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On Target

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Mercer County
Red Fox

Photo by
Charlie Sykes



The mission of the Pennsylvania Federation of Sportsmen's Clubs, Inc. is to provide a statewide, united voice for the concerns of all sportsmen and conservationists; to insure that their rights and interests are protected; and to protect and enhance the environment and our natural resources.

The Politics of Science or the Science of Politics

by John Arway
Executive Director, PFBC

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Part 2: The Past

On March 30, 2016, the Pennsylvania Fish and Boat Commission (PFBC) commemorated the 150th anniversary of our founding in 1866. A convention was held in Harrisburg in 1866 to investigate water pollution being caused by the logging of Pennsylvania's forests and serious concerns about the reduction of American shad runs in the Susquehanna River. This discussion resulted in Governor Andrew Curtin signing the law, Act of March 30, 1866 (P.L. 370, No. 336), that named James Worrall as Pennsylvania's first Commissioner of Fisheries. In 1925, Act 1925-263 established the Board of Fish Commissioners. Then, in 1949, Act 1949-180 officially established the Pennsylvania Fish Commission (PFC) as an agency and described its powers and duties. In 1949, the Commission appointed Charles A. French as its first executive director, and in 1991, under Act 1991-39, the Pennsylvania Fish Commission (PFC) became the PFBC. This makes the PFBC the second oldest fish or wildlife agency in the nation.

Throughout its history, the Commission has evolved from a one man operation funded solely by the General Fund to an agency with a complement of 432 staff funded by anglers and boaters through license and registration fees and the federal excise taxes on fishing and boating equipment. The agency's mission has broadened some from the original one, but even today it is still focused on protecting, conserving, and enhancing our aquatic resources and providing fishing and boating opportunities. The Commission was originally created to solve the problems caused by dams blocking the free migration of American Shad in the Susquehanna River and water pollution from logging filling our streams and rivers with sediment. I would now like to report on the progress we have made and the challenges that still lie ahead.

Susquehanna River Dams

In 1867, the first fishway was constructed at the Columbia (Wrightsville) Dam (built in 1840) on the Susquehanna River as the first attempt to restore anadromous fish runs to the

Susquehanna River. Then, came the York Haven (1904), Holtwood (1910), Conowingo (1929), and Safe Harbor (1931) hydro-electric dams, which have been major impediments to migratory fish since they were built. In the 1950s, the resource agencies implemented a program to restore access for migratory fish to the upper Susquehanna River basin, focusing on American Shad. In response to harvest declines that signaled critically low fish stock levels, fishing for American Shad in the Chesapeake Bay region was closed by Maryland in 1980 and then by Virginia in 1994.

Former PFC executive director Ralph W. Abele (1972–1987) fought passionately to have fish passage installed at these dams and built a shad hatchery at Van Dyke along the Juniata River to assist the restoration process. In a landmark case in 1980, the Fish Commission intervened in an appeal involving multiple applications for hydroelectric project license renewals before the Federal Energy Regulatory Commission (FERC) for the continued operation of dams on the lower Susquehanna River. The appeal resulted in the negotiation of license conditions to mitigate natural resource and recreational impacts of the projects, most notably the negative impact on the migration of American Shad up and down river. The ultimate settlement included license conditions for all dams that required the construction of fish passage facilities in consultation with regulatory and natural resource agencies (FERC Decisions 1980).

We continue to fall short of our migratory fish restoration goals of two million American Shad and five million river herring spawning upstream of the York Haven Dam. The American Shad stock in the Susquehanna River improved slowly and made an impressive comeback by 2001, when more than 200,000 adult shad were counted at the Conowingo Dam fish lifts. Recent numbers of American Shad passing the four major downriver dams reveal only 43 American Shad passing York Haven Dam in 2015. In 2010, the Susquehanna River Anadro-

mous Fish Restoration Cooperative (SRAFRC) identified poor efficiency of fish passage measures and facilities, low hatchery production in recent years, low numbers of spawning fish accessing quality habitat, poor young-of-year recruitment upstream of Conowingo Dam, ocean and Chesapeake Bay mortality, turbine mortality, and predation as the major causes of this decline (SRAFRC 2010).

