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May 7, 2012

Dear Pennsylvania House Representative:

The Sportsmen Alliance for Marcellus Conservation is a coalition of more than 265,000 sportsmen and women working to reduce the impacts caused by gas drilling in the Marcellus Shale on hunting, fishing, trapping and other outdoor sporting activities. While we support responsible energy development, the Alliance is concerned that the current state policies do not adequately protect valuable and irreplaceable natural resources, including clean water and critical habitat for fish and wildlife, from drilling activities.

**We write today to urge you to oppose House Bill 1904.**

This bill would forbid the United States Forest Service from regulating any aspect of the “use or development of water resources” by oil and gas companies in the Allegheny National Forest (ANF). Further, House Bill 1904 would make Pennsylvania laws and regulations the only requirements imposed on national forest lands with respect to oil and gas operations—thereby preempting federal management of oil and gas development in national forests.

The hydraulic fracturing process requires massive withdrawals of fresh water—between two and eight million gallons per well. Withdrawals from surface and ground water sources may decrease stream flows, threatening the survival of fish and other aquatic life. To ensure that stream flows are protected, the timing, quantity, and location of withdrawals must be carefully monitored, coordinated, and actively regulated. In the ANF, only the Forest Service has authority and ability to provide this kind of management. House Bill 1904 would eliminate that critical oversight.

At stake are the coldwater streams in the Allegheny National Forest. Congress created the ANF in 1923 “for the purpose of conserving the water supply” and “for the protection of the watersheds of navigable streams.”<sup>1</sup> Gas development in the ANF is projected to occur in watersheds with intact forests and pristine streams. In most cases, these special areas have no state-level protections to ensure that valuable resources—the places where we hunt and fish—are not harmed. Small, headwater streams that boast

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<sup>1</sup> Weeks Act, ch. 186, 36 Stat. 962, 962 (1911).

wild trout populations and trout spawning habitat are unfortunately often the closest and most convenient source of water for drilling wells. The short-term, high volume withdrawals needed for the hydraulic fracturing process can acutely impair blue-ribbon trout fisheries.

If the Forest Service is barred from regulating the use of these waters, they will go unprotected. Pennsylvania does not have a consistent comprehensive state-wide program to determine how much water can be or is being taken from streams, rivers, and groundwater sources for hydraulic fracturing. Without these basic rules, the state cannot determine the cumulative impacts on water resources, aquatic life and habitat from gas drilling and hydraulic fracturing, much less control those impacts. That is why it is imperative that the Forest Service retain the authority to manage water withdrawals and surface impacts related to drilling on national forest lands—to protect water supplies for the benefit of the public and the ecosystem.

We urge you to oppose House Bill 1904. Please do not hesitate to contact Katy Dunlap, at [kdunlap@tu.org](mailto:kdunlap@tu.org) or 607-703-0256, if you have questions or require additional information.

Sincerely,

**Katy Dunlap**

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Valley Forge Chapter of Trout Unlimited

**Judi Sittler**

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