



SIERRA CLUB
PENNSYLVANIA
ENVIRONMENTAL LOBBY

REC'D MAY 30 2000



JEFF SCHMIDT
Governmental Liaison

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P.O. Box 663
Harrisburg, PA 17108
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May 30, 2000

Dear Representative,

I am writing to you on behalf of our more than 22,000 members in Pennsylvania concerning legislation introduced to improve local governments' ability to plan for growth. Unfortunately, this legislation, SB300, had amendments added in the Senate by corporate agribusiness interests that changed the purpose of the legislation. The bill as amended, would take away existing authority of local government to protect public health and safety, quality of life, and the environment from corporate factory farms.

The last-minute amendments to SB300 carve out exemptions from local government control for agribusiness and are designed to help put family farms out of business. Apparently, agribusiness interests want to hold reasonable land use planning legislation hostage until they can gain exemptions from local governments' existing authority.

Land use planning and growth management advocates have not promoted using SB300, HB13, or HB14 as a way to regulate agriculture. We do not believe such legislation should be used as a backdoor method to reduce current local governments' role in this area.

Please support an amendment to delete the language inserted in SB300 that creates specific exemptions for agriculture.

Sincerely,

A handwritten signature in cursive script that reads "Jeff Schmidt".

Jeff Schmidt



Members
Pennsylvania House of Representatives

May 30, 2000

Dear Representative:

We all agree that local governments must be empowered to plan for growth and to control unwanted growth. Legislation that would have given local governments that power was introduced in both legislative bodies (SB 300 and HB 13, HB 14). We supported those bills as they were originally introduced. Unfortunately, Senate Bill 300 has been amended in the Senate to add unique protection for Concentrated Animal Feeding Operations (CAFOs) and other corporate agribusiness. These amendments protect invading factory farms from the existing ability of local governments to protect public health and safety, quality of life, and the environment.

With these amendments, local ordinances on such issues as water usage, odors, industrial scale expansion of operations and set-backs from neighboring properties and natural resources could not be effected.

The Pennsylvania League of Conservation Voters is now gathering information for our scorecard covering the General Assembly for 1999-2000. As things stand, we will undoubtedly include a vote to strike these amendments to SB 300 in the scorecard.

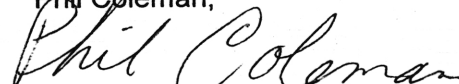
We all witnessed the disastrous consequences brought on by CAFOs in North Carolina flood zones. Those are the most dramatic consequences of factory farms. But foul air, polluted streams, health problems, and declining property values are the day-in day-out consequences to people who have the misfortune of living near them.

Not only do these amendments to SB 300 advantage agribusiness; they would also help put family farms out of business. Land use planning and growth management advocates did not set out to craft SB 300, HB 13, or HB 14 as a way to restrict regulation of agriculture. But SB 300 would now do just that.

The language of most concern (in Section 603 (h)) states: "Ordinances shall not prevent or impede necessary changes or expansion of agricultural operations (on an existing tract) to facilitate their future economic viability." This language would permit CAFOs to expand to any size, create foul smells, endanger streams, and in other ways ruin neighborhoods. This amendment would leave communities powerless to regulate them. Please support the effort to delete the factory farm amendments from SB 300.

If the House of Representatives can delete harmful agribusiness language from SB 300, and pass SB 300 as well as HB 14, we could make an important step forward in community-based planning.

Phil Coleman,


Executive Director



PENNSYLVANIA
BUILDERS
ASSOCIATION

REC'D MAY 30 2000

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May 30, 2000

The Honorable Thomas Tangretti
House of Representatives
House Local Government Committee
328 South Office
Harrisburg, PA 17120

Dear Representative Tangretti:

On Tuesday, May 30th, you will be asked as a member of the House Local Government committee to consider Senate Bill 300, prime sponsor Senator Jim Gerlach. This legislation makes major changes to Pennsylvania's Municipalities Planning Code. The Pennsylvania Builders Association has been in continual negotiations with Senator Gerlach and Representative Dave Steil regarding changes to this legislation since Representative Steil's House Bills 13 and 14 passed this committee earlier this spring.

Representative Steil will offer a comprehensive amendment to the bill which merges HB 13 into SB 300. Representative Mark McNaughton will offer a second amendment that contains additional compromises worked out between the SouthEast Area Township Officials organization (SEATO) and the Builders Associations of Bucks and Montgomery counties, and Chester and Delaware counties. The McNaughton amendment specifically addresses transportation infrastructure issues and makes agreed to changes to the impact fee provisions of the MPC. This amendment allows groups of municipalities to create joint municipal transportation authorities to assess impact fees. It allows municipalities to establish joint-municipal impact fee ordinances. It allows municipalities to work together to conduct roadway sufficiency analyses and transportation capital improvement plans. It allows municipalities to update their transportation capital improvement plans by using generally recognized construction costs indexes and it gives municipalities a formula to assess impact fees on large projects which will have transportation impact beyond designated service areas.

While there are still some issues in Senate Bill 300 not addressed in the Steil and McNaughton amendments, the Pennsylvania Builders Association believes that it is appropriate and timely to move the bill out of committee on Tuesday with these amendments. PBA will continue to work towards a totally agreed-to bill.

Building Today For A Better Tomorrow



We appreciate the tremendous work that Representative Steil and Senator Gerlach have done in merging the provisions of House Bill 13 into Senate Bill 300 and their reasoned, measured approach to addressing these controversial issues. We are also pleased that there will be a transportation infrastructure component to Senate Bill 300 and we appreciate Representative McNaughton's participation in those negotiations.

I will be pleased to discuss this issue with you at your convenience.

Sincerely,



Louis J. Biacchi

Director

Governmental Affairs