

Regulatory Analysis Form		This space for use by IRRC RECEIVED 2002 MAY 22 AM 10:10 REGULATORY REVIEW COMMISSION	
(1) Agency Department of Conservation & Natural Resources		IRRC Number: 2273	
(2) I.D. Number (Governor's Office Use) 7B-004			
(3) Short Title State Forest Picnic Areas			
(4) PA Code Cite 17 Pa. Code Chapter 23		(5) Agency Contacts & Telephone Numbers Susan Wood, Assistant Counsel, Office of Chief Counsel, 772-4171, swood@state.pa.us	
(6) Type of Rulemaking (Check One) <input checked="" type="checkbox"/> Proposed Rulemaking <input type="checkbox"/> Final Order Adopting Regulation <input type="checkbox"/> Final Order, Proposed Rulemaking Omitted		(7) Is a 120-Day Emergency Certification Attached? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes: By the Attorney General <input type="checkbox"/> Yes: By the Governor	
(8) Briefly explain the regulation in clear and nontechnical language. The purpose of this rulemaking is to improve the protection of State Forest resources and to increase the safety and enjoyment of visitors to State Forest Picnic Areas. It adds several rules of conduct for picnic area visitors and liberalizes others. It shortens the chapter by eliminating unnecessary provisions.			
(9) State the statutory authority for the regulation and any relevant state or federal court decisions. The Department is authorized to promulgate these regulations by Sections 302 (relating to forests) and 313 (relating to rulemaking authority) of the Conservation and Natural Resources Act, 71 P.S. §§ 1340.302, 1340.313; and Sections 7505 (relating to violation of governmental rules regarding traffic) and 7506 (relating to violation of rules regarding conduct on Commonwealth property) of the Crimes Code (18 Pa.C.S. §§ 7505, 7506).			

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(10) Is the regulation mandated by any federal or state law or court order, or federal regulation? If yes, cite the specific law, case or regulation, and any deadlines for action.

The Department is mandated by the Conservation and Natural Resources Act, 71 P.S. § 1340.313 (relating to rulemaking authority), to promulgate regulations for the control, management, protection, utilization, development, occupancy and use of the lands and resources of state parks and state forests as it may deem necessary or proper to conserve the interests of the Commonwealth.

The Department is also mandated by the Crimes Code, 18 Pa.C.S. § 7505 (relating to violation of governmental rules regarding traffic), to promulgate regulations governing all vehicular traffic on land under the jurisdiction of the Department.

The Department is not mandated by federal law or regulation or court order to promulgate these regulations.

(11) Explain the compelling public interest that justifies the regulation. What is the problem it addresses?

Chapter 23 needs to be updated to address changing needs in State Forest Picnic Areas regarding visitor safety and protection of State Forest resources.

(12) State the public health, safety, environmental or general welfare risks associated with non-regulation.

Non-regulation would result in lack of protection of State Forest resources and visitors.

(13) Describe who will benefit from the regulation. (Quantify the benefits as completely as possible and approximate the number of people who will benefit.)

The revisions to Chapter 23 will improve the protection of the 27 State Forest Picnic Areas and visitors to these areas.

Regulatory Analysis Form

(14) Describe who will be adversely affected by the regulation. (Quantify the adverse effect as completely as possible and approximate the number of people who will be adversely affected.)

No one will be adversely affected by the regulations.

(15) List the persons, groups or entities that will be required to comply with the regulation. (Approximate the number of people who will be required to comply.)

All visitors to State Forest Picnic Areas are required to comply with Chapter 23.

(16) Describe the communications with and input from the public in the development and drafting of the regulation. List the persons and/or groups who were involved, if applicable.

The Conservation and Natural Resources Advisory Council reviewed this proposed rulemaking and had an opportunity to offer comments. The Department received no comments from the Council.

(17) Provide a specific estimate of the costs and/or savings to the regulated community associated with compliance, including any legal, accounting or consulting procedures which may be required.

This proposed rulemaking imposes no new costs or savings to the regulated community.

