

MINUTES
**CONSERVATION AND NATURAL
RESOURCES ADVISORY
COUNCIL (CNRAC)**

May 24, 2017

MEMBERS PRESENT

Gary Kribbs, Vice-chairman
Dave Trimpey, Member
Bob Kirchner, Member
Cliff David, Member
Ephraim Zimmerman, Member
Janet Sweeney, Member
Bill Forrey, Member
Rocco Ali, Member
Walt Peechatka, Member
Cindy Dunn, Secretary

Gretchen Leslie, CNRAC Adviser
Katie Woodbury, CNRAC Assistant

GUESTS PRESENT

John Norbeck, Department of Conservation and Natural Resources (DCNR)
Peter Spadaro, DCNR
Jake Newton, DCNR
Scott Carney, DCNR
Alex MacDonald, DCNR
Sara Nicholas, DCNR

WELCOME

Vice-chairman Gary Kribbs called the meeting to order and opened the floor for council and audience member introductions.

APPROVAL OF MINUTES

Gary Kribbs offered the March 2017 minutes up for approval and Council approved them unanimously.

SECRETARY'S REPORT

Cindy Adams Dunn, Secretary

Recent Events

Secretary Dunn gave an update on her recent travels and events that she attended. DCNR spent the

months of April and May focusing on forestry and water through events related to its Riparian Forest Buffer Grant Program; Secretary Dunn attended events with sister agencies to implement a few of the projects from the pilot round. Governor Wolf held a press event in Gifford Pinchot State Park to announce that all rangers would now be trained and equipped with naloxone, a lifesaving drug that combats opioid overdoses. Secretary Dunn said that she would also be heavily involved with Chesapeake Bay initiatives as a steering committee member of the Watershed Implementation Plan (WIP) Phase III. Future travels for the Secretary include events highlighting trail connections.

State Budget

Secretary Dunn commented on the potential impacts of HB 218, a budget bill that passed the Pennsylvania House of Representatives; the bill takes a 6.5% reduction to the core budget of DCNR and would have significant public impacts on the public such as the closing of state parks facilities or cuts to the trails program. Secretary Dunn encouraged Council to stay involved with the budget process.

Deputy Secretary John Norbeck took Secretary Dunn's seat at the table.

Questions

Dave Trimpey asked if there was any update on the "Good Neighbor" agreement that would allow DCNR to assist the United States Forest Service with Allegheny National Forest harvests.

Deputy Secretary John Norbeck said the legislators from the House Timber Caucus are engaged and legislation should be introduced soon. Implementation of the agreement may require more money for the Bureau of Forestry.

DCNR ADVISER REPORT

Gretchen Leslie, CNRAC Adviser

General Updates

Ms. Leslie invited CNRAC members to participate in the upcoming Listening Session on June 5, 2017 for the Watershed Implementation Plan Phase III. DCNR chairs the "Forestry" workgroup.

Ms. Leslie mentioned that DCNR stakeholders are contacting legislators about the state budget, specifically with concerns for HB 218.

Ms. Leslie highlighted the success of the Pennsylvania Outdoor Corps; the Department received over 1,200 applications for spots on 14 crews. Funding for this program sunsets at the end of 2017; DCNR is working with the Department of Labor and Industry to support reauthorization of the fund.

Legislative Updates

Ms. Leslie updated Council on relevant legislation moving through the General Assembly:

HB 790- The Controlled Plant and Noxious Weed Act establishes the Controlled Plant and Noxious Weed Committee as a departmental administrative board in the Department of Agriculture and provides for the composition of the committee, terms of office, and its powers and duties. Further provides for permits, prohibited acts, noxious weed control

areas, control orders, compliance with orders, noxious weed list, and fees.

SB 651- Capital Budget Itemization Bill for 2017-2018 – Itemizing public improvement projects, including DCNR projects.

SB 624- Amends the Bituminous Mine Subsidence and Land Conservation Act, providing that planned subsidence in a predictable and controlled manner, which is not predicted to result in the permanent disruption of existing or designated uses of water of the commonwealth shall not be considered presumptive evidence that a bituminous coal mine subject to this act has the potential to cause pollution as defined in section 1 of the Clean Streams law.

Several severance tax bills have been introduced.

Representative Heffley introduced legislation that would allow DCNR to impose parking fees for entrance to state parks.

HB 544- encourages landowners to make land and water areas available to the public for recreational purposes by limiting liability for landowners.

Growing Greener III bills have not been introduced.

Cliff David asked about the status of Washington Crossing State Park.

Deputy Secretary Norbeck said that the staffing levels are not at the level the Department would like due to complement restrictions. DCNR transferred a few positions from other parks to fill in this gap.

Walt Peechatka commented that the Watershed Implementation Plan should talk about more than just benefits to the Bay.

Gretchen Leslie responded that the plan for this version of the WIP is to talk about the benefits to Pennsylvania streams. Policy Director Sara Nicholas said there will be a shift from the traditional communications plan of the first two WIPs.

