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House of Representatives
COMMONWEALTH OF PENNSYLVANIA
HARRISBURG

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MEMORANDUM

TO: All House Members
FROM: Representative Daniel J. Deasy
SUBJECT: Proposed Geologically Hazardous Areas Act
DATE: April 28, 2009

I intend to introduce the proposed Geologically Hazardous Areas Act, a copy of which is attached for your review. The purpose of this legislation is to have municipalities give and obtain more thoughtful consideration to proposed developments in order to eliminate or reduce the occurrence of a hazardous condition as a result of a developer's proposed earth disturbance activity.

Under the proposed legislation, the Pennsylvania Department of Environmental Protection (DEP) would review geologic reports from persons proposing to undertake earth disturbance activity within a geologically hazardous area. These reports will accompany applications to discharge pollutants or storm water, plans to control erosion and sediment, and plans to manage post-construction storm water, all of which are currently required to be submitted to DEP. The reports will be prepared and sealed by a licensed professional and must adequately identify the proposed course of action, and their sequence, to be taken during and after construction to eliminate or reduce the occurrence of a hazardous condition as a result of the proposed earth disturbance activity. DEP, in turn, will determine whether to authorize or refuse to authorize earth disturbance activity, based on the content of each report.

This legislation was one of the recommendations contained in the report titled *The Kilbuck Township Landslide: Findings and Recommendations* (Joint State Government Commission, June 2008), which was released pursuant to HR 897 of 2006. HR 897 directed the Joint State Government Commission to conduct an in-depth investigation into the massive landslide that occurred at a commercial development site in Kilbuck Township, Allegheny County on September 19, 2006.

The resolution authorized the appointment of a four-member legislative task force, which currently consists of me and Representatives Mustio, Matzie and Vulakovich, and an advisory committee to assist the task force. The advisory committee represented a broad range of expertise and interests and included attorneys, geologists, engineers, land use planners, representatives of local and county governments, representatives of community development organizations, environmental advocates, community activists, officials from DEP, PennDOT, the Department of Conservation and Natural Resources, the Local Government Commission and the Joint Legislative Air and Water Pollution Control and Conservation Committee.

If you are interested in co-sponsoring this legislation, please contact Carrie in my office at cgoodyear@pahouse.net or 717-772-8187.