

RULES AND REGULATIONS

Title 17—CONSERVATION AND NATURAL RESOURCES

DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES

[17 PA. CODE CH. 21]

State Forests

The Department of Conservation and Natural Resources (Department), by this order amends Chapter 21 (relating to general provisions). The amendments will modernize the State Forest regulations which have not been updated in more than 25 years. The amendments will allow the Department to better manage the use of State Forest land and to protect fragile ecosystems.

A. *Effective Date*

These amendments will go into effect upon publication in the *Pennsylvania Bulletin* as final rulemaking.

B. *Contact Persons*

For further information contact James R. Grace, Director, Bureau of Forestry, P. O. Box 8552, Rachel Carson State Office Building, Harrisburg, PA 17105-8552, (717) 787-2703, or Susan Wood, Assistant Counsel, P. O. Box 8767, Rachel Carson State Office Building, Harrisburg, PA 17105-8767, (717) 772-4171. Persons with a disability may use the AT&T Relay Service by calling (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

C. *Statutory Authority*

The final rulemaking is being made under the authority of section 313 of the Conservation and Natural Resources Act (71 P. S. § 1340.313) which directs the Department to formulate, adopt and promulgate regulations regarding conduct on State Forest land.

D. *Background and Purpose*

The regulations which govern conduct on State Forest land have not been revised for more than 25 years. In their current form, they are badly outdated and are no longer sufficient to allow the Department to protect and control the use of State Forest land. The recreational and commercial use of State Forest land has increased dramatically in the last quarter century and these revisions are sorely needed.

The public was invited to submit comments during a 60-day period after publication of the proposed rulemaking on September 13, 1997. In addition, the Department's Advisory Council and the House and Senate Environmental Resources and Energy Committees and the Independent Regulatory Review Commission (IRRC) had the opportunity to comment on the proposed rulemaking. The Department also held 19 public meetings across this Commonwealth from September to November, 1997, to explain the proposed rulemaking and to respond to questions. In addition, the Department issued many press releases to inform the public about the proposed rulemaking.

E. *Summary of Comments and Responses on the Proposed Rulemaking*

The Department received comments from 1,195 commentators on the proposed rulemaking. Commentators included private citizens, other agencies, Legislators and IRRC.

The following is a discussion of significant comments received.

§ 21.1 Definitions

A commentator suggested revising the definition of "commercial activity" to read, "An activity in which a person, organization or association directly or indirectly"

The Department agrees with this suggestion and has changed the wording accordingly.

Commentators stated that the definition of "group activity" was unclear and asked if group activities include groups of hunters, hikers, and the like.

For an activity to fall under the definition of "group activity," three criteria must be met. It must be a scheduled event; it must require a large land area or unique land formation; and it must have the potential to conflict with traditional uses of State Forest land or pose a potential threat to the environment. Small groups of persons engaged in hunting or hiking would not ordinarily be included in this definition.

§ 21.12(b) Mooring and Launching

Section 21.12(b), in its proposed form, would not require launch permits on rivers and streams flowing through State Forest land. A commentator suggested revising the language to include rivers and streams.

The Department agrees. At the time the rulemaking was proposed, there were no launching facilities on rivers and streams on State Forest land. Therefore, the words "lakes and ponds" were substituted for the word "waters." However, since that time, launching facilities have been constructed on State Forest land giving access to the Susquehanna and Juniata Rivers and others are proposed. Therefore, the original word, "waters," has been retained so that the section includes all bodies of water on State Forest land.

§ 21.12(d)

In proposed rulemaking, the fee schedule for mooring and launching permits appearing in § 21.12(d) of the current regulations was deleted and replaced with a new provision concerning the launching of boats. The reason for the deletion of the fee schedule was the intention to publish it in the *Pennsylvania Bulletin* rather than promulgating it as a regulation. However, the Department inadvertently omitted any reference in the proposed rulemaking to the fact that fees will continue to be charged for mooring and launching permits and that the fee schedule will be published in the *Pennsylvania Bulletin*. Thus, in final rulemaking, the Department is including this reference to fees in subsection (d). The new provision concerning the launching of boats that had been inserted in proposed subsection (d) is now being moved to subsection (e), and the provision that was in proposed subsection (e) is now subsection (f).