PRESENTATIONS

John Norbeck, Deputy Secretary for Parks and Forests Ryerson Station State Park

Deputy Secretary John Norbeck gave a presentation on Ryerson Station State Park and described a negotiation process with CONSOL Energy, a company that owns mineral rights beneath the park.

Mr. Norbeck explained the history of recreational uses for Ryerson Station State Park. After the park's lake was lost due to a cracked dam foundation, DCNR decided to conduct a strategic planning effort called "Revision Ryerson" to enhance other features of the park, focusing its effort on area streams.

Mr. Norbeck described longwall mining and showed a video depicting the process. Longwall

mining is a form of underground coal mining where companies mine a long wall of coal in a single "panel." If the area where the coal is located is underneath water, the process generally leads to stream subsidence, and there is a good probability that the site will lose some of that stream flow.

CONSOL, who wanted to longwall mine on panels beneath the park, was required to reach an agreement with DCNR in order to access its mineral rights. They agreed to halt any mining operations within 100 feet of Kent Run in the 3L and 4L panels to limit the chance of stream subsidence. The agreement required them to perform enhanced restoration on subsided lands over designated panels (DCNR would need to approve the restoration plans). With this agreement, the company could access the park to conduct stream restoration.

Walt Peechatka asked about the depth of the panels.

Mr. Norbeck replied that they can be anywhere from 600-1,200 feet.

Cliff David asked when CONSOL would be finished with its work in the area.

Mr. Norbeck replied that the company would be at Polen Run by August 2017 to finish panel 4, and would probably not be finished with all of the work in the area until around 2019.

Ephraim Zimmerman asked Mr. Norbeck to clarify how the pending lawsuit at the Environmental Hearing Board affected activity.

Mr. Norbeck said the situation is somewhat complicated. The Center for Coalfield Justice and the Sierra Club filed an appeal with the Environmental Hearing Board asking it to rescind permit extensions. The case is still pending. The Hearing Board set the boundary at 100 ft. away from Kent Run in the 3L panel until it rules on the case. SB 624, pending in the legislature, would create a retroactive presumption that longwall mining does not cause pollution as defined in PA's Clean Streams Law.

Alex MacDonald, Chief- Trails, Greenways and Statewide Planning Section Bureau of Recreation and Conservation

Alex MacDonald gave a brief overview of the DCNR Trails Program. There are several different funds used for the trails program, including the Keystone Recreation, Park, and Conservation Fund; Pennsylvania Recreational Trails Program; Snowmobile Restricted Account; ATV Restricted Account; and The Environmental Stewardship Fund. The 2017 grant round closed recently. The Bureau received 92 applications requesting a total of \$19 million. The projects focused on closing trail gaps and rehabilitating and upgrading trails.

The Department is focused on completing major greenways: Erie to Pittsburgh, the Great Allegheny Passage, Lackawanna Greenway, and the Delaware and Lehigh Trail. The Bureau has identified the top ten trail gaps in the state and will use these gaps to draw attention to the need for funding. DCNR will work with PennDOT and DCED to close the gaps.

Mr. MacDonald mentioned the Department's work with the consultant Pashek Associates in conducting a statewide ATV study. The goal of the study is to identify locations across the state

where DCNR can support additional trails.

Bob Kirchner asked if the Bureau decides on the funding sources each project receives.

Mr. MacDonald responded affirmatively. All funding sources require some sort of match as well.

Cliff David asked when the trail systems would be completed and if at that point the focus of the grant program would be on maintenance.

Mr. MacDonald said there is no date for completion of the trail systems. Most funding requests are for rehabilitation such as trail widening. The Bureau has seen an increase in maintenance project proposals.

Ephraim Zimmerman asked if transportation trends and trails factored into DCNR's Sustainability Plan.

Mr. MacDonald said that nothing has been specifically factored into the plan; DCNR works regularly with PennDOT, so that idea might be something to consider in the future.

WORKGROUP REPORTS

Motorized Recreation

Bob Kirchner indicated that the Motorized Recreation Workgroup would be meeting at lunch. The plan is to set a timeline and get an update on department surveys and reports. The groups hopes to eventually offer recommendations.

State Parks Strategic Planning

The workgroup had a conference call in April and gathered group comments on the survey. Several members voiced their opinions and relayed those comments to Paul Zeph in the Bureau of State Parks.

Sue Landes cautioned that the survey should not be taken as an operating manual. There are several other benefits that are not mentioned in the survey that should be taken into consideration.

Janet Sweeney added that trails are important and while they might not be specified in the survey, they should be taken into consideration.

PUBLIC COMMENT

No external attendees provided any comment.

ADDITIONAL BUSINESS

Walt Peechatka thanked Bill Forrey for writing his book *The History of Pennsylvania's State Parks*. Mr. Peechatka suggested that it may be beneficial for someone to write about the history

of state forests as well.

Gretchen Leslie replied that *Penn's Woods* was published in the 1990s.

MEETING ADJOURNED

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

Notice of the May 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.