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(18) Provide a specific estimate of the costs and/or savings to local governments associated with compliance, including any legal, accounting or consulting procedures which may be required.

Not applicable.

(19) Provide a specific estimate of the costs and/or savings to state government associated with the implementation of the regulation, including any legal, accounting or consulting procedures which may be required.

The only costs will be the Department's costs in preparing new postings of Chapter 23 for the 27 State Forest Picnic Areas and new postings of camping permit conditions for Asaph and County Bridge State Forest Picnic Areas. The total costs of these postings will be several hundred dollars.

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(20) In the table below, provide an estimate of the fiscal savings and cost associated with implementation and compliance for the regulated community, local government, and state government for the current year and five subsequent years.

Not applicable.

	Current FY Year	FY +1 Year	FY +2 Year	FY +3 Year	FY +4 Year	FY +5 Year
SAVINGS:	\$	\$	\$	\$	\$	\$
Regulated Community						
Local Government						
State Government						
Total Savings						
COSTS:						
Regulated Community						
Local Government						
State Government						
Total Costs						
REVENUE LOSSES:						
Regulated Community						
Local Government						
State Government						
Total Revenue Losses						

(20a) Explain how the cost estimates listed above were derived.

Not applicable.

Regulatory Analysis Form

(20b) Provide the past three year expenditure history for programs affected by the regulation.

Not applicable.

Program	FY-3	FY-2	FY-1	Current FY

(21) Using the cost-benefit information provided above, explain how the benefits of the regulation outweigh the adverse effects and costs.

Not applicable.

(22) Describe the nonregulatory alternatives considered and the costs associated with those alternatives. Provide the reasons for their dismissal.

Nonregulatory alternatives would not be appropriate. See answer to #10.

(23) Describe alternative regulatory schemes considered and the costs associated with those schemes. Provide the reasons for their dismissal.

Not applicable.

Regulatory Analysis Form

(24) Are there any provisions that are more stringent than federal standards? If yes, identify the specific provisions and the compelling Pennsylvania interest that demands stronger regulation.

There are no federal standards.

(25) How does the regulation compare with those of other states? Will the regulation put Pennsylvania at a competitive disadvantage with other states?

All state forest agencies have similar regulations. Adoption of these revisions will not put Pennsylvania at a competitive disadvantage.

(26) Will the regulation affect existing or proposed regulations of the promulgating agency or other state agencies? If yes, explain and provide specific citations.

No.

(27) Will any public hearings or informational meetings be scheduled? Please provide the dates, times, and locations, if available.

No. Because this rulemaking is non-controversial and will have minimal impact on the public, hearings and informational meetings will not be held.

Regulatory Analysis Form

(28) Will the regulation change existing reporting, record keeping, or other paperwork requirements? Describe the changes and attach copies of forms or reports which will be required as a result of implementation, if available.

No.

(29) Please list any special provisions which have been developed to meet the particular needs of affected groups or persons including, but not limited to, minorities, elderly, small businesses, and farmers.

Not applicable.

(30) What is the anticipated effective date of the regulation; the date by which compliance with the regulation will be required; and the date by which any required permits, licenses or other approvals must be obtained?

The anticipated effective date of the regulation is October 31, 2002.

(31) Provide the schedule for continual review of the regulation.

The effectiveness of Chapter 23 will be monitored on an ongoing basis.

FACE SHEET
FOR FILING DOCUMENTS
WITH THE LEGISLATIVE REFERENCE BUREAU
(Pursuant to Commonwealth Documents Law)

RECEIVED

2002 MAY 22 AM 10:10

LEGISLATIVE REFERENCE BUREAU
REVIEW COMMISSION

2273

DO NOT WRITE IN THIS SPACE

Copy below is hereby approved as to form and legality. Attorney General

[Signature]
MAY 03 2002

DATE OF APPROVAL

Check if applicable
Copy not approved. Objections attached.

