

January _____, 2014

**RE: The Endangered Species Coordination Act
HB 1576
SB 1047.**

Dear _____:

I am writing you on behalf of the Stanley Cooper, Sr. Chapter of Trout Unlimited to express our opposition to the Endangered Species Coordination Act, HB 1576 and SB 1047.

The Stanley Cooper, Sr. Chapter of Trout Unlimited is a conservation organization interested in the protection and preservation of our cold-water fisheries in Northeast Pennsylvania. We have more than 200 members.

This legislation creates unnecessary and costly barriers to the decision-making processes for classifying wild trout waters and endangered species. Rather than strengthen the existing science-based protocols, the proposed legislation diverts the process to the Regulatory Review Commission ("RRC") and to the Legislature. It codifies partisan political control over scientific, technical decisions.

This diversion into political control of decision-making for classification of wild trout waters and endangered species is harmful in three ways: first, it introduces serious delays into the decision-making process. Any proposed designation would need to complete the requirements under current law (the scientific analysis, public hearings, administrative and judicial review) prior to being forwarded to the RRC and to the General Assembly. Only then, will the non-science based review process begin.

Second, the proposed legislation will divert agency resources, those of the Pennsylvania Fish and Boat Commission ("PFBC"), the Pennsylvania Game Commission ("PGC") and the RRC, from other matters to this new task. Scarce taxpayer dollars will be dissipated on multiple bureaucratic reviews. Even then, the Speaker of the House or President of the Senate can stop all designations of wild trout waters or endangered species by the simple expedient of refusing to appoint a quorum to the appropriate committee.

Third, the increased delay threatens the very waters and species the legislation should be protecting. Trout waters that deserve the designation “wild” are placed at risk for an extended period of time. This is particularly true where the proposed legislation delays the protections for wild trout waters until the entire RRC and legislative processes have been completed. [HB1576, §5(c).] Species that are endangered may become extinct while a multi-year, bureaucratic process plods to its conclusion.

This proposed legislation imposes some new, unfunded, mandates on the PFBC and the PGC. Just two examples: first, there is the requirement, but no funding, for the creation of a centralized database. Incidentally, if the centralized database is not created, no government agency, state or local, is permitted to consider impacts on a listed species in any government decision. [HB 1576, §6.]

Second, the PFBC and the PGC are given only thirty (30) days to clear a project for approval or provide the applicant “detailed” minimization or mitigation measures. Incidentally, here, there is no authority to deny the project. [HB 1576, §6.]

These are serious restraints on the ability of these agencies to comply with their statutory and regulatory obligations under existing law. This proposed legislation undermines the improving status of our rivers and streams that so many have worked so long to achieve.

Finally, this proposed legislation could cost the Commonwealth \$27 million in lost federal funding because of the political-based decision-making that is at the heart of both of these bills.

The Stanley Cooper, Sr. Chapter of Trout Unlimited respectfully requests that you join with us and your fellow constituents in opposing this, and similar, legislation.

Thank you for your courteous attention to our concerns in this matter.

Very truly yours,