§ 21.12(d) (subsection (e) in final rulemaking)

A commentator suggested adding wording to § 21.12(d) (subsection (e) in final rulemaking) to prohibit launching of boats from private docks without the owner's permission.

The Department has not added the suggested provision. The Department does not have the duty or power to enforce private property rights.

§ 21.25 Parking

A commentator requested that wording be added to § 21.25 that would prohibit an able-bodied vehicle operator from parking in designated handicapped parking areas.

The Department agrees with this suggestion. New language has been added accordingly.

§ 21.26(1) Horses and Pack Animals and § 21.27(1) Bicycles and Person-Powered Vehicles

Many commentators expressed concern with the provisions prohibiting use of horses, pack animals, bicycles and person-powered vehicles on National and State Forest Designated Hiking Trails unless posted as being open to their use. They felt that these provisions unreasonably favor one recreational use (hiking) to the disadvantage of other uses.

Many other commentators supported the provisions, claiming that these other uses, particularly horseback riding, damage trails meant for hiking.

There are two National Hiking Trails and 18 State Forest Designated Hiking Trails in this Commonwealth. The proposed amendments would impose the assumption that these trails would be closed for horses, pack animals, bicycles and person-powered vehicles unless posted as being open. In view of the controversy and confusion generated by these proposed amendments, the Department is deleting them from the proposed rulemaking. The Department intends to revisit these issues and will redraft these regulations regarding the use of horses and mountain bikes on State Forest land in consultation with a work group to be made up of interested groups and individuals. Meanwhile, the Department retains its authority under § 21.4 to post trails and other areas as being closed to certain uses.

§ 21.31(1) Prohibitions

The commentators suggested including a prohibition of planting exotic, invasive plant species. Further, one of the commentators suggested that paragraph (1) be changed by deleting the words, "berries, nuts, leeks and mushrooms" and substituting the words "edible wild plants or plant parts . . ."

The Department agrees with these comments and has made the suggested revisions.

§ 21.61 Camping Permit

A commentator suggested moving the definition of "camping" to § 21.1.

The Department agrees. The definition has been moved to § 21.1.

Commentators objected to § 21.61 in requiring primitive backpack campers to obtain a camping permit on the grounds that it is overly restrictive and often difficult to conveniently obtain a permit with short notice.

The Department will retain the existing wording in this section so that backpackers may camp without first obtaining a camping permit.

§ 21.62 Open fires

Commentators suggested adding a provision at the end of § 21.62 to the effect that this restriction does not apply to small self-contained camp stoves when used in a safe manner.

The Department agrees with this suggestion and has added the wording.

Commentators objected to § 21.62(b) prohibiting open fires from March 1 to May 25 and from October 1 to December 1 without authorization from the District Forester.

The Department did not make the suggested change. The spring and fall months are the highest fire danger months of the year. The Bureau of Forestry's field staff has been pointing out the need for this prohibition for many years. The District Forester's authorization for an open fire during these months is easy to obtain. A telephone call to a forest district office is all that is necessary since the authorization need not be in writing.

§ 21.65 Target Shooting

Since most of the commentators felt this section would allow target shooting virtually anywhere on State Forest land the wording in § 21.65 is apparently subject to too broad an interpretation.

The Department has changed this section to prohibit target shooting except where authorized by the District Forester.

§ 21.70a Snow Plowing

Commentators felt that § 21.70a, which prohibits snow plowing on State Forest roads without the approval of the District Forester, may lead to denying access to property owners.

