

MINUTES

CONSERVATION AND NATURAL RESOURCES ADVISORY COUNCIL (CNRAC)

November 18, 2020

MEMBERS PRESENT

Rocco Ali, Member
Silas Chamberlin, Member
Greg Goldman, Member
Meredith Graham, Secretary
Sarah Hall-Bagdonas, Member
Joanne Kilgour, Member
Bob Kirchner, Vice Chair
Gary Kribbs, Member
Geraldyn Singer, Chair
Steve Stroman, Member
Janet Sweeney, Member
Ted Tharan, Member
Dave Trimpey, Member

DCNR

Cindy Dunn, DCNR Secretary
Gretchen Leslie, CNRAC Advisor

ADMINISTRATOR

Katrina Harris, CNRAC Administrator

GUESTS PRESENT

Nicole Faraguna, DCNR, Policy Director (presenter)
Eric Nelson, DCNR, Director of Legislative Affairs (presenter)
Shawn Lehman, DCNR, Bureau of Forestry, Chief, Division of Forest Fire Protection (presenter)
Michael Kern, DCNR, Bureau of Forestry, Forest Program Manager
John Norbeck, DCNR
Ellen Shultzabarger, DCNR
Sherri Anderson, DCNR
Stacie Amsler, DCNR
Aara Vinsh, DCNR
Nate Lotze, DCNR
Meredith Hill, DCNR
Shea Zwerver, DCNR
Chris Novak, DCNR
Lauren Imgrund, DCNR
Seth Cassell, DCNR
Jake Newton, DCNR
David Hess, PA Environment Digest Blog
Loren Anderson, Marcellus Shale Coalition
Sarah Corcoran, Sierra Club
David Cale, Laurel Caverns
Sarah Chudnovsky

Susan Murawski, Presque Isle Audubon Society
Kyle Shenk, Conservation Fund
John Confer, California University of Pennsylvania
Jack Clark
Debra Goldstein, Conservation Matters
Nick Troutman, Senator Yaws Office
Laura Jackson
Carol DeWolf, Natural Lands

WELCOME

Ms. Gretchen Leslie opened the meeting and welcomed everyone to CNRAC's virtual meeting. She stated Council members have the ability to interact with presenters and have discussions among themselves, and the general public will have an opportunity to speak at the end of the meeting. She stated the meeting is being recorded, and by participating, consent is being given to the recording, retention and use of the session recording. Ms. Leslie read a list of Council members present and individuals who registered to attend the meeting.

Ms. Geralyn Singer, Chair, expressed appreciation for everyone taking the time to attend. She thanked the DCNR staff helping with the arrangements for the virtual meeting.

APPROVAL OF MINUTES

Council unanimously approved the September 23, 2020 minutes.

COUNCIL REPORT

Geralyn Singer, CNRAC Chair

Ms. Singer stated Council has remained busy and engaged in many issues during the pandemic. She mentioned there are several vacancies available and a number of re-appointments outstanding which are important to maintain a full Council membership to accomplish the Council's mission; she noted DCNR is working on these positions. Ms. Singer noted as the Commonwealth works on the remaining budget for this fiscal year, it will be challenging and will be further discussed by Secretary Dunn.

SECRETARY'S REPORT

Cindy Dunn, DCNR Secretary

Secretary Dunn thanked the Council for staying active during the pandemic, particularly the high level of engagement of the work groups. She welcomed members of the public joining the meeting.

Secretary Dunn advised she had spoken recently at eight meetings or conferences, with approximately 2,000 people in total being present at these events from across the state. She noted 300 college students participated in a town hall on climate change, and there was a good exchange of ideas with the students.

Secretary Dunn stated there has been a divide in the nation and state with the most recent elections, and DCNR's programs can pull people together for a common purpose as citizens agree on the value of outdoor recreation, parks and forests. She advised the election saw voters across the country approving more than \$3 billion in local ballot initiatives for parks,

public lands, and climate resilience.

Secretary Dunn said the legislature is working hard with the Governor's Office to finalize the budget for the remaining seven months. She noted one of the issues on the table are the Special Funds, including two very important to DCNR—the Keystone Fund (supported by voters in 1993) which funds local parks and trails as well as State park infrastructure and land conservation, and the Environmental Stewardship Fund based on tipping fee money. She stated the state is also hopeful that Federal money will be coming to help the states weather the impact from the pandemic crisis, so that services can continue to be provided and the economy can emerge strong.

