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**INDEPENDENT REGULATORY REVIEW COMMISSION
COMMONWEALTH OF PENNSYLVANIA
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March 25, 2004

Honorable Dennis C. Wolff, Secretary
Department of Agriculture
211 Agriculture Building
2301 North Cameron Street
Harrisburg, PA 17110

Re: Regulation #2-138 (IRRC #2248)
Department of Agriculture
Agricultural Area Security Program; Agricultural Conservation Easement Purchase
Program; Agricultural Security Area Program

Dear Secretary Wolff:

The Independent Regulatory Review Commission approved the subject regulation today. Our Order is enclosed and will be available on our website at www.irrc.state.pa.us.

We appreciate the joint effort that went into producing a regulation that meets the criteria and intent of the Regulatory Review Act.

Sincerely,

Alvin C. Bush
Vice Chairman

evp

Enclosure

cc: Honorable Arthur D. Hershey, Majority Chairman, House Agriculture and Rural Affairs
Committee
Honorable Peter J. Daley, II, Democratic Chairman, House Agriculture and Rural Affairs
Committee
Honorable Mike Waugh, Chairman, Senate Agriculture and Rural Affairs Committee
Honorable Michael A. O'Pake, Minority Chairman, Senate Agriculture and Rural Affairs
Committee

**INDEPENDENT REGULATORY REVIEW COMMISSION
APPROVAL ORDER**

Commissioners Voting:

Public Meeting Held March 25, 2004

Alvin C. Bush, Vice Chairman
Daniel F. Clark, Esq.
Arthur Coccodrilli
Murray Ufberg, Esq.

Regulation No. 2-138
Department of Agriculture
Agricultural Area Security Program;
Agricultural Conservation Easement Purchase
Program; Agricultural Security Area Program

On January 29, 2002, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Department of Agriculture (Agriculture). This rulemaking amends 7 Pa. Code Chapters 138, 138e and 138l. The proposed regulation was published in the February 9, 2002 *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on February 13, 2004.

This regulation updates provisions relating to the Agricultural Area Security Law to implement numerous statutory revisions including Act 14 of 2001. The Department is also codifying procedures it has been using to administer the agricultural area security program and the agricultural conservation easement program.

We have determined this regulation is consistent with the statutory authority of the Department of Agriculture (3 P.S. § 915) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

BY ORDER OF THE COMMISSION:

This regulation is approved.





Alvin C. Bush, Vice Chairman