

**November 8 2018**

**Press Statement of Commonwealth Decision**

We are dismayed by the decision made by the Commonwealth Court today and the Court's failure to uphold our constitutional rights as Pennsylvanians to clean air and pure water. Until 2016, the Penn Township Zoning Hearing Board made sound decisions regarding unconventional natural gas development in Penn Township. However, this changed when the industry bullied and threatened the township with a lawsuit for \$380 million. After this frivolous lawsuit, the Zoning Board quickly changed their objective opinion to accept any oil and gas operations for fear of litigation from this enormous industry.

We hoped that the Court's decision would do what the Zoning Board failed to do and would ensure the protection of citizens' environmental rights set forth by the Pennsylvania Constitution, Article 1 Section 27, which is at the heart of our challenge.

We participated in the local process, brought highly-qualified expert testimony, and presented the testimony of real impacts to citizens in Penn Township, yet the court didn't feel that the evidence of harm to the community was sufficient.

*"The burden on the objectors, who are everyday citizens, is not just set high, but it is set impossibly high in a system that is constructed specifically for public participation due to the industrial and invading nature of this industry on a community,"* said Gillian Graber, Executive Director of Protect PT.

We know from experience that this industrial development will disrupt the community. The court did not evaluate the testimony of real impacts that have already happened to our community. No longer can we prevent harm from happening without evidence that the harm has already happened.

This decision makes our work even more important. If the township and the courts fail to protect our rights, we must keep educating citizens about how they can participate in citizen science monitoring to collect the data necessary to combat this industry's harm. We will continue to advocate for our rights and encourage citizens to engage in this process and voice their concerns to the authorities.

*"We have been engaged in challenging gas development in our community for several years and will continue to use every legal means necessary to get justice for our community,"* Graber said.