Secretary Dunn advised DCNR is analyzing the new restrictions due to the uptick in COVID-19 cases and the potential impact on DCNR's mission, including managing travelers from out of state and keeping visitors and staff safe. She stated there continues to be record-breaking participation in outdoor recreation with camping reservations up 80% in September and a 31% increase in October which breaks all records. Secretary Dunn stated nine parks experienced more than 100% increase and 34 parks experienced more than 50% increase in camping reservations.

Secretary Dunn stated grants have been announced, and she participated in a few grant events; further in-person events are suspended for now. She noted buffer planting events continue as the season allows, and the Outdoor Corps is wrapping up their season.

DCNR ADVISOR REPORT **Gretchen Leslie, CNRAC Advisor**

Ms. Leslie provided the dates for the 2021 meetings: January 27, March 24, May 26, July 28, September 22, and November 17. She noted at least the January meeting will be virtual, and other meetings may be hybrid meetings.

Ms. Leslie noted nominations are being accepted for Trail of the Year through Friday, November 20, and the nomination forms are on the DCNR website.

Ms. Leslie advised the draft 2020-2024 Pennsylvania Trail Network Strategic Plan has been prepared which sets the agenda in conjunction with the Statewide Comprehensive Outdoor Recreation Plan for trails and trail networks throughout the state.

LEGISLATIVE UPDATE **Eric Nelson, Director of Legislative Affairs, DCNR**

Mr. Eric Nelson advised the focus is primarily on the current status of budget discussions and noted he expected to see specific language later in the day. He mentioned Representative Owlett may be introducing language that would be amended into the fiscal code or be Title 75 language that would allow DCNR to establish an ATV pilot program in one or more of the forest districts. He noted DCNR supports the pilot program. Mr. Nelson also reviewed some of the leadership changes that occurred after the recent elections.

Mr. Rocco Ali asked about Senate Bill 619 which involves the reporting of pollution. He stated the Fish Commission is opposed to the bill as it loosens the law and reporting requirements for spills. Mr. Nelson advised DCNR is still evaluating the legislation; typically when DEP opposes a bill, DCNR follows suit.

COUNCIL BUSINESS

Ms. Singer stated a letter from CNRAC to the PA delegation regarding the need for a Federal stimulus package for state governments had been finalized by email due to the time sensitivity and now needed to be ratified. A motion was made, seconded and unanimously passed to ratify the letter.

Ms. Singer asked Ms. Meredith Graham, Chair of the Strategic Planning Work Group to discuss a second letter. Ms. Graham stated the work group had completed a review of the PA Forest Action Plan and explained the plan is prepared every 10 years to remain eligible for Federal funding. She said DCNR had done a great job and commended the Bureau staff. She explained the 300-page document was divided up among the work group based on each person's area of expertise, and the work group developed some meaningful feedback that they think will be helpful to the Department. A motion was made, seconded and passed to approve the letter to the Bureau of Forestry. Ms. Singer thanked the work group for their excellent work on the plan.

PRESENTATIONS

FINALIZED DCNR ATV POLICY

Nicole Faraguna, DCNR Policy Director

Ms. Nicole Faraguna advised DCNR wanted to release the new policy at a CNRAC meeting as proposed changes were initially discussed at a CNRAC meeting. She noted DCNR released the draft revised ATV policy on January 27, 2020 for a 60-day public comment period, during which time there were a number of presentations and webinars to get feedback; the draft policy was also shared through social media and the DCNR website to help get information out to stakeholders. Ms. Faraguna said COVID-19 impacts delayed the finalization of the policy as state parks and forests experienced unprecedented use which created time constraints for DCNR's operations and enforcement staff, so the patience of interested stakeholders has been very much appreciated; the policy has now been finalized.

Ms. Faraguna stated the revised policy changes the 2015 policy by rescinding the 2003 moratorium to allow DCNR to explore opportunities for new trail path uses on state forest lands. She explained the policy continues to prohibit use of ATVs on state park trails and permits the DCNR Secretary to designate portions of forestry roads as temporary, seasonal or permanent ATV trails. Ms. Faraguna noted there will continue to be a community involvement process to involve stakeholders where there are opportunities or projects which may have impacts on a community. She stated the policy will continue to support the acquisition of land specifically for motorized recreational use and work with private landowners to improve long-distance trail systems through easements or legal agreements. She advised that a number of public comments referenced the Hatfield McCoy trail system in West Virginia that relies on public and private lands, so DCNR wants to make sure there is good coordination with private landowners in delivering long-distance trails.

