

**CHAPTER 25. TRANSFER OR EXCHANGE OF STATE FOREST
LAND—STATEMENT OF POLICY**

Sec.	
25.1.	Background.
25.2.	Policy.

Source

The provisions of this Chapter 25 adopted May 1, 1992, effective May 2, 1992, 22 Pa. B. 2356; renumbered from 25 Pa. Code Chapter 18, June 7, 1996, effective June 8, 1996, 26 Pa.B. 2707, unless otherwise noted. Immediately preceding text appears at serial pages (169957) to (169958).

§ 25.1. Background.

(a) The Department, under the authority granted to it by section 1 of the act of May 5, 1921 (P. L. 418, No. 194) (32 P. S. § 131) and section 1902-A(11) of The Administrative Code of 1929 (71 P. S. § 510-2(11)), has the power to exchange State Forest land as provided by law whenever it is to the advantage of the State Forest interests, if the action has been approved by the Governor.

(b) In an exchange of State Forest land, the following basic criteria under 32 P. S. § 131 shall be met:

(1) The value of the land acquired by the Department shall be equal to or greater than the value of the land conveyed.

(2) The land acquired shall be at least equally adapted for State Forest purposes.

(c) In carrying out the powers granted by law, § 25.2 (relating to policy) applies to the exchange of State Forest land, or the transfer of State Forest land to other Commonwealth departments or agencies, except that the policy will not apply to minor exchanges for the purpose of adjusting boundaries and Memoranda of Understanding involving less than 1 acre.

§ 25.2. Policy.

(a) A transfer or exchange of State Forest land will result in a clear long-term benefit to the State Forest system.

(b) A proposed transfer or exchange shall be judged in the context of relevant State Forest resource plans.

(c) Before a proposed transfer or exchange is effectuated, the Department or its designee will conduct and document an environmental review to identify the environmental impacts of the transfer or exchange.

(d) A proposed transfer or exchange will be advertised in the *Pennsylvania Bulletin* and local newspapers in the area of the State Forest at least 60 days before the transfer or exchange is scheduled to take place. This advertisement will indicate the proposed parcels to be exchanged or transferred, a summary of environmental reviews, the townships in which the parcels are located, a description of the comment process and a contact person for information.

(e) There will be a public comment period of at least 30 days. If a significant public concern develops during the comment period, the Secretary will schedule a public information meeting. Oral and written comments will become part of the official document used in the final decision process.

Cross References

This section cited in 17 Pa. Code § 25.2 (relating to background).

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