

Notice of Proposed Rulemaking

COMMONWEALTH OF PENNSYLVANIA PENNSYLVANIA FISH AND BOAT COMMISSION

Title 58. Recreation Part II. Fish and Boat Commission Chapter 53 General Provisions

Preamble

The Fish and Boat Commission (Commission) proposes to amend Chapter 53 (relating to Fish and Boat Commission property). The Commission is publishing this proposed rulemaking under the authority of 30 Pa. C.S. (relating to the Fish and Boat Code) (code). The proposed amendments update the Commission's fees for cutting and removal of firewood from Commission property.

A. *Effective Date*

The proposed rulemaking, if approved on final-form rulemaking, will go into effect upon publication in the *Pennsylvania Bulletin*.

B. *Contact Person*

For further information on the proposed rulemaking, contact Wayne Melnick, Esq., P.O. Box 67000, Harrisburg, PA 17106-7000, (717) 705-7810. This proposed rulemaking is available on the Commission's website at www.fish.state.pa.us.

C. *Statutory Authority*

The proposed amendments to § 53.17 (relating to cutting and removal of firewood from Commission property) are published under the statutory authority of section 741(a) of the code (relating to control of property).

D. *Purpose and Background*

The specific purpose and background of the proposed amendments is described in more detail under the summary of proposal.

E. *Summary of Proposal*

Strategy 1B of the Commission's Strategic Plan is to "Increase traditional revenue sources and secure alternative funding to deliver core programs and services to benefit anglers, boaters, and trust species; deliver select discretionary programs and services to benefit all Pennsylvanians; and meet mandatory personnel costs." This strategy is designed in part to encourage the review and enhancement of existing revenue sources and to investigate and explore the development of alternative funding concepts.

Declines in traditional revenues, rapidly escalating costs associated with maintaining angler and boater demanded fishing and boating programs, and the lack of an enhancement to the fee structure for fishing licenses and permits necessitates the need to develop and implement several new or alternative funding concepts.

At its January 2018 meeting, staff presented initial information to the Board of Commissioners on forty-six funding concepts. As part of the presentation, board members were asked to individually prioritize the concepts and to provide feedback to the Executive Director. As a result, seven staff proposed concepts were recognized as priorities and one additional concept was added and listed as a priority through the commissioner review process. It was also acknowledged

that the remaining concepts, while not a priority, should be advanced as they are more fully reviewed and developed by staff.

One of the remaining funding concepts is to evaluate the fee associated with the Commission's permit that authorizes the cutting and removal of dead firewood from Commission property. The Executive Director may issue permits to interested persons when it is determined to be in the best interest of the Commission. The current fee of \$10.00 for each standard rough cord of wood was established in 1984. In 2017, the Commission authorized the cutting and removal of fifty-six cords of firewood.

To bring the per cord permit fee up to current market values, the Commission proposes that § 53.17 be amended as set forth in Annex A.

F. *Paperwork*

The proposed rulemaking will not increase paperwork and will not create new paperwork requirements.

G. *Fiscal Impact*

The proposed rulemaking will have no adverse fiscal impact on the Commonwealth or its political subdivisions. The increased fees will help offset the Commission's continuing expenses to administer the Program.

The proposed rulemaking will increase fees for permit applicants. The fee for each standard rough cord of wood will increase from \$10 to \$50.

H. *Public Comments*

Interested persons are invited to submit written comments, objections or suggestions about the proposed rulemaking to the Executive Director, Fish and Boat Commission, P.O. Box 67000, Harrisburg, PA 17106-7000, within 30 days after publication of this notice in the *Pennsylvania Bulletin*. Comments submitted by facsimile will not be accepted.

Comments also may be submitted electronically by completing the form at www.fishandboat.com/regcomments. If an acknowledgment of electronic comments is not received by the sender within 2 working days, the comments should be retransmitted to ensure receipt. Electronic comments submitted in any other manner will not be accepted.

For the Pennsylvania Fish and Boat Commission

John A. Arway
Executive Director

Annex A

Regulation No. 48A-284

Title 58. Recreation

Part II. Fish and Boat Commission

Subpart A. General Provisions

CHAPTER 53. FISH AND BOAT COMMISSION PROPERTY

§ 53.17. Cutting and Removal of Firewood from Commission Property

(c) Firewood permits cost [~~\$10.00~~] \$50.00 per standard rough cord. A standard rough cord is a pile of stacked wood 4 by 4 by 8 feet (128 cubic feet, including air spaces).