

**MINUTES**  
**CONSERVATION AND NATURAL**  
**RESOURCES ADVISORY COUNCIL**

**January 25, 2017**

**MEMBERS PRESENT**

Rick Sayles, Chairman  
Gary Kribbs, Vice Chairman  
Ephraim Zimmerman, Secretary  
Rocco Ali, Member  
Cliff David, Member  
Bill Engle, Member  
Bill Forrey, Member  
Bob Kirchner, Member  
Paul Lyskava, Member  
Walt Peechatka, Member  
Janet Sweeney, Member  
David Trimpey, Member  
Cindy Adams Dunn, DCNR Secretary

Gretchen Leslie, CNRAC Adviser  
Katie Woodbury, CNRAC Assistant

**GUESTS PRESENT**

Mike Nerozzi, Assistant Director, Joint Conservation Committee  
Jake Newton, Executive Assistant for Parks and Forestry, DCNR  
Jason Hall, Bureau of Forestry, DCNR  
Jeff Schmidt, Pennsylvania Chapter of the Sierra Club  
Mike Walsh, Deputy Secretary for Administration, DCNR

**WELCOME**

Chairman Sayles opened the meeting and welcomed members and guests.

**APPROVAL OF MINUTES**

Mr. Sayles offered the November 2016 minutes up for consideration. Council approved the minutes unanimously after the agreement of the addition of Paul Lyskava's name to the attendance list. Mr. Sayles thanked DCNR for providing detailed minutes of the last meeting.

## **CHAIRMAN'S REPORT**

**Rick Sayles, Chairman**

Chairman Rick Sayles told Council he did not conduct any official business over the holidays, so the Chairman's Report would be brief.

Mr. Sayles mentioned he attended the Pennsylvania Farm Show and spoke to a gentleman who participated in a hunting camp and that this year was the organization's 100<sup>th</sup> anniversary. Mr. Sayles suggested that the celebration could be something the Secretary may want to attend. He said he would send along to date to see if either she or Dan Devlin could make it.

## **AUDIENCE INTRODUCTIONS**

Audience members took the time to introduce themselves.

## **SECRETARY'S REPORT**

**Cindy Adams Dunn, Secretary**

Secretary Dunn greeted Council and said she hoped Council saw the yearly accomplishment report. One of the major accomplishments this year included the Department's work on riparian forest buffers. Federal funding allowed for three new positions in the agency to advance the work. DCNR also began a riparian buffer program through the Keystone Fund, which houses funds to be used for conservation of rivers. The Bureau of Recreation and Conservation created the grant round and received many good applicants. This is the first year DCNR introduced the multi-functional idea of using income-producing buffers. The Department announced \$800,000 in grants on January 24, 2017. DCNR plans to keep buffers in the regular C2P2 grant round.

Matt Keefer, Bureau of Forestry, is leading the effort to convene discussions on finding funding sources to help the state meet the Chesapeake Bay goal. DCNR works as the coordinator of efforts at the moment.

Rocco Ali asked if Secretary Dunn thought the grant process would expand to agriculture to give farmers a break. With the advent of clean farming, riparian buffers are not what they used to be. He asked if the grants could expand to allow farmers to receive grants. The Chesapeake Bay problem is not limited to the Susquehanna.

Secretary Dunn responded that DCNR did not limit the program to the Susquehanna. DEP is using grants for Agriculture. The National Fish and Wildlife Foundation is coming into Pennsylvania as well. The grant money from DCNR only covers the installation of the buffer, not the incentive. The income-producing buffers could be seen as incentives for farmers. DCNR envisions working with local parks, local governments, and land owners for the buffer work. The agency's goal of planting 95,000 acres is a huge undertaking. This will not only improve the Chesapeake Bay, but the work will improve streams in Pennsylvania.

The Policy Office is working to advance several recommendations of the Green Ribbon Task Force report. The Department of Agriculture and the Department of Community and Economic Development are both active agency partners in the effort.