Ms. Faraguna noted that DCNR received good input and substantive comments, which were very helpful in finalizing the policy. Ms. Faraguna noted the public comment period had been extended, and more than 850 comments were received. She summarized the feedback and noted many shared a state forest or county where motorized recreation is desired, with many

being in the northern tier. She said approximately three-quarters of the comments supported ATV trails on DCNR land with one-quarter opposing ATV trails or had concerns. She stated the majority of comments expressed safety concerns over multi-use roads; concerns from snowmobile users about overlapping seasons and maintenance of the trails and whether there are separate funding mechanisms for ATV versus snowmobile maintenance; comments that private lands are integrated into snowmobile trails and such landowners might not be in favor of ATV riding; economic impacts on local communities; and reliance on townships or private lands to make trail connections. Ms. Faraguna advised about a quarter of the comments offered a myriad of issues including DCNR's constitutional or trustee role, DCNR's already challenging capacity with enforcement, impacts on other recreational users such as hikers and hunters, environment impacts, impacts to wildlife, and noise pollution impacts to wildlife and other recreational users.

Ms. Faraguna said the revised policy is effective immediately, and will be made available along with responses to the comments. She advised the Bureau of Forestry is finalizing plans to implement the policy, and there will be a full time motorized recreation staff person who will coordinate the implementation. Ms. Faraguna stated the Bureau of Forestry is focusing on overarching principles that will also be released with the policy which will guide implementation and will reinforce DCNR's role as trustee and constitutional responsibilities. She noted there will be significant planning needed before trails are put in place to ensure they are sustainable, safe and maintainable.

Mr. Bob Kirchner said on behalf of CNRAC's Motorized Recreation Group he wanted to express appreciation for the work done by DCNR on the ATV policy which addresses issues that have been festering for some time.

SHALE GAS MONITORING UPDATE

Shawn Lehman, DCNR Bureau of Forestry, Forest Program Manager

Mr. Shawn Lehman gave an update on current field monitoring efforts. He noted there was a delay in starting the field season due to COVID-19, which impacted some efforts such as controlling invasive species; however, it also provided an opportunity for review and updating manuals and data base applications. Mr. Lehman thanked the monitoring staff for working hard to get the program back on track for 2020 activities.

Mr. Lehman noted in the widespread water sampling program there are more than 350 sites that are visited at a minimum every three years to collect pH conductivity and perform stream bank assessments. He advised 130 of these sites, covering several districts, have been visited so far in 2020, with 20 remaining visits. He explained that of the 130 sites visited, there have been no measurements or observations which deviated from the previous visit. Mr. Lehman stated chemistry continues to be performed at the 25 U.S. Geological Survey sites. He said there are 25 sites scheduled for macro invertebrate collection this year, and DEP will assist with identification.

Mr. Lehman reviewed the post-construction stormwater management surveys conducted across six districts. He stated road assessments were completed on segments of 107 roads in 7 districts to monitor changes in road conditions; no "poor" ratings were assessed on the 107 roads.

Mr. Lehman stated comment cards continue to be received, and from July 2019 to September

2020, 156 were received from 14 districts. He advised the information is entered into a data base and distributed to the appropriate forest districts.

Mr. Lehman advised invasive species continues to be the most significant issue with shale gas development. He said surveys are scheduled on all infrastructure pads on a revolving cycle; 58 pads were surveyed this year in six districts. He explained the Bureau's Early Detection, Rapid Response (EDRR) Program is a program which takes immediate action on invasive species and had identified four EDRR populations to be addressed in addition to non-EDRR sites which are small and do not involve a large amount of time for treatment.

Mr. Lehman next discussed sound monitoring and noted measurements had been completed on five pads and 14 compressor stations as part of the program which covers five districts; 10 additional measurements at compressor stations are planned for this fall and winter.

Mr. Lehman presented a brief summary of the monitoring work. He noted since the shale gas monitoring program began many years ago, two comprehensive reports were produced in 2014 and 2018; these comprehensive reports took a significant amount of time to prepare and publish. He noted other avenues are being explored for getting the data published quicker in a transparent manner.