The suggested change has not been made. The Department does not intend to deny access to any person with a legitimate need. However, it is important that the Department has control over how State Forest roads are plowed. Plowing snow from crowned earthen roads will lead to serious road damage if not done properly. Moreover, many of the State Forest roads are also part of the snowmobile system. It is important that roads be plowed in such a way that this sport is not adversely impacted. However, the wording of the section has been modified so that the District Forester's oral authorization is sufficient.

§ 21.71 Closure

A commentator suggested that since many provisions of this chapter refer to closure of portions of State Forest land for certain activities or times of year, additional emphasis be placed on this section by moving it to a more prominent location under "Preliminary Provisions."

The Department agrees. This section has been relocated and renumbered as § 21.4.

§ 21.74 Disorderly Conduct

Commentators suggested that a provision be added prohibiting loud noise that might disturb other visitors to State Forest land.

The Department agrees with this comment and has added paragraph (3) to § 21.74.

§ 21.75 Sanitation

Commentators suggested that this section is too confusing and too restrictive in its proposed form.

The Department agrees with this comment and has rewritten the section accordingly.

§ 21.76(a) Feeding of Wildlife

Commentators felt that § 21.76(a) should be changed to allow the summer feeding of wildlife.

The Department did not make the suggested change. Comments from the Game Commission, including one from that agency's chief game biologist, state that artificial feeding of wildlife is unnecessary and may actually harm wildlife.

§ 21.76

Commentators suggested prohibiting artificial feeding of wildlife, except for songbirds. The commentators felt that artificial feeding of wildlife is unnecessary and possibly harmful to wildlife.

The Department did not make this change. Although the Game Commission discourages artificial feeding of wildlife, many sportsmen have a tradition of feeding wildlife, especially in the winter months. An outright prohibition of this activity would be opposed by a large number of people. Instead, with the Game Commission's assistance, the Department will attempt to educate the public concerning the detrimental aspects of artificial feeding.

§ 21.76(b)

A commentator suggested that the prohibition be against placing of feeders that have a single or combined capacity of more than one-half bushel.

The Department agrees with this comment and has made the suggested change.

§ 21.80(b) Trespass

Commentators felt that the reference to 18 Pa.C.S. § 3503 (relating to criminal trespass) was vague. There are three subsections in 18 Pa.C.S. § 3503, each of which describes a different type of trespass and degree of offense. Clarification is needed as to the type of trespass and degree of offense referred to in § 21.80(b).

The Department has clarified § 21.80(b) by specifically referring to subsection (b) of 18 Pa.C.S. § 3503. Subsection (b) relates to defiant trespasser.

§ 21.80

A commentator objected to this section on the ground that it invites abuse of power.

The Department disagrees. Under the Conservation and Natural Resources Act (71 P.S. §§ 1340.101—1340.1102), the Department has the power and duty to manage, control, protect and regulate the use of State Forest land. The Department, like any landowner, must have the ability to deal with unruly visitors who might cause property damage or who are interfering with the rights of others. The proposed section simply states that a person who engages in this behavior may be ordered by a State Forest officer to leave State Forest land. A person who refuses to leave when ordered commits criminal trespass under 18 Pa.C.S. § 3503(b). The language in the proposed § 21.80 is identical to that in the Bureau of State Parks rules and regulations.

Simplification, clarification, elimination of redundancies

The following sections were revised since proposed rulemaking to simplify or clarify their language or to eliminate redundancies. Most of these revisions were made in response to comments. No substantive changes were made to these sections:

- 21.11 (Use)
- 21.12(e) (Mooring and launching)
- 21.13 (Motorized boats)
- 21.21(b)(3) (Motorized vehicles)
- 21.22(b) (Snowmobiles)
- 21.23(3) (Trail bikes)
- 21.23a(b) (All-terrain vehicles)
- 21.23a(c) (All-terrain vehicles)
- 21.32 (Designated trees)
- 21.62 (Open fires)
- 21.63(b) (Hunting and trapping)
- 21.64(b) (Fishing)
- 21.76(a) (Feeding of wildlife)

F. Benefits, Costs and Compliance

Benefits

The revisions to the State Forest regulations will provide for improved protection of the forest resource and to the public recreating on State Forest land. Therefore, all citizens will benefit from their adoption.

