

**PennFuture \* Sierra Club \* Pennsylvania Conservation Voters \* Clean Water Action  
Keystone Trails Association \* Natural Lands Trust \* Responsible Drilling Alliance  
Berks Gas Truth \* Concerned Citizens of Lebanon County  
Lebanon Pipeline Awareness \* Lancaster Against Pipelines \* PennEnvironment**

September 27, 2016

Re: Opposition to Amendments to Senate Bills 1166 and 1168

Dear Legislator:

On behalf of the undersigned conservation and environmental organizations, we urge you to oppose amendments to Senate Bills 1166 and 1168, related to changing the process for endangered species designation in Pennsylvania.<sup>1</sup> These amendments are modeled after House Bill 1576 and Senate Bill 1047 from 2014.<sup>2</sup> The Amendments would undermine the ability of our wildlife management agencies to protect the mammals, birds, fish, reptiles and amphibians of the Commonwealth.

The current endangered species process in Pennsylvania allows scientists and wildlife management experts from the Pennsylvania Fish & Boat Commission and the Pennsylvania Game Commission to designate state threatened and endangered species, and wild trout streams in the case of the Fish & Boat Commission, on the basis of the best scientific data available. Among our serious concerns, these amendments would:

1. **Redefines “critical habitat” and limits potential recovery.** Critical habitat is defined as the area needed for a species to live and recover. The amendment redefines this to just the land that the species currently occupies, stripping out the capability to conserve the land needed for recovery.
2. **Overlays burdensome regulatory process on wild trout stream and endangered species designation.** There already exists an extensive public comment process for wild trout streams. In practice, this amendment would allow a Standing Committee to inject itself in the designation process, such as whether there is trout in a stream adding a burdensome layer of politics into such a purely science-based decision.
3. **Overlays new requirements on endangered species designation to create delay and red tape.** For example, the amendment would only allow an agency to assess endangerment if the species is threatened within Pennsylvania. Yet, wildlife knows no political boundaries and this language would bind an agency by not allowing them to consider the historical boundaries of the species and whether activities outside of PA are impacting it in state. The

The manner in which the Commissions list species is deliberate, grounded in scientific data,

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<sup>1</sup> Specifically, we ask for opposition to SB 1168 amendments A10258 (Pyle) and A10260 (Pyle) and SB 1166 amendments A10257 (Pyle) and A10259 (Pyle).

<sup>2</sup> Attached to this letter is a sign-on letter from environmental and conservation communities opposing HB 1576 and SB 1047, issued to the General Assembly in 2014.

subject to rigorous analysis and review by other scientists and resource professionals, and open to public comment. It's a gold standard process that protects our wildlife for present and future generations.

Protecting species at the state level is the most effective way to prevent their decline and extinction nationally. Effective state conservation programs are critical to avoiding a listing under the federal Endangered Species Act, and the, often costly, requirements that accompany such a designation.

We urge you to protect the wildlife of Pennsylvania and oppose these amendments to Senate Bills 1166 and 1168 and advance a clean set of bills.

Sincerely,

Matthew Stepp, Director of Policy  
**PennFuture**

Joanne Kilgour, Executive Director  
**Sierra Club, Pennsylvania Chapter**

Josh McNeil, Executive Director  
**Conservation Voters of Pennsylvania**

Myron Arnowitt, Pennsylvania State Director  
**Clean Water Action**

Joseph Neville, Executive Director  
**Keystone Trails Association**

Karen Feridun, Founder  
**Berks Gas Truth**

Oliver Bass, Vice President  
**Natural Lands Trust**

Ralph Kisberg, President  
**Responsible Drilling Alliance**

Pam Bishop, Director  
**Concerned Citizens of Lebanon County**

Ann Pinca, Representative  
**Lebanon Pipeline Awareness**

Malinda Harnish Clatterbuck, Representative  
**Lancaster Against Pipelines**

David Masur, Executive Director  
**PennEnvironment**