

# STATEMENTS OF POLICY

## DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES

[17 PA. CODE CH. 44]  
Conservation Areas

The Department of Conservation and Natural Resources (Department) proposes to adopt a statement of policy under the authority of sections 302(a) and 303(a) of the Conservation and Natural Resources Act (71 P. S. §§ 1340.302 and 1340.303). This statement of policy will be Chapter 44.

### Summary

This statement of policy defines a "conservation area" and sets forth the considerations and procedures involved in accepting donations of land for designation as conservation areas. It also states how conservation areas will be managed and lists examples of possible uses of conservation areas.

### Comments

Persons may submit written comments on the proposed statement of policy to the Bureau of State Parks, P. O. Box 8551, Harrisburg, PA 17105-8551, within 30 days from the date of publication in the *Pennsylvania Bulletin*.

### Contact person

For further information, contact Roger Fickes, Director, Bureau of State Parks, P. O. Box 8551, Harrisburg, PA 17105, (717) 787-6640. Persons with a disability may use the AT&T Relay Service by calling (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

JOHN C. OLIVER,  
*Secretary*

**Fiscal Note:** 7B-2. (1) General Fund; (3) no data available; (4) new programs; (8) the Secretary of the Budget takes no position in the adoption of this regulatory action or administrative procedure.

### Annex A

#### TITLE 17. CONSERVATION AND NATURAL RESOURCES

#### PART I. DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES

#### Subpart D. RESOURCE CONSERVATION

#### CHAPTER 44. CONSERVATION AREAS

Sec.

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| 44.1. | Defined.                               |
| 44.2. | Designation.                           |
| 44.3. | Consideration of land for designation. |
| 44.4. | Management.                            |

#### § 44.1. Defined.

A conservation area is a designation for land that has been donated to the Department and managed by the Department for the purposes of preserving open space, conserving natural resources, and providing an opportunity for passive low-density outdoor recreation and environmental education activities.

#### § 44.2. Designation.

(a) Offers of land donations to the Department will be reviewed by a Department team to determine acceptance and assignment to either the Bureau of State Parks or the Bureau of Forestry. The team will consider characteristics of the land under § 44.3 (relating to consideration of land for designation), costs of management of the land, benefits to the Department and benefits to the public.

(b) Depending on the designation at the time of acquisition, a conservation area will be considered as either a State park or a State forest for the purpose of applicability of statutes and regulations.

(c) To provide the donor with an opportunity to participate in conservation efforts, the Department may accept restrictive covenants in the deed of conveyance.

(d) Designation as a conservation area will be made by letter to the donor accepting the gift. The letter will be signed by the Secretary. It will describe a purpose, characteristic or feature of the land upon which the designation of conservation area is based.

#### § 44.3. Consideration of land for designation.

The Department's review of a potential donation of land for possible designation as a conservation area will include, but not be limited to, the following considerations regarding characteristics of the land:

(1) Large, significant, contiguous acreage is generally a desirable characteristic. Small areas of land with special or unique features may also be desirable.

(2) Land that is close to urban areas will be actively considered.

(3) The following factors will be evaluated:

(i) Accessibility of the land to the public.

(ii) Suitability of the land for passive low-density recreation.

(iii) Existence or potential for development of unusual or significant natural features.

(iv) Extent to which the land has been developed.

(4) Lands with significant environmental liability will not be accepted for designation as conservation areas.

#### § 44.4. Management.

(a) Conservation areas will be actively managed to protect natural resources.

(b) The following are examples of possible uses of conservation areas:

(1) Protection of habitats of species of special concern.

(2) Protection of types of resources and land forms that have been diminished by developmental sprawl, such as large tracts of wetlands, vernal ponds and unfragmented forests.

(3) Protection of flora and fauna on large tracts of open space near urban areas.

(4) Protection of viable ecosystems.

(5) Outdoor classrooms for schools and environmental education and interpretation programs.

(6) Research areas for scientists.

(7) Experimental resource management laboratories for demonstrating techniques to enhance natural diversity, maintain early successional seres or control invasive species.

(8) Demonstration areas for forest management practices.

(9) Management of old growth forests.

(c) Conservation areas will be open to the public. Recreational facilities and activities will be limited to passive low-density uses such as hiking, bird watching and hunting.

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