The Youth initiative work team will be launching an Outdoor Corps program for 18-25-year-olds. The intent is to use the program as a resume builder for the participants to hopefully get them involved in conservation and state government work. There may also be an expansion of the summer youth program launched last year.

The Climate initiative is moving along well. The United States Forest Service provided the funding for a consultant to look at our agency and develop a climate change adaptation plan. Each bureau is participating in developing the climate adaptation plan.

Recent flooding obliterated areas of Loyalsock State Forest in Northcentral Pennsylvania. The agency is working with PEMA to get federal money. DCNR needs to look at how to design our infrastructure for more of these events that will occur due to climate change and extreme weather.

Now more than ever it is important to conserve natural land. Tree cover is essential. DCNR is looking at how the agency can be a model and set an example for other agencies. The Green team is identifying DCNR's efficiencies. The Department set aside money to do more solar arrays. The Green team is also analyzing our fleet to incorporate electric vehicles.

The Recreation initiative and America Walks planned a Walkable Communities summit. Four other agencies along with DCNR– the Department of Health, the Department of Aging, the Department of Community and Economic Development, and the Department of Transportation- participated in a panel discussion. This summit advances one of the recommendations of the Statewide Comprehensive Outdoor Recreation report.

The Bureau of State Parks continues to work on the Washington Historic Park transfer. The park has been under PHMC management for a long time. It is a big public site, so DCNR will have a curator at the park to preserve the important history of the area.

Secretary Dunn also mentioned that the agency continues to improve facilities in parks and forests. The Kinzua Bridge Visitor Center is a spectacular facility. It helps build local pride. Residents of that area tell the story of the community through the center. The work has motivated more community involvement in the region.

Secretary Dunn highlighted some bureau updates. DCNR is starting work at Denton Hill. The park is focused primarily on skiing, but the agency wants to see how to make it a year-round facility. The Bureau of Forestry finished the State Forest Resource management plan. Many thanks to CNRAC for encouraging public participation in the plan. State parks saw over 40 million visitors this summer. Spectacular weather played a role in the high visitation number, especially the sunny holiday weekends. The Bureau of Forestry dealt with a 16-mile fire in the Poconos this year, one of the largest fires we have seen in many years. Crews were sent out to the west coast of the United States to fight fires as well. Forest fires are a big part of our future.

The Department continues the Revision Ryerson effort to bring back the water features of the park. The restored creek will be used for recreation and fishing.

Rocco Ali said he understands that the dam cannot be reconstructed because of long wall mining. He asked if DCNR intends to create another lake or simply enhance the access along the creek.

Secretary Dunn responded saying the original intent was to rebuild, but there is too much movement in the area. The focus will be to enhance the creek. She mentioned Consol Energy has mineral rights under the park and the right to extract the coal. DCNR, the land owner, has the right to enter into an operations agreement to ensure surface restoration. DCNR will try to leverage that as best as possible.

Rocco Ali said the Fish Commission will get involved in that conversation.

Secretary Dunn highlighted that DCNR is not regulatory. The agency can only talk about access to surface restoration. We will use the leverage to protect and enhance streams in the park.

Bill Engle asked if the mining happens periodically.

Secretary Dunn replied that Consol still actively mines in the area.

Bill Engle asked if the Department expected the situation to get worse.

Secretary Dunn replied saying Dunkard Creek is part of a panel that has not yet been permitted, but that will be in front of DEP soon.

Bill Engle asked if Consol is restricted at all and if Ryerson is recognized as an environmental justice area due to the poverty in the area.

Secretary Dunn replied that a lot of areas could be considered environmental justice areas. Essentially all that is required to be a designated area is to be a low-income area.

Bill Engle asked about the cost of the situation.

Secretary Dunn said Consol settled with the Department during the last administration. There was money as part of the settlement. The issue has been ongoing for decades due to the mineral rights.