Ms. Graham asked if the Bureau was seeing any trends related to the pandemic due to the slowdown of operations. Mr. Lehman responded that the slowdown of operations is evident, such as the amount of land converted as companies scale back footprints temporarily and are revegetating some of those sites. He said invasive plants continue to increase even during a slowdown.

Mr. Ted Tharan asked how much it costs for the private sector gas companies to comply with the monitoring program. Secretary Dunn explained that monitoring came into play when the leases were prepared in 2008 and 2010, and DCNR included the ability and conditions to perform this monitoring. She continued explaining that the gas companies would probably say their practices on the public land are more restrictive than on private land; however, she has noticed at gas advisory committee meetings, the companies discuss following DCNR's requirements and suggestions and speak of it as a point of pride in talking about their company's record, such as when they are having discussions with private landowners. Mr. John Norbeck added that some of the operators have discussed at these meetings how these leases have helped them with learning and using these best practices to do a better job on the environmental front.

DCNR'S FALL WILDFIRE PROTECTION EFFORTS

Michael Kern, DCNR Bureau of Forestry, Division of Forest Fire Protection, Chief

Mr. Michael Kern explained that DCNR is mandated to protect the Commonwealth from wildfires which is done through his Division. He stated there is a network of fire wardens who are primarily volunteers, along with some DCNR employees. Mr. Kern stated his Division is also tasked with managing prescribed burns, the Department's radio program, search and research, and supporting PEMA responses and programs.

Mr. Kern gave an overview of 2020 activities. He stated the peak fire season is usually March and April, so the pandemic forced them to adapt quickly. He advised there was a very active fire season in February and March, which was unusual, with February having more fires for the

month than seen since the 1970s, likely due to the lack of snow over the winter resulting in dry conditions. He stated with April rainfall amounts there were fewer fires than usual. Mr. Kern advised the summer and early fall were dry. He noted there was significant activity in November. He said the year's total is 1,300 wildfires burning 2,700 acres, with many being in November. He noted the largest wildfire started on November 7 in Monroe County, mostly on state game lands, impacting about 800 acres; the fire was extinguished in four days.

Mr. Kern reviewed the controlled burning activities which are relied upon to manage some forest ecosystems and reduce wildfire risk. He advised that due to concerns about bringing personnel together, controlled burning was paused this spring; controlled burning programs also were paused at the Federal level, as well as by many other states. He advised it was resumed on a limited basis this fall, with 11 burns conducted on 500 acres.

Mr. Kern advised that training also was significantly impacted, with about 1,500 students, mostly volunteers typically involved in training programs. He noted the division is looking to put some virtual training opportunities in place to get wildfire training back on track.

Mr. Kern explained that the division is often asked to help support PEMA activities since staff are skilled in emergency response. He noted staff had supported local municipalities with logistics and command support, including drive-thru COVID testing. He said about 75 DCNR staff were mobilized from March to June to provide this type of support.

Mr. Kern stated DCNR has an agreement with Federal agencies to support other states experiencing wildfire, and about 180 personnel were deployed to provide assistance primarily in the west, with California and Colorado being the top two states. He said the staff provided support on some of the largest wildfires in the country and made a significant contribution. Mr. Kern showed some photographs of the mobilization in support of the wildfires.

Secretary Dunn said DCNR leadership is very proud of the fire team's response, particularly in light of the severity of fires in the west. She noted they faced some hardships beyond just the COVID-19 concerns, including the long drive and not ideal conditions on site. She thanked Mr. Kern for the team's amazing willingness to step up to the call. She added that the experience provides great training for the staff that can then be applied to incidents in the Commonwealth.

Mr. Bob Kirchner expressed appreciation for the efforts of DCNR staff. He asked if in light of the Federal cooperative agreements, what agency is responsible for the costs. Mr. Kern responded that the agreement provides for full reimbursement to the Commonwealth.

WORK GROUP REPORTS

MOTORIZED RECREATION WORK GROUP

Bob Kirchner, Chair

Mr. Kirchner said the Motorized Recreation Work Group continues to work with DCNR on CNRAC's January 2019 report on overall access opportunities. He advised that before the end of the year the work group will be reviewing the report's recommendations that go far beyond the ATV policy changes and provide an update to the report in the first quarter of 2021. He noted progress has been made and he is encouraged by the progress.

