

**House Bill 1576
Endangered Species Coordination Act**

**Testimony of the Pennsylvania Council of Trout Unlimited
August 26, 2013 – Pottsville, PA**

The Pennsylvania Council of Trout Unlimited (PATU) thanks you for this opportunity to provide testimony regarding House Bill 1576. Nationally, Trout Unlimited is the premier conservation organization working to protect coldwater fishes and their habitats. PATU boasts over 13,000 members within 48 local chapters spread across the Commonwealth in both urban and rural areas. Our mission is to conserve, protect, restore and sustain Pennsylvania's coldwater fisheries and their watersheds, especially our wild trout resources.

Given our mission, it comes as no surprise that we are greatly concerned about the provisions of House Bill 1576. Although PATU is concerned about the impacts of this bill on both wild trout and threatened and endangered species, my comments will address only those provisions of the bill dealing with wild trout waters. Others will speak eloquently today in defense of threatened and endangered species.

The current process for designating wild trout streams is rigorous and transparent and considers public input. It is rigorous in that data are obtained via well established, scientific sampling methods, and designations are based on stringent technical criteria, including numbers of trout, biomass, and size classes represented. This rigorous, scientific process results in yes or no answers – either a stream meets the criteria for designation as one of the classes of wild trout waters, or it does not. Although designation as a wild trout stream may ultimately have regulatory consequences, it is not itself a regulatory action. It is simply a technical decision.

Now the Fish & Boat Commission does not make these decisions in a vacuum. It posts on its web site results from surveys indicating that streams may be eligible for designation as wild trout streams. Proposed stream designations are listed in the Pennsylvania Bulletin at least sixty days prior to any formal action, giving ample opportunity for public comment. Anglers pay attention to these listings. If you don't believe that, simply mention Cross Fork Creek anywhere in the northern half of the State. Proposed wild trout stream listings are then acted on by the Commission's Board of Commissioners at its quarterly meetings, at which the public has an opportunity to provide comment on any Fish & Boat Commission business, including the proposed designation of wild trout streams.

So we have a rigorous technical process, transparent to the public, with decision making by a Board of Commissioners appointed by the Governor and the legislature. It is difficult to imagine what added value will be contributed by review and action by the Independent Regulatory Review Commission (IRRC). In fact, there is no added value. Rather, subjecting wild trout designations to the regulatory review process will impose a

significant and unnecessary administrative burden on the Fish and Boat Commission. Given budget constraints throughout state government, now is not the time to insert administrative inefficiencies into the process. IRRC review also will lead to unnecessary delays in wild trout stream designations, potentially leading to the denial of protections for a valuable resource shared by all residents of the Commonwealth.

We believe that the provisions of HB 1576 are directly contrary to the wishes of the anglers of Pennsylvania. The sport fishing relies on good water quality, and wild trout designations and good water quality go hand in hand. Any decline in the quality of fishing will lead to a decline in license sales. Last year over three quarters of a million Pennsylvanians purchased fishing licenses. Large numbers of nonresidents also purchased fishing licenses in Pennsylvania. This is a significant constituency that accounts for a great deal of economic activity. During 2011 (the most recent year for which data have been compiled) anglers directly contributed nearly \$500 million to Pennsylvania's economy. Because much of this activity takes place in rural areas of the Commonwealth, many small business owners – motels, restaurants, sporting goods shops – benefit from these expenditures.

Implementing constraints on wild trout stream designations contradicts efforts throughout Pennsylvania to restore streams to conditions that support wild trout. Trout Unlimited, Conservation Districts, watershed associations, and other organizations have invested untold hours and millions of dollars in restoring water quality and physical conditions in streams degraded by our legacy of water pollution. Much of that work has been funded by the Department of Environmental Protection, the Department of Conservation and Natural Resources, the Fish and Boat Commission, and various federal agencies. Designation as a wild trout stream is confirmation that many of those efforts have been successful. Saddling the wild trout stream designation process with added layers of bureaucracy could mean that between the time a stream has been identified as having wild trout present and the actual designation—less protection is afforded to the stream, allowing progress that may have been achieved by non-profit, government, and other partners to backslide.

In summary, I am reminded of sage advice given to me by my boss early in my career, when I assumed my first managerial position. He said, "Hire good, well educated and trained people, give them the tools they need to get the job done, and then get the heck out of their way." The Fish and Boat Commission is staffed by good, well qualified people, who are using sound science to make decisions about the Commonwealth's aquatic resources. We are well advised to stay out of their way and allow them get the job done.

Respectfully submitted on behalf of the 13,000+ members of Trout Unlimited residing in Pennsylvania,

Brian Wagner
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