



Central NY Chapter of Izaak Walton League of America • Friends of the Upper Delaware • Izaak Walton League of America • Lloyd Wilson Chapter of Trout Unlimited • National Wildlife Federation • New Jersey Council of Trout Unlimited • New York Council of Trout Unlimited • New York State Division of Izaak Walton League of America • Northeast Council of Federation of Flyfishers • Pennsylvania Council of Trout Unlimited • Pennsylvania Forest Coalition • Quality Deer Management Association • Susquehanna County Federation of Sportsman's Clubs • The Wildlife Society • Theodore Gordon Flyfishers • Trout Unlimited • Virginia Council of Trout Unlimited • Wild Trout Flyrodders

May 3, 2013

The Honorable Matthew Cartwright  
U.S. House of Representatives  
1419 Longworth House Office Building  
Washington, D.C. 20515-3817

**RE: FRESHER ACT**

Dear Representative Cartwright:

On behalf of the undersigned members of the Sportsmen Alliance for Marcellus Conservation ("Sportsmen Alliance"), we write to thank you for introducing H.R. 1175, the *Focused Reduction of Effluence and Stormwater runoff through Hydrofracking Environmental Regulation Act of 2013* (FRESHER Act). The FRESHER Act fills an important gap in Clean Water Act regulation, and will help to reduce the amount of sediment entering rivers and streams as a result of construction activities related to oil and gas development.

Representing more than 265,000 hunters, anglers and trappers from across northern Appalachia, the Sportsmen Alliance is a coalition of sportsmen and women conservation organizations working together to identify and propose solutions to mitigate the impacts of shale gas development on fish and wildlife habitat and sporting tradition. One the greatest impacts that our members are seeing on the ground, in your home state of Pennsylvania, is increased erosion and sedimentation in streams resulting from the construction of well pads, access roads, storage areas and pipelines. To address this impact, the Sportsmen Alliance has been advocating for repeal of the oil and gas exemption from stormwater runoff rules under the Clean Water Act.

Sedimentation has direct and indirect impacts on aquatic life, including stress, altered behavior, reductions in growth and direct mortality.<sup>i</sup> Several studies in the east have demonstrated increased erosion and turbidity in areas where natural gas development has occurred.<sup>ii</sup> Many of the areas currently being developed, or being targeted, for shale gas extraction across northern Appalachia are the very same areas that have, for generations, attracted millions of anglers to fish for native and wild brook trout, steelhead, walleye, smallmouth and largemouth bass. According to the U.S. Fish and Wildlife Service, more than \$2.85 billion in revenue is

generated from fishing each year in Pennsylvania, New York and West Virginia—the three largest eastern shale gas states—and that revenue is funneled back into local communities and businesses.<sup>iii</sup>

The FRESHER ACT will help to address sedimentation loading in streams, by requiring oil and gas operators to obtain authorization under a permit to discharge stormwater runoff from their sites, and require operators to develop and implement a Stormwater Pollution Prevention Plan for construction activities. Again, thank you for introducing this important legislation to protect streams, rivers and lakes—and the aquatic life that rely upon clean water—as well as the angling heritage that brings economic revenue to states and local communities where oil and gas development is occurring.

Sincerely,



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Trout Unlimited

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<sup>i</sup> Lloyd, D.S. 1987. Turbidity as a water quality standard for salmonid habitats in Alaska. Pages 34-35. *North American Journal of Fisheries Management*. American Fisheries Society. Bethesda, MD.

<sup>ii</sup> Adams, Mary Beth et. Al. 2011. Effects of Development of a Natural Gas Well and Associated Pipeline on the Natural and Scientific Resources of the Fernow Experimental Forest. *USDA Forest Service Northern Research Station General Technical Report NRS-76*.; McBroom M, Thomas T, Zhang Y. Soil Erosion and Surface Water Quality Impacts of Natural Gas Development in East Texas, USA. *Water*. 2012; 4(4):944-958; and Sheila M. Olmstead, Lucija A. Muehlenbachs, Jhih-Shyang Shih, Ziyang Chu, and Alan J. Krupnick. Shale gas development impacts on surface water quality in Pennsylvania *PNAS* 2013 110 (13) 4962-4967; *published ahead of print March 11, 2013*, doi:10.1073/pnas.1213871110.

<sup>iii</sup> U.S. Department of the Interior, U.S. Fish and Wildlife Service, and U.S. Department of Commerce, U.S. Census Bureau. 2011 National Survey of Fishing, Hunting, and Wildlife-Associated Recreation.