

## Main points:

- DCNR is updating plant regulations, Chapter 45 Conservation of Pennsylvania Native Wild Plants
- DCNR's responsibility to maintain an up-to-date listing of classified plants.
- Last updated the plant list in 2018, but more plant statuses need to be updated.
- More information is now available for many species
- DCNR has spent over 20 years compiling data, reviewing info, using information from plant experts from PA and the region. This will reflect the most up-to-date scientific information on plant conservation in PA. Approx. 3,000 plant species in PA (more plants than animals in PA).
- There is a total of 83 substantive changes to Subchapter B. More species being delisted than added. 5 fewer species listed as a result.
  - 26 currently unclassified plant species will be newly classified
  - 26 currently classified plant species, will be reclassified
  - 31 currently classified plant species will be unclassified
  - 4 currently classified plant species will have their names changed (also included in the numbers above)
- We focused on a group of species whose statuses no longer reflected current trends. We are working through a list of plants and evaluating their statuses; future reg packages should be forthcoming.
- Rulemaking "package" consists of Preamble, Annex A, Regulatory Analysis Form. Also provide online Species Account explaining decisions.

## Process:

- Data collection—PABS VPTC, RPF, public comment, DCNR, PNHP
- Decisions on status changes—VPTC, RPF, website
- DCNR preps rulemaking documents
- Communicates to stakeholders
- Routes package to Office of General Council, Office of Budget, Governor's Office, Legislative Committees
- Proposed Rulemaking published in bulletin; comment period; Final Rulemaking published

## Background:

- The Wild Resource Conservation Act of 1982 gave the Department of Environmental Resources (predecessor of DEP and DCNR) the authority to classify native rare plants. In 1987, the DER issued the regulations "Conservation of Pennsylvania Native Wild Plants," providing the first list of threatened, endangered, rare, vulnerable, and tentatively undetermined plant species in PA. (later conferred from the DER to DCNR in Act 18).
- The WRCA also says DCNR (originally the Environmental Quality Board) may add or delete species as conditions change and may modify regulations to reflect the changing environment. (Act 18 also conferred that duty from the EQB to DCNR).
- The regulations were last updated 12/14/2018. We got 14 public comments, all positive. The regulation passed the Independent Regulatory Review Commission with no discussion.
- In 2013, DCNR changed the Ginseng harvest season regulations, 9 months.

## Timeline/Issues:

- The Preamble, Annex A, and Regulatory Analysis Form are being finalized. Finishing touches on species accounts (photos, references, etc.)
- Currently communicating changes to advisory committees.

### Summary

<b>No. Add</b>	<b>26</b>
<b>No. Upgrade</b>	<b>21</b>
<b>No. Downgrade</b>	<b>5</b>
<b>No Delist</b>	<b>31</b>
<b>Total changes</b>	<b>83</b>
<b>Net Species</b>	<b>-5</b>
<b>Total Add or Upgrade:</b>	<b>47</b>
<b>Total DL or downgrade:</b>	<b>36</b>

<b>Classification</b>	<b>Current Number of Species in Ch 45</b>	<b>No. Species to be Added to Ch 45 (currently unlisted)</b>	<b>No. of Species to be Transferred INTO this Classification from another Classification</b>	<b>No. of Species to be Transferred OUT of this Classification into another Classification</b>	<b>No. of Species to be Delisted (remove from Ch 45)</b>	<b>Final Number of Species in Chapter 45 (after proposed rulemaking)</b>	<b>Net Change (current vs proposed)</b>
<b>Extirpated</b>	<b>102</b>	<b>3</b>	<b>3</b>	<b>1</b>	<b>4</b>	<b>103</b>	<b>1</b>
<b>Endangered</b>	<b>232</b>	<b>10</b>	<b>15</b>	<b>5</b>	<b>8</b>	<b>244</b>	<b>12</b>
<b>Threatened</b>	<b>78</b>	<b>6</b>	<b>5</b>	<b>9</b>	<b>3</b>	<b>77</b>	<b>-1</b>
<b>Vulnerable</b>	<b>3</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>3</b>	<b>0</b>
<b>Rare</b>	<b>39</b>	<b>7</b>	<b>3</b>	<b>1</b>	<b>4</b>	<b>44</b>	<b>5</b>
<b>Tentatively Undetermined</b>	<b>128</b>	<b>0</b>	<b>0</b>	<b>10</b>	<b>12</b>	<b>106</b>	<b>-22</b>
<b>Special Populations</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>TOTAL</b>	<b>582</b>	<b>26</b>	<b>26</b>	<b>26</b>	<b>31</b>	<b>577</b>	<b>-5</b>