

## **Economic and Workforce Development**

### **#1 Market Development (AMENDMENT)**

**Sponsor: Ron Ramsey**

Insert after “land” in third line:

, an impact fee, and other potential sources;

### **#1 Market Development (AMENDMENT)**

**Sponsor: Ron Ramsey**

Insert after “infrastructure” in third line:

and investment in conservation, recreation and environmental projects.

## **Local Impact and Emergency Response Work Group**

### **#9 Local Impacts (AMENDMENT)**

**Sponsor: Ron Ramsey**

Add to list of bullets under third paragraph the following:

- Increased support through the Environmental Stewardship Fund for community-based projects to protect and restore land, wildlife and water resources and improve outdoor recreation opportunities.

### **#9 Local Impacts (AMENDMENT)**

**Sponsor: Ron Ramsey**

Add to list of bullets under third paragraph the following:

- Implementation of full set of recommendations contained in the report of the Marcellus Shale Advisory Commission

### **#9 Local Impacts Recommendation (AMENDMENT)**

**Sponsor: Ron Ramsey**

Revise final bullet under third paragraph as follows:

- DEP and State natural resource agency oversight, permit review and enforcement

## **Infrastructure**

### **NEW – Infrastructure (A)**

**Sponsor: Matt Ehrhart**

PennDOT shall look to add language to either the Excess Maintenance Agreement or the Road Maintenance plans that directs the industry to first evaluate the Erosion and Sediment controls already in place on a roadway and then complete any needed upgrades as a first step in the hauling process.

### **NEW – Infrastructure (B)**

**Sponsor: Matt Ehrhart**

Create a statewide program that develops and provides planning tools and educational opportunities relating to unconventional natural gas development to counties; require proper notice of permit applications with an opportunity to comment (similar to notice for host and adjoining municipalities); and, under DEP guidance, allow for County Conservation Districts to engage in inspections of erosion and sedimentation controls at unconventional well sites, if they chose to do so.

### **NEW – Infrastructure (C)**

**Sponsor: Matt Ehrhart**

Erosion, sedimentation and post-construction issues at well pads from earth disturbance activities under five (5) acres are similar to those of general construction activities and therefore, DEP should ensure that natural gas construction activities are required to meet the same standards as general construction activities. Modifications to current construction standards as they are applied to unconventional natural gas drilling activities may be necessary.

## **Public Health, Safety & Environmental Protection**

### **NEW – Environmental Protection (A)**

**Sponsor: Matt Ehrhart**

The setback standard for an unconventional well shall be increased to 300' from the wellbore to a stream or water body as provided in section 205(b) of the Oil and Gas Act. A 100' setback from the stream or water body to the edge of disturbance shall also be implemented. DEP's current waiver authority would be retained for both setbacks. For High Quality and Exceptional Value streams, however, additional setbacks or BMPs may be required by DEP. Additional discussion of the appropriate definition of water body for the purpose of these setbacks is necessary.

### **NEW – Environmental Protection (B)**

**Sponsor: Jeff Kupfer**

DEP should continue to participate in non-profit, multi-stakeholder organizations such as the State Review of Oil and Natural Gas Environmental Recommendations, Inc. (STRONGER), that provide periodic peer review of the Commonwealth's regulatory structure and enforcement efforts.

### **NEW – Environmental Protection (C)**

**Sponsor: Ron Ramsey**

Using publicly available data (e.g., PA Natural Diversity Inventory, County Natural Heritage/Natural Area Inventories, and other relevant sources), DEP, DCNR, PGC and PFBC will jointly identify and make accessible for public review information on areas of high ecological value in Pennsylvania (e.g., high conservation value forests, concentrations of biological diversity, sensitive aquatic communities, etc.). When submitting a permit application for an unconventional shale gas well that would be located in such an area, the applicant will be required to provide DEP with a description of its efforts to avoid, minimize or mitigate for impacts to the area. (e.g., co-location and centralization of infrastructure, use of specialized BMPs, well pad spacing and density adjustments, working with other companies holding leases in this area to reduce cumulative impacts, etc.). DEP could establish specific conditions on well permits proposed in such areas.

**NEW – Environmental Protection (D)**

**Sponsor: Ron Ramsey**

Conduct an engineering analysis of spill containment systems at unconventional shale gas well sites, including wells, well pads, storage tanks/impoundments and other equipment/facilities. This analysis will evaluate the design and structure of containment systems and determine adequacy and effectiveness in relation to the volumes and types of materials present at these sites at different stages of the production process. The analysis also will review past performance of containment systems used at well sites. Recommendations for new or improved containment practices, structures, and procedures –including, but not limited to, liners and berms on well sites, will be developed as needed.

**NEW – Environmental Protection (E)**

**Sponsor: Ron Ramsey**

Strengthen and improve effectiveness of the permit review process in protecting rare, threatened and endangered species. State agencies should consider, but not be limited to, the following options: increasing staff capacity and program resources, enhancing quality and presentation of data on wildlife and critical habitats; identifying appropriate opportunities to improve and manage access to such data, upgrading computer systems, providing additional technical and planning assistance, increasing acquisition of current field data, and other options as identified.

**NEW – Environmental Protection (F)**

**Sponsor: Tony Bartolomeo**

DEP should develop an environmental assessment checklist as part of the permit application process to locate and construct a drilling site. The checklist should be used to identify all the features to which setbacks are applicable; identify all natural features that DEP is authorized to consider; and to identify those additional Areas of High Ecological Value.

**NEW – Environmental Protection (G)**

**Sponsor: Tony Bartolomeo**

Amend Section 205(c) of the Oil and Gas Act as follows.

"To appropriately protect sensitive public and natural resources, amend Section 205(c) as follows:

1. Add the following as additional listed resources:

- (6) Sources used for public drinking water supplies
  - (7) Whether the proposed Well is within a floodplain
  - (8) Wild and Wilderness Trout Streams
  - (9) High Quality or Exceptional Value Waters
  - (10) Exceptional Value Wetlands
2. Expressly state in Section 205(c) that DEP may, in making a determination on a Well permit, condition the permit based upon impacts to the resources listed in Section 205(c).
  3. Require DEP to consult with County Conservation Districts regarding impacts to any resources listed in Section 205(c).
  4. Require DEP to consult with the Pennsylvania Fish & Boat Commission regarding impacts to (8) Wild and Wilderness Trout Streams, (9) High Quality or Exceptional Value Waters, or (10) Exceptional Value Wetlands."

**NEW – Conservation (H)**

**Sponsor: Sec. Rick Allan**

Any future leasing of state forest land should be limited to agreements which result in no or minimal surface impact to Commonwealth-owned land, and prohibits surface disturbance in high conservation value forests and other ecologically important areas.

**NEW – Conservation (I)**

**Sponsor: Ron Ramsey**

No future leasing of State Forest land for surface gas development.