

State Forest Resource Management Plan

The Pennsylvania Department of Conservation and Natural Resources (DCNR) has scheduled a series of meetings to collect public input on the proposed State Forest Resource Management Plan (SFRMP). This public input will help to determine how the DCNR will manage our State Forests, including shale gas and water resources, for the next five to ten years. Consequently, it is vital to provide strong input for the new DCNR Forest Resource Management Plan.

All meetings will be held from 6:30 to 9:00 p.m. A presentation on the SFRMP will be delivered first. Afterward, guests will be seated at tables and verbal comments will be recorded individually. It is best for individuals representing the same views to be seated at separate tables for their comments to have the greatest impact.

The proposed plan is at:

<http://www.dcnr.state.pa.us/forestry/stateforestmanagement/sfrmp/2015sfrmp/index.htm>

Public Meeting dates:

- Wilkes-Barre/Scranton, Oct. 6, The Woodlands Resort
- Stroudsburg, Oct. 7, Stroudsmoor Inn
- Philadelphia, Oct. 8, Fairmount Park Horticultural Center
- Renovo, Oct. 21, Renovo High School Cafeteria
- Coudersport, Oct. 22, Pa. Lumber Museum, Josh Roth
- Bedford, Oct. 27, Bedford Travelodge, Kathy Leonard
- Pittsburgh, Oct. 28, Double Tree Hotel, Monroeville
- Clarion, Oct. 29, Park Inn by Radisson
- State College, Nov. 3, Ramada Inn - Nittany Room
- Carlisle, Nov. 10, Comfort Suites
- Williamsport, Nov. 12, Genetti Hotel - Terrace Room
- Harrisburg, Nov. 17 or 18, Rachel Carson State Office Building

If you cannot attend a public meeting, send your comments via e-mail to DCNR at StateForestPlan2015@pa.gov

Below are talking points for your consideration. It is best to choose the top points most important to you because you may not have the opportunity to express all of them. These were compiled from various members' input and do not necessarily represent official positions.

Talking Points:

Points specific to the Clarence Moore lands

The 25,000 acres of the Clarence Moore Lands epitomize the best of Pennsylvania's remaining unfragmented forest lands and include Old Loggers Path, the EV watersheds of Rock Run and Pleasant Stream, and a National Audubon Society-designated Important Bird Area. As noted in

the SFRMP, "The SFRMP is the primary instrument that the bureau uses to plan, coordinate, and communicate its management of the state forest system." (Page 2) The SFRMP should include consideration of this tract for its irreplaceable natural and recreational resources, as part of the Bureau of Forestry's stated Strategic Plan and Mission Statement. (Page 4)

Legal decisions by the Commonwealth Court and Board of Claims give the PA DCNR unusually strong ability to protect the surface of these (Clarence Moore) lands from oil and gas development.

DCNR's "key messages" include the statement that "the future of Pennsylvania's natural resources depends on you." (Page 54) Decisions about the state forests, including the special situation affecting the Clarence Moore Lands, should take into account the public's desire to protect this special place – as demonstrated since 2012, by the organizations representing over 100,000 citizens, who have collaborated to protect the CM Lands.

The Old Loggers Path and Rock Run, as well as surrounding areas in the Clarence Moore lands, are popular destinations for those seeking outdoor recreation and, as such, provide an economic value that needs to be considered before allowing any alterations to the landscape.

This GIS mapping project by PennFuture and FracTracker was designed to enable the public to investigate how shale gas development is changing the face of our public lands.

<http://www.fractracker.org/2015/02/shale-public-lands/>

Public Engagement

DCNR needs to expand its public engagement process to include a formal process to allow the public to provide input on specific land management decisions, including individual oil and gas leases and other mineral extraction activities, timber sales, infrastructure development (such as pipelines, roads, transmission lines, communications towers, etc.). This process should include public meetings, as well as input through electronic means and snail mail. A streamlined version of the federal NEPA process would be a good model for this.

DCNR is required by law to manage State Forests and State Parks for the benefit of all Pennsylvanians, including generations yet to come. Given this stake in how public lands are managed, the public should have meaningful input into how DCNR makes significant and far-reaching decisions regarding the management of these lands. This can be facilitated in the following ways:

- A public comment period
- Public access during the comment period to proposed development plans and DCNR's analysis of the effects of the potential development on ecological, recreational, wildlife, cultural and aesthetic resources
- At least one public meeting or hearing
- A comment-response document prepared by DCNR, and provided to the public, after the submission of public comments

Oil and Gas Leasing

The public strongly supports the prohibition of new oil and gas leases on State Forest and Park lands. With 700,000 acres of our State Forests currently available for leasing, no future leasing should occur. The Governor's Executive Order establishing a moratorium on new leasing is a good start, but should be strengthened to ban future leasing entirely.

