

Adams County Chapter of Trout Unlimited · Allegheny Mountain Chapter of Trout Unlimited · Black Forest Conservation Association · Brodhead Chapter of Trout Unlimited · Caldwell Creek Chapter of Trout Unlimited · Chestnut Ridge Chapter of Trout Unlimited · Cocalico Sportsmen's Association · Columbia County Chapter of Trout Unlimited · Doc Fritchey Chapter of Trout Unlimited · Forbes Trail Chapter of Trout Unlimited · God's Country Chapter of Trout Unlimited · Hokendauqua Chapter of Trout Unlimited · Izaak Walton League of America · John Kennedy Chapter of Trout Unlimited · Lackawanna County Federation of Sportsmen · Lackawanna Valley Chapter of Trout Unlimited · Lloyd Wilson Chapter of Trout Unlimited · Mohnton Fish and Game Protective Association · Monroe County Federation of Sportsmen's Clubs · Muddy Creek Chapter of Trout Unlimited · National Wildlife Federation · Neshannock Chapter of Trout Unlimited · Northwest Pennsylvania Chapter of Trout Unlimited · Penn Dutch Sportsmen's Club · Penns Creek Chapter of Trout Unlimited · Pennsylvania Council of Trout Unlimited · Pennsylvania Forest Coalition · Pennsylvania State Division of Izaak Walton League of America · Pike/Wayne Chapter of Trout Unlimited · Quality Deer Management Association · Schuylkill County Chapter of Trout Unlimited · Spring Creek Chapter of Trout Unlimited · Stanley Cooper, Sr. Chapter of Trout Unlimited · Susquehanna County Federation of Sportsmen Clubs · Tiadaghton Chapter of Trout Unlimited · Tobyhanna Conservation Association · Trout Unlimited · Tulpehocken Chapter of Trout Unlimited · United Bowhunters of Pennsylvania · Valley Forge Chapter of Trout Unlimited · Wood Duck Chapter of Trout Unlimited

January 26, 2012

Via email: governor@pa.gov

Governor Tom Corbett
Commonwealth of Pennsylvania
Governor's Office
225 Main Capitol Building
Harrisburg, PA 17120

Dear Governor Corbett:

On behalf of the undersigned sportsmen conservation organizations, we are writing to urge you to uphold the moratorium on leasing of additional state forest lands for oil and gas development in Pennsylvania. Collectively, we represent more than 100,000 thousand members who care deeply about the commonwealth's valuable fish, wildlife, forest and water resources and contribute to local sporting businesses in Pennsylvania.

With 700,000 acres—nearly half of Pennsylvania's state forest land—already leased for Marcellus Shale energy development, the state's hunting and fishing legacy is under threat. Pennsylvanians have a rich heritage of hunting, fishing, trapping and other outdoor traditions on state forest lands. Passed down from generation to generation, these sporting traditions have become part of the commonwealth's cultural and social fabric. Hunting and fishing is not just a pastime though—it is also big business. According to the U.S. Fish and Wildlife Service, more than \$4.3 billion in revenue is generated in Pennsylvania each year from fishing, hunting and wildlife-related recreation—and state forests serve as the cornerstone for these activities.

Science dictates upholding a moratorium

In May 2010, the Department of Conservation and Natural Resources (DCNR) concluded a study that found that leasing any more state forest lands would significantly affect the wild character and ecological integrity of the state's forest system.¹ The DCNR study further found that gas development on

¹ *Impacts of Leasing Additional State Forest for Natural Gas Development*. Pennsylvania Department of Conservation and Natural Resources. May, 2011.

private lands is already surrounding the state forest in some areas, causing an uncompensated, lasting change on the forest's wild character.² In response, then Governor Rendell issued Executive Order 2010–05 [*Moratorium Prohibits further leasing of Commonwealth lands managed by DCNR for oil and gas development to avoid jeopardizing DCNR's ability to fulfill its duty to conserve and maintain these public natural resources and sustain DCNR's Forest Stewardship Council certification*], formalizing the conclusions of the agency's report. The science behind the agency's conclusion has not changed in the past two years. In fact, a report released by The Nature Conservancy (TNC) in February 2011 confirms the risk of additional gas development impairing the ecological integrity of the state's forest system.³ According to the TNC report, by 2030, a range of between 38,000 to 90,000 acres of forest cover could be cleared by new Marcellus gas development in the state. Such clearings would create new forest edges where the risk of predation, changes in light and humidity levels, and expanded presence of invasive species could threaten forest interior species in an additional 91,000 to 220,000 forest acres adjacent to Marcellus development⁴.

