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House of Representatives
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November 26, 1997

Robert Nyce Executive Director
Independent Regulatory Review Commission
14th Floor Harrisburg 2
333 Market St
Harrisburg PA 17101

ORIGINAL: 1886

Org. Letters to Harbison,
Mizner, Coccodrilli,
Nyce

COPIES: Smith
Sandusky
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Notebook

RE: Proposed Rule Making, Department of Conservation & Natural Resources
17 PA Code, Chapter 21 State Forest Rules & Regulations

Dear Executive Director Nyce:

I am writing on behalf of a multitude of constituents who have contacted me regarding the above referenced proposed changes to the State Forest Rules and Regulations. Initially, you should be aware that particularly in Northcentral Pennsylvania the proposed rule making was not properly handled by the Bureau of Forestry. State camp lessees in the Sproul State Forest were advised of a meeting on the proposed rules by mail with the mail arriving at their homes either the day of the meeting or in some cases even after the meeting. This made it virtually impossible for these camp lessees to have input at the proposed meeting.

Those who did attend the meeting expressed overwhelming opposition to the tenor of these proposed rules. In addition, constituents that have called, written and met with me regarding the rules have likewise expressed overwhelming opposition. I have yet to receive a single favorable comment regarding these proposals. THE PRIMARY CONCERN IS "WE HAVE LEFT THE PHILOSOPHICAL PREMISE THAT THE STATE FORESTS ARE THERE AND OPEN FOR OUR USE UNLESS POSTED OTHERWISE, AND ENTERED INTO A NEW ERA WHERE THE PREMISE IS THAT THE FOREST IS CLOSED TO ANY AND ALL USES UNLESS PRIOR WRITTEN PERMISSION IS OBTAINED FROM THE BUREAU OF FORESTRY". This premise overrides virtually each and everyone of the rule changes. More permits are required now than ever before. In addition the rules clearly state that unless a trail or use is posted as permitted the user is to presume that he must have a permit; see Section 21.21 (b), Section 21.22 (b), (c), Section 21.23 a and (b) (c), Section 21.23 b (a), Section 21.61. In addition, Section 21.25 virtually prohibits parking anywhere in the forest unless you have asked the State Forester for permission.

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Section 21.67 and 21.77 read together with Section 21.78 could result in the conclusion that a sportsmens group can not even sell memberships or raffle tickets to camp lessees without first obtaining permission from the district forester. In addition Section 21.70 a indicates that a camp lessees can not even plow the road so that he can access his camp without first obtaining permission from the district forester.

In summary it is clear from these proposals that for the state forest have become the sole and exclusive property of the district forester and not the constituents. Clearly we can not allow these rules to take effect. I would suggest to your committee that these rules are probably not even amendable and into an acceptable version. I believe they should be rejected in their entirety and the Bureau of Forestry directed to come back with a more user friendly approach to our mutual constituents.

Very truly yours,



Mike Hanna

76th District
State Representative

MKH/mkr

cc: Jack Peters
Jack Bruno
Tim Horner
Greg Werts
Regis Werts
Sportsmen's list