

9419

I N A S S E M B L Y

February 29, 2012

Introduced by M. of A. ENGLEBRIGHT -- read once and referred to the
Committee on Environmental Conservation

AN ACT to amend the environmental conservation law, in relation to
prohibiting high-volume hydraulic fracturing in reforestation areas

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 Section 1. Section 9-0101 of the environmental conservation law is
2 amended by adding a new subdivision 6-a to read as follows:
3 6-A. "HIGH-VOLUME HYDRAULIC FRACTURING" MEANS THE FRACTURING BY
4 MAN-MADE FLUID-DRIVEN FRACTURING TECHNIQUES THAT UTILIZE OVER EIGHTY
5 THOUSAND GALLONS OF FRACTURING FLUID FOR THE PURPOSE OF STIMULATING
6 NATURAL GAS OR OIL WELL PRODUCTION.
7 S 2. Section 9-0507 of the environmental conservation law is amended
8 to read as follows:
9 S 9-0507. Leasing of oil and gas rights on reforestation areas.
10 Notwithstanding any provisions of [Article VII] ARTICLE SEVEN of the
11 [Public Lands Law] PUBLIC LANDS LAW to the contrary, the department,
12 with the approval of the state geologist, may, in any lands acquired by
13 the state in accordance with section 9-0501 OF THIS TITLE, enter into
14 leases for the purpose of aiding in discovering and removing any oil or
15 gas upon such lands or storage of gas or oil thereon, under such terms
16 as may be prescribed by the department, and upon such conditions that
17 the exercise of such leasehold rights shall not interfere with the oper-
18 ation of such reforestation areas for the purposes for which they were
19 acquired and as defined in [Section 3] SECTION THREE of article [XIV]
20 FOURTEEN of the [Constitution] STATE CONSTITUTION, EXCEPT BY MEANS OF
21 HIGH-VOLUME HYDRAULIC FRACTURING. Any lease made and entered into pursu-
22 ant to this section shall be recorded in the [Office] OFFICE of [General
23 Services] GENERAL SERVICES.
24 S 3. This act shall take effect immediately.

EXPLANATION--Matter in *ITALICS* (underscored) is new; matter in brackets
[] is old law to be omitted.

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