Compliance Costs

Visitors to State Forest land will be required to comply with the regulations governing conduct. However, there will be no cost to them arising from compliance. There will be a minimal cost to the Department in that it will be necessary to revise some existing signs and create a few new ones.

Compliance Assistance Plan

Not applicable.

Paperwork Requirements

There will be no increase in the amount of required paperwork.

G. Sunset Review

These regulations will be reviewed in accordance with the sunset review schedule published by the Department to determine whether the regulations effectively fulfill the goals for which they were intended.

H. Regulatory Review

Under section 5(a) of the Regulatory Review Act (71 P.S. § 745.5(a)), on September 2, 1997, the Department submitted a copy of the notice of proposed rulemaking, published at 27 Pa.B. 4744 (September 13, 1997) to IRRC and the Chairpersons of the Senate and House Environmental Resources and Energy Committees for review and comment. In compliance with section 5(b.1) of the Regulatory Review Act, the Department also provided IRRC and the Committees with copies of all comments received, as well as other documentation.

In preparing these final-form regulations, the Department has considered all comments received from IRRC, the Committees and the public.

These final-form regulations were deemed approved by the House Environmental Resources and Energy Committee and by the Senate Environmental Resources and Energy Committee on October 26, 1998. IRRC approved the regulations at its public meeting on November 5, 1998, in accordance with section 5(c) of the Regulatory Review Act.

I. Order of the Secretary

Acting under the authorizing statutes, the Secretary hereby orders that:

(a) The regulations of the Department, 17 Pa. Code Chapter 21, are amended by amending §§ 21.1—21.3, 21.11—21.13, 21.21—21.24, 21.31—21.34, 21.61—21.68 and 21.72; by adding §§ 21.4, 21.23a, 21.25, 21.70a and 21.73—21.80 and by deleting §§ 21.35 and 21.69—21.71 to read as set forth in Annex A.

(b) The Department shall submit this order and Annex A to the Office of General Counsel and the Office of Attorney General for approval and review as to legality and form, as required by law.

(c) The Department shall submit this order and Annex A to IRRC and the Senate and House Environmental Resources and Energy Committees as required by the Regulatory Review Act.

(d) The Department shall certify this order and Annex A and deposit them with the Legislative Reference Bureau as required by law.

(e) This order shall take effect immediately.

JOHN C. OLIVER,
Secretary

(Editor's Note: The proposal to add §§ 21.26 and 21.27, included in the proposal at 27 Pa.B. 4744, has been withdrawn by the Department.)

(Editor's Note: For the text of the order of the Independent Regulatory Review Commission relating to this document, see 28 Pa.B. 5818 (November 21, 1998).)

Fiscal Note: Fiscal Note 7B-1 remains valid for the final adoption of the subject regulations.

Annex A

TITLE 17. CONSERVATION AND NATURAL RESOURCES

PART I. DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES

Subpart C. STATE FORESTS

CHAPTER 21. GENERAL PROVISIONS

PRELIMINARY PROVISIONS

§ 21.1. Definitions.

The following words and terms, when used in this chapter, have the following meanings, unless the context clearly indicates otherwise:

Camping—Overnight lodging using standard camping equipment.

Commercial activity—An activity in which a person, organization or association directly or indirectly accepts consideration of value as compensation for the provision of goods or services, including transportation.

District Forester—The Department's Bureau of Forestry employe so designated.

Group activity—An organized activity occurring as a scheduled event and requiring a large land area or unique land formation and which may conflict with normal or traditional uses or pose a potential environmental problem.

State Forest land—Land which is owned or leased by the Commonwealth and which is administered by the Bureau of Forestry.

§ 21.2. Scope.

This chapter applies to State Forest land.

§ 21.3. Violations.

(a) A person is guilty of a summary offense under 18 Pa.C.S. § 7505 (relating to violation of governmental rules regarding traffic) if that person commits an act which is prohibited by § 21.21 (relating to motor vehicles).