Copy below is hereby certified to be a true and correct copy of a document issued, prescribed or promulgated by:

Department of Conservation and Natural Resources

(AGENCY)

DOCUMENT/FISCAL NOTE NO. 7B-004

DATE OF ADOPTION:

[Signature]

TITLE: John C. Oliver, Secretary
(EXECUTIVE OFFICER, CHAIRMAN OR SECRETARY)

Copy below is hereby approved as to form and legality. Executive or Independent Agency

BY: *[Signature]*

4/9/02
DATE OF APPROVAL

(Deputy General Counsel)
(Chief Counsel, Independent Agency)
(Strike inapplicable title)

Check if applicable. No Attorney General approval or objection within 30 days after submission.

Proposed Rulemaking
17 Pa. Code, Chapter 23
State Forest Picnic Areas

Notice of Proposed Rulemaking
Department of Conservation and Natural Resources
(17 Pa. Code Chapter 23)
State Forests—State Forest Picnic Areas

Preamble

The Department of Conservation and Natural Resources, Bureau of Forestry, proposes to amend 17 Pa. Code Chapter 23 (relating to State Forest Picnic Areas). This chapter has not been revised since it was promulgated in 1979. The amendments update State Forest Picnic Areas Rules and Regulations to improve the protection of state forest resources and safety of visitors.

These proposed amendments also eliminate provisions in Chapter 23 that are redundant with Chapter 21 (relating to State Forests) or that would more appropriately be in the form of camping permit conditions.

Statutory Authority

These amendments are proposed under the authority in Sections 302 (relating to forests) and 313 (relating to relating to rulemaking authority) of the Conservation and Natural Resources Act (71 P.S. §§ 1340.302 and 1340.313) and Sections 7505 (relating to violation of governmental rules regarding traffic) and 7506 (relating to violation of rules regarding conduct on Commonwealth property) of the Crimes Code (18 Pa.C.S. §§ 7505, 7506).

Background and purpose

Pursuant to Executive Order 1996-1, the Department reviewed Chapter 23 and determined that it needed to be updated and streamlined. This proposed rulemaking is intended to accomplish these objectives.

Summary of Amendments

Definitions. In section 23.1 (relating to definitions), “Bureau” and “District Forester” are deleted because these terms are not used in the revised chapter. “State Forest Picnic Area” or “Picnic Area” is added as a defined term because the term is used in this chapter.

Application. Section 23.2 (relating to scope) is revised to be entitled “Application”. The revised section states that State Forest Picnic Areas are subject to both Chapter 21 (relating to State Forests—general provisions) and this chapter.

Violations. Section 23.3 (relating to violations) is revised to reflect the deletion of section 23.12 (relating to motor vehicles) (see below).

Schedule. Section 23.11 (relating to schedule) is revised to establish sunrise (rather than 8 a.m.) as the time of opening of State Forest Picnic Areas to the public. It also permits, as an

exception to the prohibition against entering a State Forest Picnic Area when it is closed to the public, entering for the purpose of fishing or to gain access to another area of state forest land.

Motor vehicles. Section 23.12 is deleted because it is redundant with section 21.21 (relating to State Forests—motor vehicles), which applies to State Forest Picnic Areas as well as to all other state forest land.

Soliciting. Section 23.13 (relating to soliciting) is deleted because it is redundant with section 21.67 (relating to State Forests—posting and soliciting).

Alcoholic beverages. Section 23.14 (relating to alcoholic beverages) is revised to replace “use” with “consumption” of alcoholic beverages.

Litter. Section 23.15 (relating to litter) is revised to delete the prohibition against littering, because it is redundant with section 21.68 (relating to State Forests—littering and disposal), and to add a provision permitting disposal of waste in containers if such containers are provided at the picnic area. However, only litter accumulated during use of a picnic area may be disposed of in these containers.

Fires. Section 23.16 (relating to fires) is revised to specify that charcoal fires are permitted only in appliances designed for charcoal fires, and that disposal of hot charcoal is permitted only in designated facilities. It also clarifies that fires in picnic areas are subject to the forest-fire danger restrictions in section 21.62 (b) (relating to State Forests—open fires).

