13	$1,145,989.32		Philadelphia	$0.00	$1,294,664.55	$1,294,664.55
Clinton	$706,048.64	$33,289.55	$739,338.19		Pike	$0.00	$48,671.89	$48,671.89
Columbia	$17,651.21	$57,093.12	$74,744.33		Potter	$529,536.48	$25,000.00	$554,536.48
Crawford	$0.00	$75,308.29	$75,308.29		Schuylkill	$0.00	$125,808.49	$125,808.49
Cumberland	$0.00	$199,718.62	$199,718.62		Snyder	$0.00	$33,683.21	$33,683.21
Dauphin	$0.00	$227,456.22	$227,456.22		Somerset	$114,732.90	$65,956.37	$180,689.27
Delaware	$0.00	$474,238.17	$474,238.17		Sullivan	$361,849.93	$25,000.00	$386,849.93
Elk	$370,675.54	$27,103.01	$397,778.55		Susquehanna	$3,900,918.79	$36,783.26	$3,937,702.05
Erie	$0.00	$238,032.39	$238,032.39		Tioga	$4,757,002.77	$35,616.71	$4,792,619.48
Fayette	$1,332,666.82	$115,896.63	$1,448,563.45		Union	$0.00	$38,133.07	$38,133.07
Forest	$26,476.82	$25,000.00	$51,476.82		Venango	$8,825.60	$46,648.46	$55,474.06
Franklin	$0.00	$126,936.02	$126,936.02		Warren	$17,651.21	$35,475.88	$53,127.09
Fulton	$0.00	$25,000.00	$25,000.00		Washington	$4,253,943.11	$176,314.63	$4,430,257.74
Greene	$3,097,788.45	$32,821.23	$3,130,609.68		Wayne	$0.00	$44,814.22	$44,814.22
Huntingdon	$8,825.60	$38,952.62	$47,778.22		Westmoreland	$1,412,097.29	$309,809.63	$1,721,906.92
Indiana	$282,419.45	$75,405.85	$357,825.30		Wyoming	$856,083.98	$25,000.00	$881,083.98
Jefferson	$158,860.94	$38,347.71	$197,208.65		York	$0.00	$369,030.54	$369,030.54
Juniata	$0.00	$25,000.00	$25,000.00		**TOTALS**	**$38,241,359.79**	**$10,872,599.92**	**$49,113,959.71**

Source: Public Utility Commission; http://www.puc.state.pa.us/NaturalGas/pdf/MarcellusShale/Act13-County_Muncipality_Payments2011.pdf

** 15% of the Legacy Fund disbursed to all counties based on population for rehab of greenways, nature areas, etc.

Appendix C: Agency and Organization Contacts

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