Existing leases have resulted in extensive impacts to our public forests, but represent only about 20% of the wells expected to be drilled. Many violations of drilling regulations have occurred. DCNR should halt any drilling activities of companies who have violations, until they are fully in compliance. This includes those wells that are leaking.

Compressor stations should be required to comply with noise limits. They should be shut down if they fail to comply with these limits. They should not be sited near areas used for recreation.

Where oil and gas rights under Bureau of Forestry (BOF) and State Park lands are not owned by DCNR, the agency should prohibit surface impacts, and require companies to use horizontal drilling to access their minerals. Advances in drilling technologies demonstrate this is feasible.

The Plan has no provisions to deal with existing problems on BOF lands caused by drilling. In order to address these problems, DCNR should seek an MOU with DEP that establishes some minimum training for designated DCNR staff. These people would learn to assess compliance with drilling requirements. While DCNR staff could not issue violations, they should be able to assess and document problems, and then notify DEP inspection staff.

Leasing natural gas sites violates the trust provisions of Article I §27, "to conserve and maintain the public natural resources for the benefit of the people" because leasing harms the State Forest.

Leasing State Forest lands for gas extraction causes immediate and long term harm to the forest and to the biological diversity of the forest ecology. By its very nature gas extraction requires industrial development on the surface of the land. This development directly harms the forest through soil compaction, fragmentation and pollution of the air and water. It impacts DCNR's mandate to preserve the natural, scenic, historic and esthetic values of our forests and parks.

Leasing violates the statutory mission of DCNR under the Conservation and Natural Resources Act "to manage our state forests to assure their long term health, sustainability and economic use" because leasing causes immediate and long term harm.

Leasing *is not* one of the identified economic benefits of our forests under §101(a) of the Conservation and Natural Resources Act. In addition, it is harmful to tourism, outdoor recreation and sustainable timber development.

The industrial development within our State Forests has a direct negative impact on tourism and the quality of the wilderness experience. It also negatively impacts on DCNR's ability to sustain the quality of trees within the State Forest for the benefit of the timber industry.

The updated forestry plan must include an analysis of our forests as they are now in order to develop a plan for the future. That analysis must include the impacts from the recent industrial development within and adjacent to our State Forests for the extraction of oil and gas through non-conventional drilling. It must also include an analysis of future impacts from the continued operation of current leases, both from DCNR leases and from severed rights leases.

Gas Well Monitoring Report

The report fails to list all drilling company violations that have occurred on BOF lands. All such violations should be included in the report, as well as whether the company in violation has come into compliance. This should include any well bore integrity failures, including those that allow methane to escape to the environment.

The people cannot evaluate the effectiveness of The Forest Management Plan without identifying ongoing efforts to monitor the impacts from the non-conventional shale gas extraction activities. The 2014 Shale Gas Monitoring Report relied on data mostly taken in 2012, three years ago. The plan must summarize more recent results, and identify continuing monitoring programs. Of particular concern are the lack of any air quality monitoring by DCNR, the lack monitoring of stream crossing impacts, broader analysis of increased storm water impacts.

Air Quality Monitoring. There are numerous recent studies identifying new and increased sources of air pollution for gas extraction structures. These pollution sources will cause immediate and long term impacts on the plants, animals, soil and water of our State Forests and Parks. There are no existing or proposed air quality monitoring programs for DCNR to determine the long term, cumulative impacts from these pollution sources.

Climate Change

Inclusion of this matter in the Forest Health section is laudable. Emphasis should be given to expanding old growth areas as a way to sequester carbon. BOF should consider zoning north-facing slopes for short term conservation of species expected to be most impacted.

Timber Harvesting

DCNR should not increase the maximum size of individual timber "regeneration harvests" from 75 to 125 acres. Such a change would increase penetration of edge effects on adjacent forest lands. Timber harvest planning should provide for reductions in annual acres harvest as mitigation measure for disturbance and land use conversions caused by oil and gas development.

Recreation

Outdoor recreation in Pennsylvania is a major driver for revenue and jobs. Pennsylvania's state forests provide great value in terms of recreation. The DCNR must weigh carefully the value of natural gas development verses lost revenue and employment from the state's recreation and tourism industry.

The public supports DCNR's policy to allow no additional ATV trails on BOF lands. Any such trail development should occur on lands not owned or managed by DCNR and which are acquired specifically for ATV riding, such as abandoned minelands. The ATV Fund should be used primarily for ATV law enforcement, with a primary goal of preventing trespass and environmental damage by riders who stray from designated trails.

Extension of Public Comment for the Plan

The draft Plan is 193 pages in length. The current 2 month public comment period should be extended, to allow the public to more fully digest and respond to the draft Plan. Given that DCNR has repeatedly extended the time it has taken to develop this draft, this is reasonable. The public comment period should be extended to the end of January, 2016, at a minimum.