Bill Engle asked if CNRAC could get a speaker on the situation to talk at the next meeting. He said he is surprised someone from that area has not come to Council to seek a position.

Ephraim Zimmerman said a position statement would be something good to have from Council.

Secretary Dunn added that DCNR does not own mineral rights on 85% of state park lands. This situation could be repeated. A bigger issue might be gas rights ownership underneath the park.

Gary Kribbs noted that longwall mining is the most damaging form of mining. It is not allowed anywhere else in Pennsylvania.

Bill Engle added he agrees that fracking may be an issue.  
Gary Kribbs said the entire lake lost because of longwall mining.

Ephraim Zimmerman said it would be interesting for Council to hear how DCNR interacts with DEP. It would also be informative to hear perspectives on dealing with the aftermath of permitted industries affecting the quality of the surface DCNR manages.

Secretary Dunn mentioned the state budget situation. Rolling into the budget season, there is a significant revenue shortfall. Governor Wolf is asking cabinet members to be as creative as possible when identifying efficiencies. The complement ceiling resulted in a reduction of 111 staff members, so the Department is more challenged when delivering services. The agency has a combined HR with DEP, and now the administration is looking at IT consolidation among agencies.

There are many new legislators who may not know the value of some of the funds of DCNR. Executive staff has been making an effort to meet the new members and stress the agency's importance to them.

Secretary Dunn stated she is pleased CNRAC will be helping with strategic planning for parks and forests. There will be a heavy focus on efficiency and how to best deliver services. DCNR needs to plan for the next generation of park and forest visitors.

Cliff David remarked that it is great to look back at all of the accomplishments for the Department in 2016.

Secretary Dunn thanked CNRAC for being involved in the work of the agency.

Cliff David said CNRAC could play a role in gathering legislative support. There is a need to help legislators understand the importance of the agency's work.

Secretary Dunn added that each member represents a unique constituency. Interactions with legislators will be valuable. Both the Governor's Office and the legislature need to be educated. The agency will be seeing cuts one way or another, so it is important for everyone to be fully informed.

Cliff David asked about the impact of the federal change in administration and if DCNR is seeing any impacts from regulation.

Secretary Dunn replied saying there are many federal funds that are important to DCNR.

Rick Sayles said he met with Richard Fox and Jonathon Lutz when delivering annual reports to the legislature and had a pleasant conversation with each of them. The feedback from both gentlemen is that CNRAC is very under the radar, but there is nothing negative to report.

Walt Peechatka cautioned that being under the radar is not always a good thing because only those councils that are present are given any weight.

## **ADVISER REPORT**

### **Gretchen Leslie, CNRAC Adviser**

Gretchen Leslie gave personnel updates. Stacie Amsler is the new Bureau Director of Administrative Services. She oversees the budget. Terry Handshew is Secretary Dunn's new Executive Assistant.

Two reappointments have been approved for Council- Rocco Ali and Bob Kirchner. All other appointing bodies have been notified of names and desires of members. DCNR's Legislative Office will nudge, if necessary.

### **Legislative Update**

Budget hearing dates are set. The House Appropriations hearing for DCNR will take place on Monday, February 27 at 1:00 p.m. in Room 140 Main Capitol Building. The Senate Appropriations hearing is scheduled for Wednesday, March 1 at 3:00 p.m.

Senate and House committees have announced chairs and members. The PA House Environmental Resources & Energy Committee Chairs are Rep. John Maher (Majority) and Rep. Mike Carroll (Minority). The Senate Environmental Resources & Energy Committee chairs are Sen. Gene Yaw (Majority) and Sen John Yudichak (Minority).

This is the start of new legislative session. Joe Graci and Jennie Shade are paying attention to any bills affecting DCNR. To date, no bills have been introduced that directly impact DCNR.

Governor Wolf's budget address will take place on February 7 . The theme will probably be efficiencies and cost-saving measures.

