

---

THE GENERAL ASSEMBLY OF PENNSYLVANIA

---

HOUSE BILL

No. 950 Session of  
2013

---

INTRODUCED BY VITALI, DERMODY, HANNA, FRANKEL, STURLA, B. BOYLE,  
BRADFORD, BRIGGS, V. BROWN, BROWNLEE, CARROLL, COHEN,  
CONKLIN, D. COSTA, P. COSTA, M. DALEY, DEAN, EVERETT,  
FABRIZIO, FREEMAN, GIBBONS, HARPER, KIM, KINSEY, LONGIETTI,  
MCCARTER, MCGEEHAN, MOLCHANY, MULLERY, MUNDY, MURT, O'BRIEN,  
ROEBUCK, SABATINA AND SANTARSIERO, MARCH 11, 2013

---

REFERRED TO COMMITTEE ON ENVIRONMENTAL RESOURCES AND ENERGY,  
MARCH 11, 2013

---

AN ACT

1 Providing for a moratorium on leasing lands owned and managed by  
2 the Department of Conservation and Natural Resources for the  
3 purposes of oil and natural gas development.

4 The General Assembly of the Commonwealth of Pennsylvania  
5 finds and declares as follows:

6 (1) The Commonwealth owns more than 2,400,000 acres of  
7 State forest land containing some of Pennsylvania's most  
8 precious and rare natural resources, including wild and  
9 natural areas, old growth forests, pristine streams, scenic  
10 vistas and river gorges.

11 (2) The Department of Conservation and Natural Resources  
12 has a duty pursuant to the act of June 28, 1995 (P.L.89,  
13 No.18), known as the Conservation and Natural Resources Act,  
14 to conserve and maintain State forests for the use and  
15 benefit of all its citizens as guaranteed by section 27 of  
16 Article I of the Constitution of Pennsylvania.

1           (3) Pennsylvania's State forest system has been  
2 certified through an independent scientific review to be  
3 compliant with the gold standard for environmentally and  
4 socially responsible forestry established by the  
5 international Forest Stewardship Council and this  
6 certification is vital to the economic viability of the  
7 forest products industry in Pennsylvania.

8           (4) More than 700,000 acres of State forest land  
9 currently subject to oil and gas development, including  
10 development in the Marcellus shale formation, either through  
11 leases executed with the Commonwealth or through private  
12 ownership or leasing where the Commonwealth does not own the  
13 subsurface oil and gas, are being significantly degraded,  
14 compromising the ecological, aesthetic and recreational  
15 values of those lands.

16           (5) The approximately 800,000 acres of State forest land  
17 that are currently not available for development of gas in  
18 the Marcellus shale formation contain significant  
19 environmental, ecotourism, and recreational values, sometimes  
20 overlapping, including:

21           (i) 180,000 acres of high-value ecosystems  
22 designated as wild and natural areas;

23           (ii) 200,000 acres of old growth forests;

24           (iii) 128,000 acres with sensitive environmental  
25 resources, including wetlands, riparian areas, threatened  
26 and endangered species, steep slopes, unique habitats and  
27 valuable recreational resources, including scenic vistas  
28 and viewsheds, trails and leased camps;

29           (iv) 299,000 acres in remote areas generally  
30 inaccessible by motorized vehicles and offering

1 wilderness experiences paralleling those in the western  
2 United States;

3 (v) 88,000 acres of highly valued recreational and  
4 water resources in the Poconos in close proximity to many  
5 residents; and

6 (vi) 20,000 acres important to ecotourism in the  
7 Laurel Highlands region.

8 (6) The advances in technology that have made  
9 development of gas in the Marcellus shale formation possible  
10 and profitable have led to a rapid and significant increase  
11 in the level of development activity on State forest land.

12 (7) In the next 10 to 20 years, full development of the  
13 gas in the Marcellus shale formation on State forest land  
14 currently subject to drilling will result in the use of more  
15 than 30,000 acres for an estimated 1,100 well pads and  
16 associated infrastructure, access roads and pipelines.

17 (8) The impact of the five-fold increase in the acreage  
18 of State forest land that will be used for gas development as  
19 a result of activity in the Marcellus shale formation cannot  
20 be fully understood or predicted at this early stage of  
21 development.

22 (9) Additional gas development in the Marcellus shale  
23 formation on State forest land will significantly increase  
24 openings in large blocks of currently contiguous forest  
25 canopies resulting in fragmentation and stress from invasive  
26 species and disease, the cumulative effect of which could  
27 fundamentally alter these forest ecosystems.

28 (10) Changes to surface and groundwater hydrology  
29 resulting from the increased drilling activity and the  
30 fracturing process required to develop gas in the Marcellus

1 shale formation will need to be carefully monitored as  
2 drilling progresses to evaluate potential impacts.

3 (11) Additional leasing of State forest land for oil and  
4 gas development will jeopardize the Department of  
5 Conservation and Natural Resources' ability to fulfill its  
6 duty to conserve and maintain this public natural resource  
7 and sustain its Forest Stewardship Council forest  
8 certification.

9 The General Assembly of the Commonwealth of Pennsylvania  
10 hereby enacts as follows:

11 Section 1. Short title.

12 This act shall be known and may be cited as the State Forest  
13 Oil and Natural Gas Lease Moratorium Act.

14 Section 2. Moratorium.

15 Notwithstanding any other provision of law, no lands owned  
16 and managed by the Department of Conservation and Natural  
17 Resources may be leased for oil and natural gas development on  
18 or after the effective date of this section.

19 Section 20. Effective date.

20 This act shall take effect immediately.