

PA Environment Digest

An Update On Environmental Issues In PA

Edited By: David E. Hess, Crisci Associates

Winner 2009 [PAEE Business Partner](#) Of The Year Award

Harrisburg, Pa

September 2, 2013

Click On Link Below To Print Entire Digest

<http://goo.gl/FAeAkN>

House Committees Hear Significant Opposition To Endangered Species Legislation

[House Bill 1576](#) (Pyle-R-Armstrong) which would standardize the state process for designating species of fish, wildlife or plants as threatened or endangered, as well as for designating waters as wild trout streams, was the subject of a hearing Monday by members of the House Game and Fisheries Committee, along with members of the House Environmental Resources and Energy Committee, according to Rep. Jeff Pyle the bill's prime sponsor.

The would fundamentally change the review and designation of threatened and endangered species in Pennsylvania and would immediately drop hundreds of species from environmental permit reviews, regardless of the significant amount of data supporting their consideration.

"We are simply asking for sufficient burden of proof that a species is truly endangered or under a threat of extinction," Rep. Pyle said. "Not all state agencies are required to play by the same rules when it comes to these designations, and my bill would essentially level the playing field."

House Bill 1576 would require both the Game Commission and the Fish and Boat Commission to go through the Independent Regulatory Review Commission and the related House and Senate committees when attempting to list a species as endangered. Currently, only the Department of Conservation and Natural Resources is required to make the designations by regulation.

Rep. Pyle's bill, also known as the Endangered Species Coordination Act, comes in reaction to a local school district building project that is situated in a habitat for a species of endangered bat. With no option for appealing the designation, the district chose to pay more than \$61,000 into a conservation fund over the possibility of abandoning the project or being forced to find a new home for the bats.

"No one questions the ability of a government agency to render a decision or the possibility of a species being in danger," Rep. Pyle added. "I am simply asking every agency empowered with the ability to carry out an action that, in this case, has the potential to significantly impact the economy of a community to have a second set of eyes review the decisions it makes."

“This is no different to any person who receives a medical diagnosis and seeks out a second opinion,” stated Rep. Dan Moul (R-Adams). “We trust our government agencies, and this bill is nothing more than asking them, in the interest of openness and transparency, to provide evidence that backs up their decisions.”

Any species currently listed as threatened or endangered would be required to go through the IRRC process within two years of the effective date of House Bill 1576, in order to justify its continued designation of that species. The bill also requires DCNR to maintain a database of species designated as threatened or endangered.

[**Note:** At the hearing, Rep. Jeff Pyle (R-Armstrong) prime sponsor of the bill said the section setting criteria for threatened or endangered species should not have changed the range of species definition and the words “in Pennsylvania” should have been included in the bill language.]

Copies of Testimony

Some of the testimony presented during the hearing is available online--

- [PA Trout Unlimited Testimony](#)
- [DCNR Testimony](#)
- [Game Commission Testimony](#)
- [Fish & Boat Commission Testimony](#)

Second Hearing

The Committee Majority Chairs, Reps. Martin Causer (R-Cameron) and Ron Miller (R-York), announced that details on a similar hearing to be held in western Pennsylvania will soon be announced.

Opposition To The Bill

Letters of opposition to the bill were submitted by the Game Commission, Fish and Boat Commission, PA Council of Trout Unlimited and the PA Environmental Council. [Click Here](#) for more information of the opposition of the Commissions and Trout Unlimited. [Click Here](#) for PEC’s letter of opposition.

NewsClips:

[Bills To Change Endangered Species Law Trigger Debate](#)

[Panels Take Testimony On Endangered Species Protection](#)

[PA Could Lose \\$27M If Endangered Species Bills Become Law](#)

[Op-Ed: Fate Of PA Endangered Species At Risk](#)