

Commonwealth of Pennsylvania
GOVERNOR'S OFFICE
EXECUTIVE ORDER

Subject: Interagency River Island Task Force		Number: 1990-7
Date: October 17, 1990	Distribution: B	By Direction of:  Robert P. Casey, Governor

- WHEREAS, the rivers and streams of Pennsylvania contain numerous islands **which** have never passed into private ownership and continue to be owned by the Commonwealth; and
- WHEREAS, the General Assembly has directed that **no** applications for land patents will be accepted for Islands in navigable rivers or in streams declared by law to be public highways, and that these islands shall remain in Commonwealth ownership; and
- WHEREAS, the unpatented islands owned by the Commonwealth provide critical habitats for wildlife and plants, offer exceptional opportunities for public recreation, and possess important aesthetic values; and
- WHEREAS, these islands are public natural resources of great value which are common property **of** all the people, including generations yet to come; and
- WHEREAS, Article I, Section 27 of the Pennsylvania Constitution directs that the Commonwealth, as trustee of all public natural resources, shall conserve and maintain these resources for the **benefit** of all the people; and
- WHEREAS, the unpatented Islands of the Commonwealth are vulnerable to unauthorized private use and despoliation, and cannot be adequately protected unless responsibility for their management is clearly assigned; and
- WHEREAS, the Department of Environmental Resources has the authority to hold and manage lands in connection with the operation of Pennsylvania's State parks and State forests, the administration of the Pennsylvania Scenic Rivers System, and the construction and maintenance of dams and flood control projects, and is further responsible *for* the regulation of water obstructions and encroachments in the watercourses and floodways of the Commonwealth.

NOW, THEREFORE, I, Robert P. Casey, Governor of the Commonwealth of Pennsylvania, by virtue of the authority vested in me by the Constitution of the Commonwealth of **Pennsylvania** and other laws, do hereby establish the **interagency River Island Task Force**, consisting of representatives from the Department **of** Environmental Resources, the Pennsylvania Game Commission, and the Pennsylvania Fish Commission, which will coordinate action to be taken by these agencies to implement this order: and be it further

RESOLVED, That In furtherance of the purposes and policies of the Pennsylvania Constitution, Article I, Section 27, the Pennsylvania Public Lands Act, The Administrative Code of 1929, and other laws, do hereby order and direct that the **Department of Environmental Resources** is hereby designated as the lead agency and that the following steps shall be taken:

1. The Department of Environmental Resources shall be responsible for the administration of the unappropriated or unpatented islands in the **navigable** rivers and in streams declared by law to be public highways, except as that responsibility may be delegated as set forth below.

2. The Department of Environmental Resources, in conjunction with the Pennsylvania Game Commission and the Pennsylvania Fish Commission, shall undertake an inventory of all unpatented islands in the navigable rivers and in streams declared by law to be **public** highways.

3. The Department of Environmental Resources may, in accordance **with** law, manage and control any islands under its jurisdiction as Pennsylvania's State park or State forest lands for any or all of the purposes for which such lands are held, or in connection **with** the administration of the Pennsylvania Scenic Rivers System or the construction or maintenance of dams or projects for flood control or water conservation, or for any other lawful purpose consistent with the public trust **responsibilities** imposed by Article I, Section 27 of the Pennsylvania Constitution.

4. The Department of Environmental Resources, in the interest of efficiency of administration and in accordance with Section 501 of the Administrative Code, may transfer administrative **jurisdiction** and control over any island or islands to the Pennsylvania Game **Commission**, the Pennsylvania Fish Commission, or any other Commonwealth agency having land management authority, to be managed by that agency in a manner consistent with its statutory **mission** and with the Commonwealth's public trust responsibilities.

5. The Department of Environmental Resources, or any other agency to which administrative jurisdiction and control has been transferred pursuant to this order, may take any action authorized by law, **including** appropriate legal action, to protect the unpatented islands, prevent their **un-**authorized use, or otherwise implement the terms of **this** order; and be it further

RESOLVED, That nothing in this order shall affect the use or administration of islands which previously passed into private ownership by virtue of valid patents, and which may now be privately or publicly owned.