

BRETT FEESÉ, MEMBER
HOUSE POST OFFICE BOX 202020
412 SOUTH OFFICE BUILDING
HARRISBURG, PENNSYLVANIA 17120-2020
PHONE: (717) 787-5270

DISTRICT OFFICES:
PENN HILLS PLAZA
HALLS STATION
R. R. #6 BOX 260-8
MUNCY, PENNSYLVANIA 17756
PHONE: (717) 546-2084
OR
(717) 327-2084

TIADAGHTON VALLEY MALL
ROOM 105
JERSEY SHORE, PENNSYLVANIA
PHONE: (717) 398-4476
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MEMORANDUM

TO: All Republican House Members

FROM: Brett Feese, State Representative
84th Legislative District *BF*

DATE: October 28, 1997

SUBJECT: The Department of Conservation and Natural Resources
Proposed Forest Regulations

The Department of Conservation and Natural Resources has proposed new regulations concerning state forest land which, in some respects, limit the use of state forest land. According to a September 17, 1997 news release from DCNR, the regulations are in response to Governor Ridge's call for "more user friendly" regulations. Some of the proposed regulations are less than user friendly.

Attached to this memo is the summary of the proposed regulations. You may wish to take a moment to review the regulations and, if you deem it appropriate, submit written comments to Warren Ely, Chief of the Division of State Forest Management, Department of Conservation and Natural Resources. The written comment period ends on November 13, 1997.

I do wish to bring to your attention several sections which are of concern to me. First, Sections 21.26 and 21.27 would prohibit horses and bicycles on the 18 state forest designated hiking trails and the national hiking trails unless posted as open to such use. According to the DCNR's publication, these trails are maintained by volunteers from the hiking community and horses and bicycles have the capability to cause severe damage or the trails pass through fragile ecosystems.

I have been involved in this issue prior to coming to Harrisburg since I am a horseback rider, hiker and backpacker. Hiking groups maintain the state trails. For years these hiking groups have lobbied the Department to close hiking trails to horses and bicycles. For example, the Loyalsock Trail in my district is maintained by the Alpine Club. The Alpine Club consists of 20 or 30

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members. These small clubs are attempting to dictate the Department's policy and exclude other uses.

At the present time, the policy is that if there is a section of trail that is fragile the District Forester posts that section "closed" to horses or bicycles. The proposed regulation seeks to close all trails subject to those trails being "open" at the District Forester's discretion. Quite frankly, this probably will not occur because the District Foresters rely on the small hiking groups to maintain the trails.

I would suggest that a wholesale closing of trails to two user groups is not user friendly. If you agree, I would hope that you would write Warren Ely before the end of the public comment period.

Second, Section 21.61 would require that a camping permit be acquired by all campers on state forest land. This requirement would substantially interfere with camping on state forest land. At the present time, some District Foresters require a permit for designated areas. If a camping permit is required, it is secured at the District Forester's office during normal business hours. This is impractical for many individuals in certain circumstances. For example, an individual who works during the week may be unable to secure a camping permit. Further, if on a Saturday or Sunday a family decides to camp in a state forest there is no mechanism to obtain a permit. Our state forest land, for the most part, consists of large expanses of undeveloped land. There is no reason to require a camping permit unless it is an overused area or a fragile area. If the Department insists on permits then it should establish a 24 hour, toll-free telephone line so that individuals can easily secure a camping permit.

Third, Section 21.70a prohibits snow plowing on state forest roads unless a District Forester or a representative grants permission. In my legislative district and in neighboring legislative districts there are many privately owned cabins located on state forest land. In addition, there are many privately owned cabins on private lands the access to which can only be gained through state forest roads. Under the proposed regulation, a District Forester could prohibit snow plowing and thereby deny individuals access to their property.

The above are just a few examples of concerns that I have with the regulations. If you share them or if you have other concerns, I would appreciate it if you would address those concerns in writing to Warren Ely prior to November 13, 1997.

BF/clz

Attachment