

THE GOVERNOR

Title 4—ADMINISTRATION

PART I. GOVERNOR'S OFFICE

[4 PA. CODE CH. 1]

[EXECUTIVE ORDER NO. 2015-03]

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

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

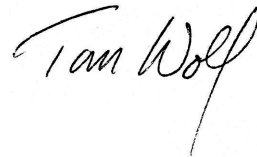
Whereas, based on data gathered through 2012, while still piloting and developing monitoring and management tools and protocols, DCNR has found that that "there are clearly impacts and tradeoffs that are associated with" oil and gas development on State Forest land, as well as risks to the resources,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



Governor

Fiscal Note: GOV-15-03. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 4. ADMINISTRATION

PART I. GOVERNOR'S OFFICE

CHAPTER 1. AGENCY OPERATION AND ORGANIZATION

Subchapter ZZ. (Reserved)

§§ 1.701—1.705. (Reserved).

Subchapter BBB. LEASING OF STATE FOREST AND STATE PARK LAND FOR OIL AND GAS DEVELOPMENT

Sec.	
1.811.	Department of Conservation and Natural Resources oil and gas leasing.
1.812.	Effective date.
1.813.	Termination date.
1.814.	Rescission.

§ 1.811. Department of Conservation and Natural Resources oil and gas leasing.

As of January 29, 2015, to protect the lands of this Commonwealth that are held in trust for its citizens and for future generations, and subject to future advice and recommendations made by the Department of Conservation and Natural Resources (Department), no State Park and State Forest lands owned or managed, or both, by the Department shall be leased for oil and gas development.

§ 1.812. Effective date.

This subchapter is effective immediately.

§ 1.813. Termination date.

This subchapter shall remain in effect until amended or rescinded by the Governor.

§ 1.814. Rescission.

Effective immediately, Executive Order 2014-03 is rescinded.

[Pa.B. Doc. No. 15-259. Filed for public inspection February 13, 2015, 9:00 a.m.]

PART I. GOVERNOR'S OFFICE

[4 PA. CODE CH. 6]

[EXECUTIVE ORDER NO. 2012-02]

Governor's Advisory Council for Hunting, Fishing and Conservation

February 15, 2012

Whereas, the Constitution of this commonwealth proclaims that Pennsylvania's public natural resources are the property of all people, including future generations, and commands the commonwealth to conserve and maintain our natural resources for the benefit of all people; and

Whereas, Pennsylvania has abundant natural resources, which provide numerous recreational opportunities for all of its citizens; and

Whereas, Pennsylvania's rich outdoor heritage, including activities such as hunting, fishing, trapping, birding, wildlife viewing, boating and hiking, are enjoyed by over 5.9 million Pennsylvanians and visitors each year; and

Whereas, these outdoor recreational activities annually generate more than \$5.4 billion for Pennsylvania's economy; and

Whereas, the Governor, commonwealth officials and agencies would benefit from the advice and counsel of an official representative body, concerned with the recreational use and conservation of the natural resources of the commonwealth, comprised of dedicated hunters, trappers, anglers, hikers and other conservationists of all generations.

Now, Therefore, I, Tom Corbett, Governor of the Commonwealth of Pennsylvania, by the authority vested in me by the Constitution of the Commonwealth of Pennsylvania and other laws, do hereby establish the Governor's Advisory Council for Hunting, Fishing and Conservation, and do order and direct as follows.



Governor

Fiscal Note: GOV-12-02. (1) General Fund; (2) Implementing Year 2012-13 is \$52,629; (3) 1st Succeeding Year 2013-14 is \$103,230; 2nd Succeeding Year 2014-15 is \$111,813; 3rd Succeeding Year 2015-16 is \$116,972; 4th Succeeding Year 2016-17 is \$116,972; 5th Succeeding Year 2017-18 is \$116,972; (4) 2011-12 Program—\$0; 2010-11 Program—\$0; 2009-10 Program—\$0; (7) General Government Operations; (8) recommends adoption. The General Government Operations appropriation is able to absorb the increased cost.

Annex A

TITLE 4. ADMINISTRATION

PART I. GOVERNOR'S OFFICE

CHAPTER 6. ADDITIONAL COUNCILS AND COMMITTEES

Subchapter J. (Reserved)

§ 6.131. (Reserved).

§ 6.132. (Reserved).

§§ 6.141—6.147. (Reserved).

§§ 6.151—6.158. (Reserved).

§§ 6.161—6.163. (Reserved).