(b) A person is guilty of a summary offense under 18 Pa.C.S. § 7506 (relating to violation of rules regarding conduct on Commonwealth property) if that person commits an act which is prohibited by this chapter other than those in subsection (a).

§ 21.4. Closure.

(a) Areas or portions of a State Forest or State Forest facilities may be closed or restricted to certain uses by the District Forester or a designee.

(b) The public will be informed of the closed or restricted areas or facilities by any form of communication, which may include posted signs, or by fencing or other enclosure manifestly designed to exclude intruders.

(c) Violation of the closure or restriction notices under subsection (b) is prohibited.

BOATING

§ 21.11. Use.

All waters on State Forest land are open for the operation of watercraft unless posted as closed.

§ 21.12. Mooring and launching.

(a) Overnight mooring or storage of watercraft from November 15 through March 31 is prohibited except on lands leased from the Commonwealth. This prohibition does not apply to canoes, kayaks, rafts and other paddle-powered small boats stored overnight at the operator's campsite.

(b) The launching or mooring of watercraft on waters in State Forests requires the appropriate valid State Recreation Area Watercraft Permit affixed aft of amidship on the starboard-right-side.

(c) A current Fish and Boat Commission number and certificate of watercraft registration permits daily launching only.

(d) The Department will establish a schedule of fees for mooring and launching permits. This schedule and any subsequent revisions will be effective upon publication in the *Pennsylvania Bulletin*.

(e) Small, hand-carried boats, rafts and canoes may be launched from any point on the shoreline. Boats on trailers may be launched only at designated launch areas.

(f) Boat mooring is restricted to designated mooring areas.

§ 21.13. Motorized boats.

Only electric motors may be used for propulsion of motorized watercraft.

MOTORIZED VEHICLES

§ 21.21. Motor vehicles.

(a) This section pertains to motor vehicles other than those addressed in §§ 21.22, 21.23 and 21.23a (relating to snowmobiles; trail bikes and other motorized off-road vehicles; and all-terrain vehicles).

(b) Operation of motor vehicles on State Forest land in the following manners is prohibited:

(1) Operation of a motor vehicle in careless disregard for the safety of persons or property, or in excess of posted speed limits or, where no speed limit is posted, in excess of 25 miles per hour.

(2) Driving on roads, trails or other areas not specifically designated and posted for motor vehicle traffic unless authorized in writing by the District Forester or a designee.

(3) The use of State Forest roads for commercial purposes without a road use agreement from the Department. An individual or corporation whose property adjoins State Forest land is not required to obtain a road use agreement to use State Forest roads for incidental commercial purposes to make deliveries to the property.

(4) Operating unlicensed, unregistered or uninspected motor vehicles on State Forest land.

§ 21.22. Snowmobiles.

(a) Snowmobiling is permitted in accordance with 75 Pa.C.S. Chapter 77 (relating to snowmobiles) and this section.

(b) Snowmobiles may be operated only on designated snowmobile roads, designated trails and designated and posted areas on State Forest land.

(c) Snowmobiles may be operated on State Forest land from the day following the last day of regular or extended antlerless deer season as established by the Game Commission through the following April 1, or earlier, as determined by the District Forester.

(d) Operation of snowmobiles on a road, trail or area not specifically designated and posted for snowmobile use or at any time of year other than that in subsection (c) is prohibited.

§ 21.23. Trail bikes and other motorized off-road vehicles.

This section pertains to motorized off-road vehicles other than those addressed in §§ 21.22 and 21.23a (relating to snowmobiles; and all-terrain vehicles).

(1) Trail bikes and other motorized off-road vehicles may be operated only on roads, trails or other areas that have been specifically designated and posted for their use.

(2) Trail bikes and other motorized off-road vehicles may be operated only during the times of year authorized by the Department's Bureau of Forestry by posted signs.

§ 21.23a. All-terrain vehicles.

