

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2235 Session of 2010

INTRODUCED BY VITALI, HARPER, McILVAINE SMITH, HOUGHTON, BOYLE, BRADFORD, BRIGGS, CALTAGIRONE, COHEN, CURRY, DeWEESE, FRANKEL, FREEMAN, GERBER, GOODMAN, HANNA, JOSEPHS, KESSLER, KIRKLAND, KORTZ, LENTZ, MANDERINO, McGEEHAN, MELIO, MOUL, MUNDY, M. O'BRIEN, PASHINSKI, PAYTON, SANTARSIERO, SIPTROTH, STABACK, STURLA, R. TAYLOR AND MURT, FEBRUARY 2, 2010

REFERRED TO COMMITTEE ON ENVIRONMENTAL RESOURCES AND ENERGY, FEBRUARY 2, 2010

AN ACT

1 Providing for a moratorium on leasing State forest lands for the
 2 purposes of natural gas exploration, drilling or production;
 3 imposing duties on the Department of Conservation and Natural
 4 Resources; and providing for report contents.

5 The General Assembly of the Commonwealth of Pennsylvania
 6 hereby enacts as follows:

7 Section 1. Short title.

8 This act shall be known and may be cited as the State Forest
 9 Natural Gas Lease Moratorium Act.

10 Section 2. Moratorium.

11 (a) Establishment.--Notwithstanding any other provision of
 12 law, a moratorium is established during which State forest lands
 13 may not be leased for the purposes of natural gas exploration,
 14 drilling or production.

15 (b) Expiration.--The moratorium in subsection (a) shall
 16 expire five years after this act takes effect.

1 Section 3. Duties of department.

2 (a) Monitor and assess.--The Department of Conservation and
3 Natural Resources shall have a duty to monitor and assess the
4 impact of the leases granted for the purposes of natural gas
5 exploration, drilling or production on State forest lands that
6 took effect prior to and during the moratorium imposed in
7 section 2(a). The Department of Conservation and Natural
8 Resources shall continue to monitor and assess after the
9 moratorium expires under section 2(b).

10 (b) Report.--The Department of Conservation and Natural
11 Resources shall submit an annual report to the General Assembly
12 and the Governor regarding the effect of natural gas
13 exploration, drilling or production on State forest lands that
14 occurred prior to and during the moratorium imposed in section
15 2(a). The Department of Conservation and Natural Resources shall
16 continue to submit the annual report after the moratorium
17 expires under section 2(b).

18 Section 4. Report contents.

19 The contents of the report required under section 3(b), shall
20 include, but not be limited to, the effect of natural gas
21 exploration, drilling or production on State forest lands on the
22 following:

- 23 (1) Water and soil quality.
- 24 (2) Forest fragmentation.
- 25 (3) Plants, wildlife, habitats and invasive species.
- 26 (4) Air quality.
- 27 (5) Social fabric, including, but not limited to:
 - 28 (i) Tourism.
 - 29 (ii) Recreation.
 - 30 (iii) Hunting.

1 (iv) Fishing.

2 (v) Community aesthetics.

3 (vi) Quality of life.

4 (6) The staffing needs of the Department of Conservation
5 and Natural Resources regarding the monitoring, assessment
6 and regulation of natural gas exploration, drilling or
7 production on State forest lands.

8 Section 5. Post-moratorium leasing.

9 The Department of Conservation and Natural Resources shall
10 not offer State Forest land for lease for the purposes of
11 natural gas exploration, drilling or production once the
12 moratorium expires unless it, in its sole discretion, determines
13 the State Forest can be sustained in a balanced state that
14 preserves water and air quality, plant and animal habitats and
15 the multiple ecosystems, recreational, social and aesthetic
16 values of the forest with the proposed lease.

17 Section 20. Effective date.

18 This act shall take effect immediately.