COMMUNICATIONS AND OUTREACH WORK GROUP

Sarah Hall-Bagdonas, Chair

Ms. Sarah Hall-Bagdonas said the e-newsletter is up and running, with many stakeholders and partners being added to the email list. She said the work group is working with DCNR to see if a sign-up form can be added to the web site. She added that notices for CNRAC meetings are going out through the e-newsletter and the work group hopes to attract more attendees to the public meetings. Ms. Hall-Bagdonas noted CNRAC's officers continue to meet with Secretary Dunn prior to Board meetings and CNRAC very much appreciates her time. Ms. Hall-Bagdonas said the work group is awaiting some desired changes to the web site once DCNR's communications staff have time due to their heavier workloads from COVID and assisting the Commonwealth's election communications team.

DIVERSITY, EQUITY AND INCLUSION WORK GROUP

Joanne Kilgour, Chair

Ms. Kilgour said the work group is coordinating with DCNR's Diversity, Equity and Inclusion staff member, and planning is underway for taking an approach in 2021 to support that work and outline a role for CNRAC in bringing in different perspectives.

INFRASTRUCTURE WORK GROUP

Geralyn Singer, Chair

Ms. Singer advised the work group focuses on the more than \$1 billion needed for infrastructure at state parks and forests. She said the work group continues to work with the Pennsylvania Parks and Forest Foundation on possible virtual legislative tours; some Council members have offered to host tours in their area. Ms. Singer said the virtual tours are anticipated for 2021. Ms. Singer said the work group is also looking forward to being part of a conversation with many other partners to discuss possible new funding ideas.

STRATEGIC PLANNING WORK GROUP

Meredith Graham, Chair

Ms. Meredith Graham advised the work group's most recent project was reviewing and providing comments on the Forest Action Plan. She noted the group is now looking at how CNRAC can provide input on proposed changes to the state science education standards.

PUBLIC COMMENTS

Ms. Sarah Chudnovsky said she appreciated the virtual meeting format which allows her to participate. Ms. Chudnovsky noted she had reviewed the shale gas monitoring update report, and while it is impossible to measure everything, she is curious if there is a way to incorporate or does the report already include the impact of emissions on state forests. She acknowledged it is difficult to directly show a link as there are carbon and methane emissions from many sources. She also asked if it possible to include the impact of the plastic and petrochemical production as part of the economic context of the report. Mr. Lehman responded DCNR does defer to DEP's air quality monitoring unit for that information, and the report does have some air quality information; he noted the Bureau of Forestry does not do any air quality monitoring. Ms. Singer suggested Ms. Chudnovsky might want to contact DEP, and DCNR would be willing to assist in finding the right contact.

Secretary Dunn stated she appreciated Sarah's interest and concern. Secretary Dunn added that DCNR does have a climate adaptation mitigation plan on its web site which contains 123 recommendations that DCNR is working to implement. She said one issue being addressed, although in a limited manner due to funding, is leaking methane wells--old gas wells on public land that existed when DCNR acquired the land. Secretary Dunn said DCNR recognizes these wells do have an impact on climate change and local vegetation, and DCNR is working with DEP staff to plug these wells as funding permits. Secretary Dunn encouraged looking at the climate adaptation mitigation plan on the web site as well as the sustainability green pages as well.

Ms. Chudnovsky thanked Secretary Dunn for the information. She suggested that in future reports it would be helpful if there was a reference to this type of information since there are a number of agencies and programs involved in the issue.

Mr. John Nobeck recognized Sarah's comment that society uses natural gas products for many different things which contributes to climate change. He noted that many state parks are like small cities, and DCNR's facilities spend over \$3 million a year on electric use; DCNR is focusing on where it can reduce energy consumption within the department. He said DCNR is working with GSA and doing structure evaluations and looking at where it can reduce energy consumption. He said some of the evaluations have led to changing to LED lighting, updating heating facilities, building new facilities which are geothermal, and starting a solar program. Mr. Nobeck said a number of state parks have been taken to net zero energy consumption.

OTHER BUSINESS

Ms. Singer asked for any other business topics, and none were offered.

Ms. Singer said the next meeting will be virtual and will be on Wednesday, January 27, 2021 10 a.m.

MEETING ADJOURNED

A motion was made to adjourn the meeting at 11:46 p.m.

Notice of the November meeting was published in a newspaper of general circulation in Dauphin County and mailed to individuals and offices in compliance with the Sunshine Act (1986-84). These minutes constitute the official record of the Conservation and Natural Resources Advisory Council; no official transcript is provided.