(a) The operation of all-terrain vehicles is permitted in accordance with 75 Pa.C.S. Chapter 77 (relating to all-terrain vehicles) and this section.

(b) All-terrain vehicles may be operated only on designated and posted roads, trails and other areas.

(c) All-terrain vehicles may be operated on State Forest land from the Friday before Memorial Day through the last full weekend in September, and from the day following the last day of the regular or extended antlerless deer season as established by the Game Commission through the following April 1.

§ 21.24. Spark arrestors.

Operation of any motorized vehicle, all-terrain vehicle, trail bike or other motorized off-road vehicle in, on or through State Forest land without a fully functional spark arrestor is prohibited.

§ 21.25. Parking

(a) Parking a motor vehicle, all-terrain vehicle, snowmobile, trail bike, other motorized off-road vehicle, boat trailer, camp trailer or other equipment which obstructs a gate, road, trail, footpath, bicycle path, access way, drinking fountain, entrance, exit or road turnaround on State Forest land is prohibited.

(b) A person may not park a vehicle in a parking area on State Forest land designated for handicapped persons, unless the vehicle bears a handicapped or severely disabled veteran registration plate or displays a handicapped or severely disabled veteran parking placard, in accordance with 75 Pa.C.S. § 1338 (relating to handicapped plate and placard), and the vehicle is operated by or for the transportation of a handicapped person or a severely disabled veteran.

(c) Violations of this section will be handled as follows:

(1) Prior to the filing of a citation charging a summary offense under this section, the Department may issue a parking ticket, which will be handed to the violator or placed on the windshield of the violator's vehicle. The violator may avoid criminal proceedings by paying a fine to the Department, equivalent to the maximum fine as provided in 18 Pa.C.S. § 7505 (relating to violation of governmental rules regarding traffic), within 5 days of the violation in the manner specified on the ticket.

(2) When a parking ticket has been issued, the Department may institute criminal proceedings only upon failure of the violator to pay the fine in accordance with the time limit specified in paragraph (1) and in the manner specified on the ticket.

(3) When a parking ticket has not been issued, the Department may institute criminal proceedings by issuing a citation.

FOREST PRODUCTS

§ 21.31. Prohibitions.

The following activities are prohibited:

(1) Cutting, picking, digging, damaging or removing, in whole or in part, a living or dead plant, vine, shrub, tree or flower on State Forest land without written authorization of the District Forester or a designee, except that edible wild plants or plant parts may be gathered without authorization if they are gathered for one's own personal or family consumption. Dead and down wood for small campfires may be gathered without prior authorization.

(2) Removing rocks, shale, sand, clay, soil or other mineral products from State Forest land without written authorization of the District Forester or a designee.

(3) Removing peat, sawdust, bark, mulch or other products from State Forest land without written authorization of the District Forester or a designee.

(4) Removing or disturbing historical or archeological resources from State Forest land without written authorization of the District Forester or a designee.

(5) Planting a tree, shrub or plant of any kind without the written authorization of the District Forester or a designee.

§ 21.32. Designated trees.

Only designated trees may be cut or removed.

§ 21.33. Cutting practices.

(a) The stump height of cut trees may not exceed the diameter of the stump or 12 inches whichever is smaller.

(b) All tops and slash shall be removed 25 feet from streams, roads, trails and State Forest boundaries.

(c) The blocking of drainage ditches, pipes and other structures with tops and slash is prohibited.

§ 21.34. Removal.

The removal of fuel wood and other forest products from the forest by the use of tractors, skidders or any method other than hand carrying is prohibited without written authorization of the District Forester or a designee.

§ 21.35. (Reserved).

MISCELLANEOUS PROVISIONS

§ 21.61. Camping permit.

Camping without a current camping permit issued by the District Forester or a designee is prohibited. Primitive backpack campers not using developed facilities do not need a permit if they stay no more than 1 night at any campsite.

§ 21.62. Open fires.