Hunting, trapping and shooting. Section 23.17 (relating to hunting and shooting) is revised to prohibit—in addition to hunting and discharge of firearms and bows and arrows—trapping and use of devices capable of launching projectiles.

Fishing. Section 23.18 (relating to fishing) is deleted because it is redundant with section 21.64 (relating to State Forests—fishing).

Swimming. Section 23.19 (relating to swimming) is deleted because very few State Forest Picnic Areas have bodies of water, and the Department can use section 21.4 (relating to State Forests—closure) to close an area to swimming if circumstances warrant.

Pets. Section 23.20 (relating to pets) is revised by the deletion of the second sentence, which is redundant with the first sentence.

Camping. Section 23.21 (relating to camping) is deleted because it is redundant with section 21.61 (relating to State Forests—camping permit).

Organized events. Section 23.22 (relating to miscellaneous prohibitions) is revised to be entitled “organized events”. Subsections (a), (b), and (d) are deleted because they are redundant with sections 21.31 (relating to State Forests—prohibitions) and 21.74 (relating to State Forests—disorderly conduct). Subsection (c) is revised to include “other organized” events and to specify that the Department's approval of organized events must be in writing.

Removal of facilities. A new section 23.23 (relating to removal of facilities) is added to prohibit removal of facilities, including picnic tables, grills, fire rings, trash containers, and charcoal disposal containers from picnic areas.

Asaph and County Bridge State Forest Picnic Areas camping regulations. Sections 23.41 through 23.47, which are all the sections under “Asaph and County Bridge State Forest Picnic Areas Camping Regulations” are deleted because they are more appropriate as camping permit conditions than as regulations. The Department will post signs at Asaph and County Bridge State Forest Picnic Areas which will list the conditions of camping at these areas.

Who is affected by the regulations

Visitors to the 27 State Forest Picnic Areas will be affected by the revisions to this chapter.

Cost and paperwork requirements

The revision of Chapter 23 will result in no additional costs or paperwork requirements for the general public, local governments, or the private sector. The only additional costs for the Commonwealth will be the Department's costs of several hundred dollars to revise the postings of rules and regulations at State Forest Picnic Areas and in creating postings of camping permit conditions for Asaph and County Bridge State Forest Picnic Areas.

Effective Date/Sunset Date

These amendments will be effective upon publication of final rulemaking in the *Pennsylvania Bulletin*. Chapter 23 will thereafter be monitored by the Department to determine whether the regulations effectively accomplish their intended goals.

Contact person

These proposed amendments are published on the Department's website at www.dcnr.state.pa.us/forestry. Written comments, suggestions or objections from interested persons will be accepted by the Department for 60 days after publication of these proposed amendments in the *Pennsylvania Bulletin*. Such comments may be directed to William R. Slippey, Chief, Recreation Section, Operations and Recreation Division, Bureau of Forestry, DCNR, by mail at P.O. Box 8552, Harrisburg, PA 17105-8552; by FAX at 717-783-5109; or by e-mail at forestrecreation@state.pa.us.

Alternative means of providing comments and alternative formats of the proposed amendments may be made available to persons with disabilities upon request by contacting William R. Slippey at 717-783-7936 or through the Pennsylvania AT&T Relay Service at 1-800-654-5984 (TDD).

Regulatory Review

Under Section 5(a) of the Regulatory Review Act, the act of June 25, 1982 (P.L. 633, No. 181), as amended by the act of June 25, 1997 (P.L. 242, No. 24), 71 P.S. § 745.5(a), the Department submitted a copy of this proposed regulation on May 22, 2002, to the Independent Regulatory Review Commission and the Chairpersons of the Senate and House Environmental Resources and Energy Committees for review and comment. In addition to submitting the proposed regulation, the Department has provided the Commission and the Committees with a copy of a detailed Regulatory Analysis Form prepared by the Department in compliance with Executive Order 1996-1, "Regulatory Review and Promulgation." A copy of this material is available to the public upon request.