The TNC report also found that forest impacts will be concentrated in the north central and southwest parts of the state, where many of the state's largest and most intact forest patches could be fragmented into smaller patches by well pads, roads, and other infrastructure. North central Pennsylvania contains the bulk of the commonwealth's Class A and wilderness trout watersheds. This area also encompasses Wildlife Management Unit 2G—the area that had the highest rates of grouse flush in the state in early 2011 and the highest bear harvest during the 2011 season. This region is significant ecologically, as well as for the commonwealth's sporting heritage. Opening up additional state forest lands in this region will significantly affect the quality of the sporting experience and can lead to long-term impacts on wildlife.

Fulfilling constitutional and legislative mandates

Public lands hold a special value for Pennsylvanians, and the conservation and maintenance of these public resources is a guaranteed right under the Pennsylvania Constitution. According to *Article I, Section 27* of Pennsylvania's Constitution:

The people have a right to clean air, pure water, and to the preservation of the natural scenic, historic and esthetic values of the environment. Pennsylvania's public natural resources are the common property of all the people, including generations yet to come. As trustee of these resources, the Commonwealth shall conserve and maintain them for the benefit of all the people.⁵

The DCNR Bureau of Forestry's mission is to ensure the long-term health, viability and productivity of the Commonwealth's forests and to conserve native wild plants. In accordance with the Pennsylvania Conservation and Natural Resources Act, *P.L. 89, No. 18 (1995)*, the DCNR has a legislative mandate to manage the commonwealth's forest lands for multiple uses under sound ecosystem principles. Section 101 of this Act clearly affirms that "Pennsylvania's public natural resources are to be conserved and maintained for the use and benefit of all its citizens as guaranteed by section 27 of Article I of the Constitution of Pennsylvania."⁶ Further, the law recognizes that Pennsylvania's state parks and forests

² Id.

³ *Pennsylvania Energy Impacts Assessment, Executive Summary: Marcellus Shale Natural Gas and Wind Energy*. Nels Johnson, The Nature Conservancy, Pennsylvania Chapter. February, 2011 (updated)

⁴ Id.

⁵ http://sites.state.pa.us/PA_Constitution.html

⁶ *P.L. 89, No. 18 (1995)*

and community recreation and heritage conservation areas are critical to the continued success of the commonwealth's tourism and recreation industry, the second largest industry in the State.⁷

In areas where drilling is already occurring on public lands, access to areas where sportsmen and women have traditionally hunted, trapped or fished has been restricted where there are active drilling operations. Hunters, anglers and trappers have found new or modified roads on leased state forest lands and have encountered large volumes of truck traffic in areas where active drilling is occurring. By prohibiting additional leasing of state forest lands, the state can be sure that it fulfills (1) the state's constitutional mandate to conserve and maintain its public natural resources for Pennsylvanians and (2) DCNR's statutory directive to manage state forest lands for multiple uses that maintain the wild and ecological character of the state forest system.

Finally, limiting leasing to non-surface disturbance leases is not adequate to assure that the remaining currently un-leased state forest lands retain their wild and ecological integrity. As the DCNR study concluded, gas development on private lands surrounding state forest lands is causing an uncompensated, lasting change on the forest's wild character. Allowing sub-surface drilling underneath state forest lands would encourage intensive development around the remaining intact forest systems, potentially creating gaps in forest cover, significant surface impacts such as forest and vegetation clearing leading to erosion and sedimentation, and noise and visual impacts that will isolate wildlife communities and inhibit migration and wildlife movement.

Together, we, the sportsmen and women who utilize Pennsylvania's state forest lands, respectfully request that you uphold the moratorium on leasing of additional state forest lands and that you preserve the long-held tradition of hunting, fishing, trapping and other sportsmen-related activities on these lands. Thank you for considering this request. Please do not hesitate to contact Katy Dunlap, kdunlap@tu.org or 607-703-0256, if you have questions or need additional information.

Sincerely,

Katy Dunlap
Eastern Water Project Director
Trout Unlimited

Todd Keller
Sr. Manager, Public Lands Campaigns
National Wildlife Federation

Scott Kovarovics
Conservation Director
Izaak Walton League of America

⁷ P.L. 89, No. 18 (1995)

Kip Adams
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Hokendauqua Chapter of Trout Unlimited

Ed O'Gormon
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Doc Fritchey Chapter of Trout Unlimited

Jim Mills
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Wood Duck Chapter of Trout Unlimited

Bill Paulmier
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Tiadaghton Chapter of Trout Unlimited

Tom Savko
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Caldwell Creek Chapter of Trout Unlimited

Jerry Green
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Bill Bailey
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Lloyd Wilson Chapter of Trout Unlimited

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Valley Forge Chapter of Trout Unlimited

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Stanley Cooper, Sr. Chapter of Trout Unlimited

Bill Eggleston
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Tulpehocken Chapter of Trout Unlimited

Dr. Pete Ryan
President
God's Country Chapter of Trout Unlimited

Cc: *Members of the Pennsylvania Senate*
 Members of the Pennsylvania House of Representatives