

# Executive Order

Commonwealth of Pennsylvania

## Governor's Office

**Subject:**

Leasing of State Forest and State Park Land for Oil and Gas Development

**Number:**

2015-03

  
**By Direction of:** Tom Wolf, Governor

**Date:** January 29, 2015

WHEREAS, *Section 27 of Article I of the Constitution of Pennsylvania* guarantees the Commonwealth's citizens the right to clean air, pure water and to the preservation of the natural, scenic, historic and aesthetic values of the environment; and

WHEREAS, the Department of Conservation and Natural Resources (DCNR) has a duty pursuant to the *Conservation and Natural Resources Act (Act of June 28, 1995, P.L. 89, No. 18)* (CNRA) to conserve and maintain State Forests and State Parks in the public trust for the use and benefit of all its citizens, and generations yet to come, as guaranteed by *Section 27 of Article I of the Constitution of Pennsylvania*; and

WHEREAS, Pennsylvania's award-winning State Parks provide opportunities for enjoying healthful outdoor recreation and serve as outdoor classrooms for environmental education, and in meeting these purposes host 38 million visitors annually, support over 13,000 jobs, and provide \$1.2 billion to the state's economy; and

WHEREAS, leasing State Park land for oil and gas development is contrary to DCNR's longstanding policy; and

WHEREAS, Pennsylvania's 2.2 million-acre State Forest system has been certified longer than any other State Forest system in the United States through an independent scientific review to be compliant with the gold standard for environmentally and socially responsible forestry established by the international Forest Stewardship Council (FSC), and this certification is vital to the economic viability of the forest products industry in Pennsylvania; and

WHEREAS, more than 673,000 acres of the State Forest land are currently open to oil and gas development through DCNR-issued leases (386,000 acres) or because of privately-owned mineral rights where the Commonwealth does not own the subsurface oil and gas (287,000 acres); and

WHEREAS, according to an analysis completed in 2010 by DCNR, the portion of State Forest land that is currently not available for oil and gas development is vital for maintaining pure water, wild and natural ecosystems and valuable recreational opportunities that support Pennsylvania's eco-tourism industry; and

WHEREAS, based on data gathered through 2012, while still piloting and developing monitoring and management tools and protocols, DCNR has found that that "there are clearly impacts and tradeoffs that are associated with" oil and gas development on State Forest land, as well as risks to the resources, the uses of the forest, and the balance among them; and

WHEREAS, the complex, interrelated, and significant impacts already identified by DCNR and others include clearing of almost 1,500 acres, degraded wild character and recreational experiences on over 9,300 acres, heavy truck traffic, forest conversion and fragmentation and soil disturbance, invasive species, hiking and snowmobile trail conflicts, loss of scenic vistas, noise pollution affecting recreational experiences and wildlife, and reduction in timber harvest revenues due to road bonding costs; and

WHEREAS, DCNR has concluded that in order to develop a full understanding of the cumulative impacts of oil and gas development on State Forest and State Park land, additional longitudinal research and monitoring on a wide variety of impacts and risks are needed, including air quality, water quality, groundwater, soil, the effects of evolving DCNR-prescribed best management practices, the effects of pipeline stream crossings, wildlife, noise pollution, and timber harvesting; and

WHEREAS, DCNR has concluded that additional leasing of State Forest land or State Park land for oil and gas development would jeopardize DCNR's ability to fulfill its legislative duty to conserve and maintain these public natural resources, and to sustain its FSC forest certification;

NOW, THEREFORE, I, Tom Wolf, Governor of the Commonwealth of Pennsylvania, by virtue of the authority vested in me by the Constitution of the Commonwealth of Pennsylvania and other laws (including the CNRA), and consistent with recommendations made by the Acting Secretary of Conservation and Natural Resources, do hereby direct the following:

- 1. DCNR Oil and Gas Leasing.** As of the date of this Executive Order, to protect the lands of the Commonwealth that are held in trust for its citizens and for future generations, and subject to future advice and recommendations made by DCNR, no State Park and State Forest lands owned and/or managed by DCNR shall be leased for oil and gas development.
- 2. Effective Date.** This Executive Order shall be effective immediately.
- 3. Termination Date.** This Executive Order shall remain in effect until amended or rescinded by the Governor.
- 4. Rescission.** Effective immediately, *Executive Order 2014-03* is hereby rescinded.