If the Commission has any objections to any portion of the proposed regulation, it will notify the Department by September 6, 2002. Such notification shall specify the regulatory review criteria which have not been met by that portion. The Act specifies detailed procedures for the Department, the Governor and the General Assembly to review these objections before final publication of the regulations.

JOHN C. OLIVER
Secretary

Fiscal Note:

ANNEX A
**TITLE 17. CONSERVATION AND NATURAL
RESOURCES**
SUBPART C. STATE FORESTS
CHAPTER 23. STATE FOREST PICNIC AREAS

PRELIMINARY PROVISIONS

§ 23.1. Definitions.

The following words and terms, when used in this chapter, have the following meanings, unless the context clearly indicates otherwise:

[Bureau]—The Bureau of Forestry of the Department.

District Forester—The Bureau of Forestry employe so designated.]

State Forest Picnic Area or Picnic Area—An area on state forest land designated by the Department as a State Forest Picnic Area.

§ 23.2. [Scope.] Application.

[This chapter applies to all State Forest Picnic Areas in the Commonwealth under the jurisdiction of the Bureau.] State

Forest Picnic Areas are subject to Chapter 21 (relating to State Forests—general provisions) of this title and this chapter.

§ 23.3. Violations.

(a) A person who engages in an act which is prohibited by § 21.21 (relating to State Forests—motor vehicles) or § 21.25 (relating to State Forests—parking) commits [is guilty of] a summary offense under 18 Pa.C.S.

§ 7505 (relating to violation of governmental rules regarding traffic)[if that person commits any act which is prohibited by § 23.12 (relating to motor vehicles)].

(b) A person who engages in an act which is prohibited by this chapter, other than an act prohibited by § 21.21 or § 21.25, [is guilty of] commits a summary offense under 18 Pa.C.S. § 7506 (relating to violation of rules regarding conduct on Commonwealth property) [if that person commits any act which is prohibited by any provision of this chapter other than those set forth in subsection (a)].

MISCELLANEOUS PROVISIONS

§ 23.11. Schedule.

(a) *Hours of use.* State Forest Picnic [Area day-use areas] Areas are open to the public between [8 a.m.] sunrise and sunset.

(b) *Closing [of State Forest Picnic Areas].* [Any] A State Forest Picnic Area may be closed by the Department to public use [at the discretion of the Director of the Bureau].

(c) *Entry.* [Entry by any person upon a State Forest Picnic Area during hours or times of closure shall be prohibited.]

(1) Except as provided in paragraph (2), entering, using, or remaining in a State Forest Picnic Area that is not open to the public is prohibited without written permission of the Department.

(2) Entering a State Forest Picnic Area for the purpose of fishing or for the purpose of gaining access to another area of state forest land that is open for public use is permitted unless posted otherwise.

§ 23.12. [Motor vehicles.] Reserved.

[(a) Licensed vehicle operators shall use only the roads and parking areas open to public traffic, unless otherwise designated by the District Forester. Commercial traffic will be permitted on State Forest Picnic Area roads only when providing authorized service; all other commercial traffic is prohibited.]

(b) The operation of unlicensed motor vehicles shall be prohibited on State Forest Picnic Area roads, trails and other areas except where specially designated.

(c) Excessive noise, nuisance and reckless or negligent operations of vehicles shall be prohibited.]

§ 23.13. [Soliciting.] Reserved.

[Soliciting for any purpose or posting of signs shall be prohibited.]

§ 23.14. Alcoholic beverages.

Possession or [use] consumption of alcoholic beverages [shall be] is prohibited.

§ 23.15. Litter.

[Trash and garbage shall be placed in containers provided for this purpose and shall be limited to material accumulated during use of State Forest Picnic Areas. Littering of areas with garbage, paper or other waste shall be prohibited.] If containers for disposal of trash and garbage are provided by the Department, trash and garbage accumulated during use of a State Forest Picnic Area may be placed in these containers. Disposing of any other material in these containers is prohibited.

§ 23.16. Fires.

