

# PA Environment Digest

## An Update On Environmental Issues In PA

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#### House Committee To Consider Changes To Endangered Species Listing Process Nov. 13

The House Game and Fisheries Committee is scheduled to meet on November 13 to consider [House Bill 1576](#) (Pyle-R-Armstrong) which would make fundamental changes in the way threatened and endangered species are listed and considered during the environmental permit review process as well as changes to the process for listing wild trout streams.

[At least one amendment](#) is to be offered at the meeting by Rep. Martin Causer (R-Cameron), Majority Chair of the Committee, to deal with some of the issues raised during the hearings. Rep. Causer said the amendment--

- Removes the requirement for the agencies to re-designate all currently listed species within a two-year time frame;
- Expands the proposed centralized database to include “other designated species” that are of special concern or rare species other than threatened or endangered species;
- Ensures access to information in the database is made available only to authorized persons and increases the civil penalties for unlawful use of sensitive database information;
- Prohibits the transfer of licensing dollars or federal funds for implementation of the act to further ensure there is no loss of federal funds as a result of the change;
- Places the requirement to do field surveys back on the permit applicant affecting the land and specifies that if field surveys are required, the state agency with jurisdictional authority for the protection of the species must within 30 days of receiving the survey results provide either clearance for the project, or detailed avoidance measures, detailed minimization measures or detailed mitigation measures to the permit applicant; and
- Clarifies that the requirement of the commissions to adhere to independent regulatory review does not apply to actions such as hunting seasons and bag limits or fishing seasons and creel limits.

[Click Here](#) for a detailed summary of the amendment.

“The purpose of House Bill 1576 is to provide consistency, transparency and accountability by subjecting all endangered species and trout streams designations to the Independent Regulatory Review

Commission process,” said Rep. Causer. “It is also designed to provide more efficient and timely access to sensitive species information, including avoidance and mitigation measures, for those involved in permitted projects that may be affected by those species.

“House Bill 1576 does not take the decision-making authority out of the hands of the Game Commission or Fish and Boat Commission. It simply requires the commissions to take the same steps as every other state agency that promulgates regulations – including the Department of Conservation and Natural Resources when it makes endangered species designations and the Department of Environmental Protection when it makes certain stream designations.

“The bill does not limit the state’s ability to designate threatened or endangered species not already designated as such by the federal government. And an internal review by House attorneys of our endangered species designation process under this bill versus those of other states also indicates there should be no loss of federal money should the bill become law.

“The IRRC process simply allows for review and acceptance of public comment before regulations are enacted, and that is the way it should work in a democracy. Decisions cannot be made in a vacuum; rather, state government must operate in an open forum where Pennsylvania residents can participate and a system of checks and balances ensures both accuracy and accountability.”

The bill generated significant opposition from sportsmens and environmental groups across the state during [two joint public hearings](#) held by the Game and Fisheries and Environmental Resources and Energy Committees.

The Marcellus Shale Coalition, Associated Petroleum Industries and Pennsylvania Independent Oil and Gas Association all [co-signed a letter](#) in support of the bill, applauding its “consistency, transparency and accountability” in handling endangered species.

The meeting will be in Room 60 East Wing of the Capitol Building starting at 9:30.

Rep. Gary Haluska (D-Cambria) serves as Minority Chair of the Committee.

**NewsClips:**

[House Panel To Vote On Endangered Species Bill](#)

[Endangered Species Bill Faces Vote In House](#)

[House Committee Readies Vote On Endangered Species Bill](#)

[Conservation Groups Oppose Endangered Species Bill](#)