**Subchapter VV. GOVERNOR'S ADVISORY COUNCIL FOR
HUNTING, FISHING AND CONSERVATION**

Sec	
6.571.	Purpose.
6.572.	Responsibilities.
6.573.	Composition.
6.574.	Membership.
6.575.	Staffing.
6.576.	Cooperation by State agencies.
6.577.	Reports.
6.578.	Effective date.
6.579.	Termination date.
6.590.	Rescission.

§ 6.571. Purpose.

The purpose of the Governor's Advisory Council for Hunting, Fishing and Conservation is to provide a forum through which an open, forthright and constructive dialogue will be fostered among a diverse group of outdoor recreation and conservation oriented individuals of all generations to provide the Governor, Commonwealth officials and agencies with sound advice on matters pertaining to the conservation of wildlife and other natural resources in this Commonwealth, and on ways to protect, promote and enhance the outdoor heritage of this Commonwealth.

§ 6.572. Responsibilities.

The powers and duties of the Governor's Advisory Council for Hunting, Fishing and Conservation (Council) will be to:

(1) Review and make written recommendations to the Governor regarding any issue appropriate for governmental action that might affect the recreational use and conservation of wildlife and other natural resources in this Commonwealth.

(2) Review and make written recommendations regarding policies adopted or regulations promulgated by the Fish and Boat Commission, the Game Commission, the Department of Conservation and Natural Resources or the Department of Environmental Protection that might affect the recreational uses of natural resources in this Commonwealth.

(3) Review and make written recommendations regarding pending legislation and proposed regulations that might affect the recreational uses of natural resources in this Commonwealth.

(4) Review with the Council chair, at the direction of the Governor, the qualifications of candidates for appointment to the Fish and Boat Commission and the Game Commission and assist the Council chair in making recommendations to the Governor.

(5) At the direction of the Governor, assist the natural resource agencies within the Commonwealth with developing adult and youth programs and with examining issues relating to recreation and wildlife conservation, as appropriate.

§ 6.573. Composition.

The members of the Governor's Advisory Council for Hunting, Fishing and Conservation (Council) will be appointed by the Governor. The membership of the Council will consist of the following:

(1) The chair, who will be appointed by the Governor and, on behalf of the Council, will direct its activities and agenda, conduct its meetings and be primarily responsible for advising the Governor on matters pertaining to the purposes of the Council.

(2) No more than 35 residents of this Commonwealth, at least 4 of whom shall be youth appointees between 14 years of age and 18 years of age at the time of their appointment. Elected Statewide officials, legislators or employees of the Department of Conservation and Natural Resources, the Department of Environmental Protection, the Fish and Boat Commission and the Game Commission are not eligible for membership on the Council.

(3) A broad base of representative stakeholders, all of whom shall have a fundamental interest in the wildlife and other natural resources of this Commonwealth and respect hunting, trapping, angling and other outdoor

recreational activities as valuable and accepted priorities in determining wildlife and natural resource management.

§ 6.574. Membership.

(a) *Terms.* Members of the Governor's Advisory Council for Hunting, Fishing and Conservation (Council) will be appointed for a term of 1 year and will continue to serve thereafter until their successors are appointed and qualified. Members will serve at the pleasure of the Governor.

(b) *Vacancies.* When a vacancy occurs on the Council, the successor will be appointed for a full term.

(c) *Compensation.* Members of the Council will not receive compensation for their service. Members will be reimbursed for travel and related expenses in accordance with Commonwealth policy. See Chapter 40 (relating to travel and subsistence).

§ 6.575. Staffing.

The Department of Conservation and Natural Resources will provide staff resources to support the Governor's Advisory Council for Hunting, Fishing and Conservation.

§ 6.576. Cooperation by State agencies.

Agencies under the Governor's jurisdiction shall cooperate with and provide assistance and support as needed by the Governor's Advisory Council for Hunting, Fishing and Conservation to carry out its functions effectively.

§ 6.577. Reports.

The Governor's Advisory Council for Hunting, Fishing and Conservation (Council) shall submit an annual report to the Governor outlining the Council's activities and accomplishments for the year by December 31.

§ 6.578. Effective date.

This subchapter takes effect immediately.

§ 6.579. Termination date.

This subchapter will remain in effect until revised or rescinded by the Governor.

§ 6.590. Rescission.

Effective immediately, Executive Order 2003-13 is rescinded.

[Pa.B. Doc. No. 15-260. Filed for public inspection February 13, 2015, 9:00 a.m.]