

State Senator  
**Don White**  
41st Senatorial District

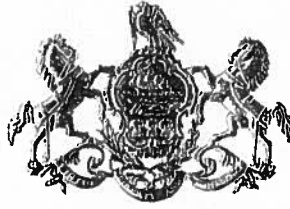
APR 27 2011

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**Senate of Pennsylvania**

April 27, 2011

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TO: All Senators

FR: Senator Don White *DCW*

RE: Co-sponsorship Memo: Expansion of Coal Bed Methane Review Board – natural gas wells

I plan to introduce legislation to extend the current Coal Bed Methane Review process established under Act 4 of 2010 to landowners and applicants that apply for permits to drill for natural gas. This proposal would not change the respective rights or obligations of either party, but would create a review process for disputes regarding such issues as well, road or pipeline locations and the operation and use of surface areas.

Act 4 of 2010 was enacted to resolve disputes between landowners and well operators drilling for coal bed methane. Under a 1983 Pennsylvania Supreme Court ruling, coal bed methane is considered part of the property rights transferred under coal agreements. As a result, many landowners (who previously entered into coal agreements) subsequently gave up their rights to coal bed methane and were confronted with mineral estate development on their property. Before implementation of Act 4, disputes between the two parties regarding certain drilling-related activities were resolved through civil actions in local common pleas courts, an expensive and time-consuming prospect for both the landowner and the well operator.

My proposal would extend the process and purview of the Coal Bed Methane Review Board (a three-member panel) to include natural gas wells. Under the bill, both parties would have a right to appeal the panel decision to the court of common pleas in the county where the property is located. As Marcellus Shale activity grows, I believe such a review process would be a beneficial option for landowners with natural gas development on their properties.

If you would like to cosponsor this bill, please contact Anne Achenbach at [aachenbach@pasen.gov](mailto:aachenbach@pasen.gov) or 787-4404.

DCW/ama