## **PRESENTATIONS**

### **Mike Walsh, Deputy Secretary for Administration and Jake Newton, Executive Assistant for Parks and Forestry DCNR Sustainability Initiative**

Mike Walsh gave a background on Jake Newton and Peter Spadaro, two recent college graduates working on the Green Initiative team.

Mike Walsh stressed how important it is for DCNR to set an example for other state agencies in green technology and sustainability. DCNR has many opportunities to go green with over 4600 buildings, 3400 miles of road, 124 dams, etc.

The highlight of 2016 for the Green Initiative was the Sustainability Tour. Secretary Dunn and members of Executive Staff traveled to Point State Park in Pittsburgh for the announcement that the park will join the Pittsburgh 2030 District, a group of businesses committed to reducing consumption by 50% by 2030. Secretary Dunn also visited the new 10kW solar PV Installation at Presque Isle State Park and the new LEED-certified Kinzua Bridge Visitor Center.

Looking ahead, DCNR has many plans in the works. The 2019 DCNR Solar Plan identifies 12 parks and forest districts that will benefit from solar installations. There is an increased opportunity due to the efficiency of panels and the lower costs for solar. The goal is to bring

seven parks to net-zero energy consumption and have a reduction of 345 tons of CO2 emissions per year.

Mr. Walsh talked about GESA, a tool that DGS uses to analyze facilities. It allows agencies to look at where investments could be made to reduce energy consumption. Funds come from savings that will occur over the next 10-15 years. DCNR will participate in a GESA pilot program with 24 state parks and four forest districts. Energy service companies will perform evaluations of DCNR facilities and provide each one with recommendations for energy savings.

Jake Newton talked about DCNR's fleet. DCNR would like to reduce its reliance on fossil fuels. With a fleet of 1600+ vehicles, there is a great opportunity to reduce reliance on traditional fuels and look to hybrid/electric. The team will first look at how to diversify DCNR's central office pool fleet through the replacement of its gas powered vehicles with plugin electric and plugin-hybrid electric vehicles. The agency will look at installing charging stations in Harrisburg and at state park and forest locations. Many people have range anxiety with electric vehicles, and those concerns are taken into consideration. Mr. Newton highlighted that DCNR will look to partnerships to achieve these goals.

Cliff David asked if the information will be shared with the private sector.

Mike Walsh replied saying the team put together some targets so the Secretary can tell the Budget Office where the agency should go regarding green energy. Information and research is still new, but there are many opportunities for the private sector to be engaged.

Rocco Ali asked about transferring vehicles to electric and if DCNR has looked at the average time and energy needed to charge a vehicle.

Mike Walsh responded that the Department is looking at using solar charging stations to reduce the energy consumption.

### **Jason Hall, Forest Program Manager ATV Safety**

Jason Hall addressed Title 75 (PA Vehicle Code), Chapter 77, establishing DCNR and the Bureau of Forestry responsible for ATV and snowmobile safety training. The Title grants the agency the authority to certify safety instructors. Title 75 also establishes criteria for youth when operating ATVs and snowmobiles.

Mr. Hall went over the different types of ATV and snowmobile training the agency provides. DCNR ATV training includes brief class instruction session and a hands-on riding requirement for youth (ages 8-15). Snowmobile training includes primarily classroom instruction and does not have a required riding session. Both training sessions are intended for "youthful operators" only. Other training for ATVs/snowmobiles for those over the age of 15 is available online through Kalkomey Enterprises. The ATV Safety Institute (ASI) also offers training classes.

Rocco Ali asked about the requirement for hands-on training for adults.

Mr. Hall responded saying hands-on training is only required for youth and the online session is not available to youth for ATVs. DCNR reduced the snowmobile online training minimum age from 16 to 10.

Mr. Hall went over class attendance statistics and highlighted the high number of attendees for the classes.

The Bureau of Forestry is working to modernize the training and safety program. Materials are out of date, particularly for ATVs. DCNR also wants to improve availability of instructor information to make it more accessible. The Bureau of Forestry is looking at options to expand safety training to include side-by-sides.