(a) Subject to the prohibition in subsection (b), small campfires are permitted only where adequate precautions are taken to prevent the spread of fire into the forest. All other fires are prohibited. Campfires shall be attended at all times.

(b) Open fires are prohibited when the forest-fire danger is determined by the District Forester to be High, Very High or Extreme and from March 1 through May 25 and from October 1 through December 1 without authorization from the District Forester or a designee. This prohibition does not apply to small self-contained camp stoves when used in a safe manner.

(c) A person causing a wildfire, in addition to possible criminal penalty, is liable for all damages, costs of extinction and fines.

§ 21.63. Hunting and trapping.

Hunting and trapping on State Forest land are permitted in accordance with 34 Pa.C.S. (relating to Game and Wildlife Code) and rules and regulations, unless otherwise posted.

§ 21.64. Fishing.

Fishing in waters on State Forest land is permitted in accordance with 30 Pa.C.S. (relating to Fish and Boat Code) and rules and regulations, unless otherwise posted.

§ 21.65. Target shooting.

Target shooting with firearms, bows and arrows or devices capable of launching projectiles and causing injury to persons or property is prohibited except where authorized by the District Forester or a designee.

§ 21.66. Destruction of property.

Damaging, defacing or removing any sign, structure, equipment or other material is prohibited.

§ 21.67. Posting and soliciting.

Posting of signs or soliciting without written authorization of the District Forester or a designee is prohibited.

§ 21.68. Littering and disposal.

Littering or disposal of garbage, paper, household refuse, waste or other material of any kind is prohibited.

§ 21.69. (Reserved).

§ 21.70. (Reserved).

§ 21.70a. Snow plowing.

The plowing or removal of snow from State Forest land without authorization of the District Forester or a designee is prohibited.

§ 21.71. (Reserved).

§ 21.72. Closure because of fire danger.

(a) If the forest-fire danger rating is Very High or Extreme, all or portions of the State Forest may be closed to certain specified uses.

(b) Violation of a closure notice under subsection (a) is prohibited.

§ 21.73. Pets.

Pets are permitted on State Forest land if they are kept under control and attended at all times.

§ 21.74. Disorderly conduct.

The following are prohibited:

(1) Fighting or other behavior that is threatening, violent or tumultuous.

(2) The possession or consumption of alcoholic beverages by persons under 21 years of age.

(3) Creating an unreasonable noise that may disturb other visitors to State Forest land.

§ 21.75. Sanitation.

(a) Washing in water outlets, springs, lakes or waterways is prohibited.

(b) Discharging of trailer, camper or motor home sewage, sink water or bath water on or into ground or surface waters is prohibited.

§ 21.76. Feeding of wildlife.

(a) Feeding of wildlife, except for elevated songbird feeders of less than one-half bushel capacity, is prohibited on State Forest land from 30 days prior to the beginning of spring gobbler season through the end of flintlock muzzleloader deer season.

(b) Placing of wildlife feeders of more than one-half bushel combined capacity on State Forest land without the authorization of the District Forester or a designee, is prohibited.

§ 21.77. Commercial activity.

Selling, distributing, delivering, servicing, guiding or renting any equipment, material or commodity or otherwise engaging in commercial activity on State Forest land without written authorization of the District Forester or a designee is prohibited.

§ 21.78. Group activities.

Group activities are prohibited without written authorization of the District Forester or a designee.

§ 21.79. Structures.

Building or erecting a structure or memorial, or engaging in construction or excavation activity, without written authorization of the Department is prohibited.

§ 21.80. Trespass.

(a) A person who violates this chapter or disregards instructions or warnings given by a State Forest officer or interferes with a State Forest officer in the performance of the duties of the officer may be ordered to leave State Forest land.

(b) A person who refuses to leave State Forest land, after receiving an order to leave from a State Forest officer, commits an act of criminal trespass under 18 Pa.C.S. § 3503(b) (relating to criminal trespass).

[Pa.B. Doc. No. 98-2012. Filed for public inspection December 4, 1998, 9:00 a.m.]
