



Pennsylvania Council
Trout Unlimited
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September 17, 2013

Hon. Martin Causer
Chair, House Game and Fisheries Committee
41B East Wing
PO Box 202067
Harrisburg, PA 17120-2067

Hon. Ron Miller
Chair, House Environmental Resources & Energy Committee
115 Ryan Office Building
PO Box 202093
Harrisburg, PA 17120-2093

Re: HB 1576
Endangered Species Coordination Act

Dear Representatives Causer and Miller:

Thank you for the opportunity to present testimony at the August 26th joint committee hearing on House Bill 1576. Based on the testimonies delivered at that hearing and discussions with others (both for and against the provisions of the Bill), we wish to expand and refine our testimony via this letter. Although our view of HB 1576 is generally negative, we are not opposed to the intent of all of the Bill's provisions. For instance, there appear to be legitimate concerns regarding the administration of the PNDI system and non-disclosure of information regarding threatened and endangered species. We are of the opinion, however, that those problems are best addressed administratively, rather than via legislation. Be that as it may, there are other provisions within the Bill that create a fair amount of confusion and angst among PATU's members.

Despite all the claims that this bill will lead to "consistency" and "transparency", we fail to see what is accomplished by subjecting commission determinations regarding threatened or endangered species and wild trout waters to review by the Independent Regulatory Review Commission (IRRC). As we have noted in previous testimony, the current process is technically rigorous, following established criteria, and is transparent to all those who may take an interest. Both the Pennsylvania Fish and Boat Commission (PFBC) and the Pennsylvania Game Commission (PGC) utilize independent and peer-reviewed data in considering the listing of species and designation of wild trout waters, provided through uniform criteria. IRRC does not have the requisite scientific expertise or standards to evaluate either species listing proposals or wild trout waters designations.

Both PFBC and PGC are currently required to comply with the Commonwealth Documents Law, providing public notice of any potential listing in the Pennsylvania Bulletin along with an opportunity for public review and comment, and for submission of additional data. Further, the public has an opportunity to comment on decisions before the Commissions at every Commission meeting. We might add here that PFBC and PGC are *independent* commissions, and for good reason. Imposing review by a second independent commission adds unnecessary bureaucracy to the process. Pennsylvanians should not have to bear the costs of unnecessary bureaucracy.

Perhaps the regulated community feels that the Commissions are abusing their discretion to list species. The numbers argue convincingly against that. During the last five years, the PFBC has added 13 species and de-listed 11 species from the state threatened, endangered, and candidate species lists. PGC has only listed three species in the last decade.

Discussions among our members and with other sportsmen's organization indicate that the sportsmen and women of Pennsylvania are overwhelmingly opposed to this Bill. Nearly 800,000 resident hunting licenses and over 700,000 resident fishing licenses were sold in Pennsylvania last year. Nonresidents purchased nearly 300,000 licenses. During 2011 (the most recent year for which data have been compiled) hunters and anglers directly contributed \$1.5 billion to Pennsylvania's economy. Secondary economic activity resulting from those expenditures likely exceeded \$3 billion. Clearly, sportsmen and women constitute a significant constituency that accounts for a great deal of economic activity.

We also are concerned about the potential for losing federal funding to the PFBC and the PGC. To be eligible for Pittman-Robertson and Dingell Johnson federal aid grants, states must have fish and wildlife agencies that have sole discretion over how revenue for fishing and hunting licenses are used. Additionally, the agencies also have to have the authority to ensure the conservation of fish and wildlife. The IRRC and legislature do not share the same sole mission and we have to ask: Does it make sense to risk \$27 million in annual funding to those commissions?

In summary, we believe that HB 1576 is ill advised and should not be moved out of committee. Respectfully submitted on behalf of the 13,000+ members of Trout Unlimited residing in Pennsylvania,



Brian Wagner
President
Pennsylvania Council of Trout Unlimited



Katy Dunlap
Eastern Water Project Director
Trout Unlimited, Inc.

Cc: Representative Gary Haluska
Representative Todd Rock
Representative Gregory S. Lucas
Representative Jim Cox
Representative Joe Emerick
Representative Harold A. English

Etc.