[Open fires shall be permitted only in the facilities provided and shall be completely extinguished before being left. All other fires shall be prohibited.] (a) Open fires are permitted in designated facilities, and charcoal fires are permitted in appliances designed for that purpose. All other fires are prohibited.

(b) Disposing of hot charcoal except in a facility designated by the Department for charcoal disposal is prohibited.

(c) Leaving a fire that has not been completely extinguished is prohibited.

(d) This section is subject to the prohibition in § 21.62

(b) (relating to State Forests—open fires).

§ 23.17. Hunting, trapping and shooting.

Hunting, trapping, and the discharge of firearms, [or] bows and arrows, or devices capable of launching projectiles [shall be] are prohibited.

§ 23.18. [Fishing.] [Reserved.]

[Fishing shall be permitted in accordance with current Pennsylvania fish laws unless otherwise posted. Fishing in violation of posted closure or special restriction notices shall be prohibited.]

§ 23.19. [Swimming.] [Reserved.]

[Swimming shall be prohibited at all State Forest Picnic Areas.]

§ 23.20. Pets.

Pets are [permitted in State Forest Picnic Areas provided] prohibited unless they are on a leash not exceeding 6 feet [in length] and are attended at all times. [It is prohibited for a person to allow his pet to be unattended or improperly leashed in a State Forest Picnic Area.]

§ 23.21. [Camping.] Reserved.

[Camping in State Forest Picnic Areas is prohibited except at the Asaph and County Bridge State Forest Picnic Areas in Tioga County.]

§ 23.22. [Miscellaneous prohibitions.] Organized events.

[(a) It is prohibited to remove, molest, injure or damage a natural or physical object within a State Forest Picnic Area.

(b) Unnecessary disturbances or excessive noise are prohibited.

(c) An instruction, exhibition, competition, demonstration or other organized or special event is prohibited without [agreement and approval of the Bureau] written authorization of the Department.

[(d) Disorderly conduct and obscene or lewd acts or dress is prohibited.]

§ 23.23. Removal of facilities.

Removal from State Forest Picnic Areas of Picnic Area facilities, including picnic tables, grills, fire rings, or containers for disposal of trash, garbage, or charcoal is prohibited.

[ASAPH AND COUNTY BRIDGE STATE FOREST PICNIC AREAS CAMPING REGULATIONS]

§ 23.41. [Use.] [Reserved.]

[Camping at the Asaph and County Bridge State Forest Picnic Areas is restricted to designated campsites. Camping at undesignated campsites are prohibited.]

§ 23.42. [Occupancy.] [Reserved.]

[(a) Occupancy of a campsite is limited to living facilities to house one family unit or a nonfamily group limited to five persons per site. A responsible person of at least 18 years of age shall accompany each party.

(b) Maximum camping period is limited to 7 consecutive nights, provided campsites are available.

(c) Campsites are to be vacated by 4 p.m. unless the permit is renewed before 12 p.m. consistent with the 7-night limitation.

(d) Campsites left unattended overnight will be deemed abandoned and the permit will be revoked.]

§ 23.43. [Permits.] [Reserved.]

[(a) Campers shall have a current camping permit. Camping permits are issued on a first-come-first-served basis for all sites.

(b) The fee for camping is \$4.00 per night

(c) Camping without a current valid permit is prohibited. .

(d) Persons violating the provisions of this chapter may, in addition to other penalties, be denied future permits.]

§ 23.44. [Noise.] [Reserved.]

[Unnecessary disturbances and excessive noises are prohibited.]

§ 23.45. [Fires.] [Reserved.]

[Fires are permitted only in camp stoves or in the fireplaces provided and shall be completely extinguished before being left. Other fires are prohibited.]

§ 23.46. [Visitors.] [Reserved.]

[Visitors are allowed in the campground only between the hours of 8 a.m. and sunset daily. It is prohibited for a person to remain in the campground between the hours of sunset and 8 a.m. without a current camping permit.]

§ 23.47. [Miscellaneous prohibitions.] [Reserved.]