Walt Peechatka said he is surprised by the number of people attending the trainings and asked what percentage of riders attend trainings.

Mr. Hall said most of the crashes are not caused by kids and usually involve middle-aged males. He said he is confident DCNR is reaching the bulk of the youth, but more adults need to be trained.

Gretchen Leslie added that there will be a subgroup of CNRAC members working on this issue. Ms. Leslie said she wants Council to think about how CNRAC would like to help DCNR with this particular set of issues.

Secretary Dunn said DCNR is looking to improve opportunities for motorized recreation. There is a lot of legislative attention on this issue.

## **PUBLIC COMMENT**

### **Jeff Schmidt, Sierra Club**

Mr. Schmidt commented on the federal change in administration and its stance on climate change. It is likely that states will need to take a leadership role on climate over the next four years. Within 30 minutes after President Trump was sworn in, climate change was scrubbed from the White House website. Many people fully expect EPA's science-based website on climate change to disappear soon. Mr. Schmidt thanked DCNR for its approach regarding climate and for its leadership role in helping the public understand the impacts. Agencies like DEP and DCNR will have to take the lead. During Governor Corbett's Administration, DEP and DCNR were directed to scrub references to carbon reductions, climate change, greenhouse gases, etc. What happened at that time is now happening in DC.

Mr. Schmidt commented on the Ryerson Station State Park discussion. Sierra Club has joined the Center for Coalfield Justice to appeal the permit decisions recently issued by DEP. Consol's mining caused the problems that destroyed the lake. DCNR and DEP contracted with an independent consulting firm who determined that Consol's actions caused the damage. More recently, a settlement occurred between Consol and the state that gave Consol assurance it could mine outside the park and within boundaries.

Mr. Schmidt touched on recent events regarding Ryerson Station State Park. The Environmental Hearing Board determined Consol should not mine within 100 feet of Kent Run while there is an ongoing appeal. In December, DEP issued a permit revision that would allow Consol to perform under streams within Ryerson Station. A previous permit included development mining. A court appeal could be filed against DEP for issuing that permit provision. Conservationists argue these two streams are the most important assets in the area.

It is unusual for mining activity to be halted during an appeal, but it is unprecedented that this damage was done within a park. The Environmental Hearing Board granted a petition for supersedeas to protect Kent Run while the decision is on appeal. Mr. Schmidt encouraged DCNR and Council to explore ways to protect the park and minimize damage. Consol predicted significant damage in their permit revision.

Mr. Schmidt commented on the Sustainability presentation and said reducing the carbon footprint could become a model for the public. One avenue to explore for the fleet is to tap into the settlement monies from the Volkswagen litigation. Money is set aside for states to use for the reduction in vehicle emissions.

Secretary Dunn asked Mr. Schmidt if he is asking for a response from CNRAC.

Mr. Schmidt said if anyone is interested in responding to anything mentioned, that would be fine. He said he is most interested in the Ryerson Station issue.

Secretary Dunn said DEP did reference DCNR as a condition to their permit. It specifies that a restoration plan needs to be approved by DCNR.

Mr. Schmidt said someone from The PA Chapter of the Sierra Club or the Center for Coalfield Justice would be willing to speak to Council to provide perspective on the situation.

Bob Kirchner asked if there was a financial settlement to the subsurface zone.

Mr. Schmidt replied that he is not aware of it, but it would be easy to research.

Gretchen Leslie said DCNR has a response to the positions taken by CNRAC on previous public comment sessions. The letter will be distributed to members.

## **MEETING ADJOURNED**

The chairman and council adjourned the meeting at 12:00 p.m.

Notice of the January meeting was published in a newspaper of general circulation in Dauphin County and mailed to individuals and offices in compliance with the Sunshine Act (1986-84). These minutes constitute the official record of the Conservation and Natural Resources Advisory Council; no official transcript is provided.