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Appalachian Mountain Club

**Comments on Proposed Regulations for Oil and Gas Surface Activities
(Amendments to 25 Pa. Code, Chapter 78)**

The Appalachian Mountain Club is the oldest conservation and recreation organization in the country. Our mission is to promote the protection, enjoyment, and understanding of the mountains, forests, waters, and trails of the Appalachian region, and more than 100,000 AMC members promote this mission with great enthusiasm. AMC supports the protection of our public lands for the values for which they were originally set aside. Considering the rapid succession of technological changes that have occurred within the natural gas industry, we agree that it is an appropriate time to adopt regulations that can help avoid and mitigate for negative impacts to Pennsylvania's natural resources.

We support the regulatory changes proposed to Chapter 78 and would like to offer suggestions for ways they could be stronger. Specifically, we are strongly in favor of requiring applicants to consult with the Pennsylvania Natural Heritage Program regarding threatened and endangered species, as well as requiring applicants to provide notification to the appropriate agency when their project is within 200 feet of parks, game lands, state forests, national scenic rivers, national natural landmarks, and/or historical or archaeological sites, as referenced in §78.15(f). We think that that notification requirement will go a long way towards protecting the natural and recreational resources that Pennsylvanians treasure. However, the fifteen-day notification period suggested here provides insufficient time for the review of development plans and for agencies to file their concerns with the DEP. Applicants should be required to provide a minimum of thirty days' notice.

We also agree with the suggestions for best management practices, including installing well pad liners and barrier systems, eliminating waste pits and open-top tanks for long-term waste storage, and eliminating the practice of using wastewater for "dust control." §78.52, which requires drillers to search databases for abandoned wells within 1,000 feet to help build a database of abandoned wells, is also a common-sense proposal. However, while we generally support the idea behind §78.59(c) to prohibit fluid storage areas in close proximity to water, we call on you to strengthen this requirement by increasing the 50 foot buffer zones on intermittent streams, as described in §3215(f)(5), to at least 100 feet, which science shows to be the minimum distance required to see protective benefits. Intermittent streams are a primary source of drinking water for back country hikers and trail users. By improving this section of the proposed regulations, we can ensure that hikers and other outdoor recreationists continue to safely enjoy spending time in Pennsylvania's wilderness.

AMC's members, who hike, hunt, climb, kayak, and backpack in Pennsylvania treasure the recreational opportunities that our Commonwealth provides. We recognize that natural gas development and related activities can have adverse effects, such as forest fragmentation and habitat loss, which can minimize those values for outdoor recreation and the thriving outdoor recreation economy. We consider these proposed changes a good step towards ensuring that our state's public lands see no net losses to their ecological and recreational value, and we encourage you to make the necessary changes to strengthen them before their adoption.