[(a) The use of water outlets, springs, lakes or waterways for washing purposes or the discharge of trailer

sewage or sink waste on or into the groundwater or surface waters is prohibited.

(b) Removal of tables, fireplaces or other Commonwealth property is prohibited.]

**DEPARTMENT OF
CONSERVATION AND NATURAL RESOURCES**

Status of Regulations

<u>Reg #</u>	<u>Proposed/Final</u>	<u>Name of Regulation</u>	<u>To General Counsel</u>	<u>Approved By Atty General</u>	<u>Returned From General Counsel</u>	<u>Deliv. To Comm's & IRRC</u>	<u>PA Bulletin Publica- tion</u>	<u>Public Comment Period Ends</u>	<u>House & Senate C/P Ends</u>	<u>IRRC C/P Ends</u>
7B-003	Proposed	State Parks – General Provisions	2-8-02 Ap. 2-20-02	3-6-02	3-8-02	3-13-02	3-23-02	5/22/02 (60 days)	6-11-02	6-21-02
7B-004	Proposed	State Forest Picnic Areas	3-14-02 Ap. 4-9-02	5-3-02	4-11-02	5-22-02	6-8-02	8-7-02 (60 days)	8-27-02	9-6-02



Pennsylvania Department of Conservation and Natural Resources

Rachel Carson State Office Building, P.O. Box 8767, Harrisburg, PA 17105-8767
Office of the Secretary

May 22, 2002

Mr. Robert E. Nyce
Executive Director
Independent Regulatory Review Commission
14th Floor, Harrisstown II
333 Market Street
Harrisburg, PA 17101

RE: Proposed Rulemaking: State Forest Picnic Areas (#7B-004)
Title 17 Pa. Code, Chapter 23

Dear Mr. Nyce:

Enclosed is a copy of the above proposed rulemaking for review by the Independent Regulatory Review Commission pursuant to the Regulatory Review Act. This proposed rulemaking will be published in the *Pennsylvania Bulletin* on June 8, 2002, with a 60-day comment period. Section 5(g) of the Act provides that the Commission shall have 30 calendar days from the closing date of the public comment period to notify the Department of any objections.

The Department of Conservation and Natural Resources will provide the Commission with any assistance it may require to facilitate the review of this proposed regulation. If you have any questions regarding this proposal, please contact William R. Slippey, Chief, Recreation Section, Operations and Recreation Division, Bureau of Forestry at 717-783-7936.

Sincerely yours,

A handwritten signature in black ink, appearing to read 'John C. Oliver', written over a horizontal line.

John C. Oliver
Secretary

Enclosures

**TRANSMITTAL SHEET FOR REGULATIONS SUBJECT TO THE
REGULATORY REVIEW ACT**

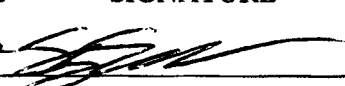
I.D. NUMBER: 7B-004
 SUBJECT: State Forest Picnic Areas
 AGENCY: DEPARTMENT OF CONSERVATION & NATURAL RESOURCES

TYPE OF REGULATION

X Proposed Regulation
 Final Regulation
 Final Regulation with Notice of Proposed Rulemaking Omitted
 120-day Emergency Certification of the Attorney General
 120-day Emergency Certification of the Governor
 Delivery of Tolled Regulation
 a. With Revisions b. Without Revisions

RECEIVED
 DEPARTMENT OF CONSERVATION
 2002 MAY 22 AM 10:10

FILING OF REGULATION

DATE	SIGNATURE	DESIGNATION
5/22		HOUSE COMMITTEE ON ENVIRONMENTAL RESOURCES & ENERGY
5/22/02	<i>Patricia A. Carnathan</i>	SENATE COMMITTEE ON ENVIRONMENTAL RESOURCES & ENERGY
5/22/02	<i>Elisa Pagan</i>	INDEPENDENT REGULATORY REVIEW COMMISSION ATTORNEY GENERAL
5/22/02	<i>Marya Garcia</i>	LEGISLATIVE REFERENCE BUREAU

May 14, 2002