

Hearing – House Bill 111 – May 28, 2009

Mr. Chairman,

And Committee members:

Thank you for the opportunity to address the committee today regarding House Bill 111 and Senate Bill 48. On behalf of Horsham Township Council, the HLRA and all of the surrounding communities I would ask you to unanimously support this legislation. As you know, in the last round, the BRAC committee saw fit to close the facility known as (NASJRB) Naval Air Station Joint Reserve Base Willow Grove. Since then, the residents of Horsham Township and the other communities surrounding the base have had great concern regarding the reuse of the facility and the airstrip. Then on May 25, 2007 Congress enacted special legislation directing the secretary of the Navy to transfer to the secretary of the Air Force, all the lands, easements, air installation compatible use zones and facilities at NASJRB Willow Grove designated for operation as a Joint Interagency Installation for use by the PA National Guard and other Department of Defense components, government agencies and associated users to perform National Defense, Homeland Security, and Emergency Preparedness missions.

The township who had been in close contact with the Navy and the Air Force, now entered into discussions with the Commonwealth of Pennsylvania Department of Military and Veterans Affairs as well, in order to learn what was happening with the land transfer, the JII and the military enclave. During those discussions the Navy asked the Commonwealth how much of the property they would require for the JII. The

Commonwealth responded with the need to perform a study. The result of the request was the Kimball Report which determined that all of the property except approximately 55 acres located in Bucks County was needed for the JII. The Kimball Report depicted development so intense that it is inconsistent with the Horsham Township Comprehensive plan, and in violation of many of the township's codes and ordinances. In addition they seemed to be showcasing the airport, by depicting 12 new hangars, and a projected 8.6 million dollars in annual airway revenue. These items did not appear to be for homeland security missions. The Commonwealth told us that this was just a concept plan and we should not be concerned with what the report depicted. As a result of the concerns created by the report, the township worked diligently with the governor's staff to try and get legislation passed which would alleviate those concerns. Needless to say we could not come to an agreement on language which would address the townships and the surrounding communities concerns. We were unsuccessful in our attempts to reach an agreement on legislation because the state admitted that they needed a broader base of potential tenants, and did not want to limit the tenant pool to those entities directly engaged in the performance of the national defense, homeland security and emergency preparedness missions. The house went to recess and no legislation was passed.

In October of 2008, Federal legislation was passed regarding the facility and use of the airport which actually increased the concerns of the township and the residents. In section 2854 paragraph b of the federal legislation it states: Restrictions On use: The airfield at the installation shall not be used for any of the following purposes: 1. Commercial passenger operations 2. Commercial cargo operations 3. Commercial, business or non-governmental aircraft operations for purposes not related to the missions

of the installation except that this paragraph shall not apply in exigent circumstances **or prohibit the use of the airfield by or on behalf of any associated user which is a tenant of the installation.** It then goes on to define the term “Associated User” – The term Associated User means non-governmental organizations and private entities that use the airfield for purposes **related to** the national defense, homeland security and emergency preparedness missions of the installation. You can see that the language has changed from the legislation that was enacted to form the JII to the legislation which enacted to govern the use of the airfield. It was changed from users who **must perform** homeland security missions to users having a mission **related to** homeland security. The legislation then goes on to say that the restrictions regarding commercial, business and reliever uses **do not apply to associated users.** This means that by law you can have a tenant with no homeland security mission who has unrestricted use of the airfield.

The governor’s staff and the DMVA attorneys continue to assure us that the Commonwealth has no intention of using the facility or the airstrip for anything other than the performance of homeland security missions, but they refuse to close the loopholes that would make this a requirement. The state will argue things like “we need fast food facilities on the installation, similar to the Subway at Fort Indian Town Gap”. I invite you to take a drive down Horsham Road. You will find no shortage of reasonably priced and fast food eating establishments. We are a community with a strong based of commercial and office uses. There is no need for associated users who do not perform a homeland security mission.

One specific example of the state’s intentions is best illustrated by the following: Recently, the Commonwealth is seeking to have Teva Pharmaceuticals as a tenant on the

facility and associated user. Teva is the largest manufacturer of Pharmaceuticals in the world. Since they are generic, they are surpassed by Merck and Pfizer in dollars, but in actual product manufactured and distributed, they are the largest. Teva by their own admission has no homeland security mission. They would like to build a 1.5 million square foot facility at the JII. This would generate 150+ tractor trailer trips per day bringing products and materials to and from the airports in New York and Philadelphia. As they become more successful the expectation is that traffic will increase to 225 or more trips per day. That kind of truck traffic in addition to what already exists on Horsham's roadways is unacceptable. What is to stop the Commonwealth and Teva from forming a new agreement a few years from now after Teva has spent millions of dollars to construct a 1.5 million square foot facility to use the runway which is in their backyard to cut down on transportation costs? For that matter, how is Teva with this volume of traffic by truck, or by air any different than Fed-ex or UPS which we are constantly told will never be located at the site? The only difference I see is the label on the side of the truck or plane.

Horsham Township has always enjoyed a healthy partnership with the Navy Base in our Township. We welcomed their presence. We continue to support the military and are committed to doing our part to host a Joint Interagency Installation which is equally committed to the missions of emergency preparedness, homeland security and national defense. What we, as a community, object to is associated users with no homeland security mission and unrestricted use of the airstrip being imposed on our community with no consideration for the welfare of our residents.

On behalf of Horsham Township Council, the HLRA and residents of all the communities surrounding the JII, I urge you to unanimously support House Bill 111 and Senate bill 48 as soon as possible, and get it to a vote before the summer recess.

Thank You.