



November 12, 2013

Representative Martin T. Causer
Chairman
House Game and Fisheries Committee
41B East Wing
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Re: House Bill 1576 before the House Game and Fisheries Committee

Dear Chairman Causer,

Delaware Riverkeeper Network is writing on behalf of our 12,000 members to urge you to use your power as Chairperson for the House Game and Fisheries Committee, to urge a no vote on proposed HB 1576 as it currently stands now, with amendments, before the House Game and Fisheries Committee that is meeting tomorrow to discuss and vote on this proposed legislation. Over the past few weeks, DRN has received over 250 letters from Pennsylvania constituents writing into the committee who have concerns about this legislation, helping to illustrate the public's concern and opposition to HB 1576. We understand that if this flawed legislation is moved forward in the committee, it could go before the House by next week, putting many of our Pennsylvania threatened and endangered species at great risk if it were to pass.

As the bill and amendments currently stand, and as has been shared in the summer hearings and subsequent meetings with our colleagues and the agencies themselves who are in charge of protecting and managing these species in the Commonwealth, this bill would go a long way to further minimizing the ability and power of the agencies who continue to get pressure to weaken these protections for the seventy plus species that need this protection the most. Furthermore, current laws in Pennsylvania to protect T&E species are not strong enough, and now to propose to make these laws weaker, only adds insult to a state that has so much diversity and natural heritage to lose from increased development of oil and gas pressure in the state.

Pennsylvania and much of the area of the Delaware River Watershed is known for its diverse and forested habitats and Class A trout streams that are home to many threatened and endangered species. These regions bring with them thriving ecotourism and a destination for so many within and outside of Pennsylvania who

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come here to enjoy the diversity of this region. By protecting endangered species, we are protecting these areas where people want to come to recreate and the current laws help us ensure that these areas, are given some essential protections (though not enough). All this could be lost if HB 1576 is passed. Some of the major problems we see with the proposed legislation and amendments include:

- HB 1576 would place programs to protect threatened and endangered species by the Pennsylvania Fish and Boat Commission and the Pennsylvania Game Commission under the purview of the Independent Regulatory Review Commission (IRRC) which is a political body that would undermine the science of these very agencies. This change would also undermine the independent authority that is essential to these agencies and their scientific staff that are to be working to achieve their mission of environmental protection;
- Under HB 1576, any new designation of a Pennsylvania endangered species could only happen if that species is in danger of extinction throughout all or a significant portion of its entire federal range. So a species could be on the verge of extinction in Pennsylvania and it would not qualify as endangered;
- HB 1576 would undermine interim protections and the current designation process for Exceptional Value streams with Wild Trout designations and further delay an already slow regulatory stream redesignation process by removing the chance for a stream to be given Wild Trout protections provisionally in advance of publication in the PA Bulletin;
- The legislation, as amended, also appears to potentially weaken funding for the agencies, further increasing the burden on already strapped agencies while not providing the necessary staff and resources that are so vitally needed; and
- This legislation would automatically delist species after two years unless much more duplicative work, time, energy, and science is conducted by the agencies while at the same time minimizing funding available to do this science. Agencies already have a difficult time thoroughly reviewing all the projects that are being permitted or considered to cut through pristine areas of the state for pipelines, mining and gas drilling operations. To add this burden would be increasing onerous and duplicative work to the Commonwealth while paving the way for special interests whose budgets are limitless.

These are just some of the issues that make this bad legislation. If the Committee amends some of these provisions while still allowing the IRRC to have say over the science, this bill will still greatly undermine protections needed for T& E species in the Commonwealth. For these reasons, we urge you to help stop this legislation from moving forward out of Committee for a full vote in the House and we thank you for your time and consideration in this matter.

Sincerely,



Maya K. van Rossum
the Delaware Riverkeeper