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Thompson's Cooperative Management Mineral Rights Act

ENERGY & RESOURCES

BY SCHNEIDER DOWNS PROFESSIONAL

On October 2, 2017, the U.S. House of Representatives passed a bill, the Cooperative Management of Mineral Rights Act of 2017, which was introduced by Representative Glenn Thompson [R-PA]. The bill will now be sent to the Senate for consideration, prior to being voted on, and potentially signed by the president.

The bill, also known as H.R. 2316 would repeal requirements of the Mineral Leasing Act and the Energy Policy Act of 1992. These laws deal with the development of privately owned oil and gas resources within the Allegheny National Forest located in northwestern Pennsylvania. In total, the forest is made up of 517,000 acres, but only 35,000 of those acres are currently owned by the Federal Government. Currently, property owners are subject to regulations, which was not the case prior to 2008. At this point, the U.S. Forest Service had worked with the National Environmental Policy Act (NEPA) to stop all pending and future oil and gas proposals until a full NEPA analysis was conducted.

This policy change by the U.S. Forest Service led to various rulings by district courts stating that the Forest Service did not have regulatory approval authority over private mineral estates. If the bill passes, it would repeal the existing statute, which would prevent the Forest Service from interpreting statutory authority of property owners in the future. The Congressional Budget Office estimates that if H.R. 2316 was enacted, it would not increase net direct spending or on-budget deficits in any of the four consecutive 10-year periods beginning in 2028. For more information on H.R. 2316, [contact us](#).

Sources:

<https://policy.house.gov/legislative/bills/hr-2316-cooperative-management-mineral-rights-act-2017>

<https://www.cbo.gov/publication/53066>

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