The current plan calls for a nature-like fishway to be constructed by 2021 on the east side of York Haven Dam adjacent to Three Mile Island. Improvements in downstream passage rates of out-migrating American shad and American eels are also required. Since the Safe Harbor Dam currently has the most effective fishway on the East Coast for American shad passage (~78%), no future changes are anticipated. The redevelopment project at Holtwood Dam provides increased power generation capacity and greater control of river flows, which allows more directed flows and passage routes to lead fish to the fish lifts. The Muddy Run Pumped Storage project is required to trap and provide upstream transport of up to one million American Eels per year.

The FERC license for the Conowingo Dam in Maryland is on an annual renewal, since the Maryland natural resource agencies continue to work with the licensee on sediment accumulation and mitigation issues on the Conowingo Pool. The U.S. Fish and Wildlife Service (FWS) reached an agreement with Exelon in May 2016 on improvements to the existing East Lift fishways, including adding hoppers to increase lift volume and reduce lift cycle time as well as significant improvements to the West Lift. Exelon is also required to fund trap and upstream transfer of up to 100,000 American Shad and 100,000 river herring annually and to develop efficient upstream trap and transfer facilities for American eels. When Maryland resolves its issues, a 401 Water Quality Certification and then the FERC license will be completed to finalize the license renewal process.



The original charter of the PFC was to restore American shad to the Susquehanna River. We began with the initial challenge to pass shad around a small dam at Wrightsville with a fish ladder in 1867. Our past leaders had been diligent in working in the legal, policy, and political arenas with limited success. The future of the American shad restoration in the Susquehanna River is now fully dependent upon the ability of this and future generations working together to provide effective fish passage and not accept that the existing dams have become part of the

river environment—the new normal. We hope not to forget about the importance and historical significance of the shad fishery and yield to the whims of societal demands for power. I am confident that science, engineering, and the continued public demand for shad will prevail, since the shad and our forefathers are counting on us and future generations. There is still work to be done if we ever expect to fulfill the dream of seeing a fishable population of American shad return to the Pennsylvania portion of the Susquehanna River.

Recently over one million man-made dams around the world have been determined to be major sources of global greenhouse gases emitting nearly a gigaton, a billion tons, of annual carbon dioxide equivalents. This includes methane (79%), carbon dioxide (17%) and nitrous oxide (4%) (Liess, et al. 2016). The authors note that the study will provide policy makers and the public necessary information about other consequences of damming rivers.

To Be Continued in the next edition....

Public Lands for All Americans: The Best Deal Going

by: Whit Fosburgh

<http://www.trcp.org>

Why Theodore Roosevelt saw public lands as fundamentally democratic—not something to be sold off for a quick buck

Like zombies, many bad public policy ideas are difficult to kill. Just when you think they are finally discredited, those bad ideas stagger from their graves under a new administration and once again require a unified effort to be put down.

So it is with the notion of privatizing public lands. In his column “The Best Deal Going: Privatize U.S. Public Lands” for Forbes, Steve Hanke opines that this misguided idea could again gain traction if President Trump is willing to take his Secretary of the Interior, Ryan Zinke, “to the woodshed” for his full-throated support of America’s public lands.

Good luck with that one. Zinke was not chosen as Interior Secretary in spite of his public lands stance; he was chosen because of it. Candidate Trump came out firmly in favor of keeping public lands in

public hands, and for good reason.

The modern public lands system dates back to the days of Theodore Roosevelt, who set aside about 230 million acres of national parks, refuges, and forests during his presidency. He did it to conserve wildlife, protect water quality, ensure that the nation had sustainable supplies of raw materials (like timber), and give all Americans the ability to get outside and test themselves in nature, which he credited for making him the man he was.

Roosevelt did not see this as socialism; he saw it as fundamentally democratic. When speaking of the need for conserving our natural resources, Roosevelt stated:

“Our duty to the whole, including the unborn generations, bids us restrain an unprincipled present-day minority from wasting the heritage of these unborn generations. The movement for the conservation of wild life and the larger movement for the conservation of all our natural resources are essentially democratic in spirit, purpose, and method.”

Today, America’s public lands system is the envy of the world and part of what makes our nation unique. Every American, regardless of class or economic status, can fish, hunt, hike, bike, camp, or paddle on the 640 million acres that they collectively own. These lands form the backbone of the \$887-billion outdoor recreation economy, employing more than 7 million people and generating more than \$100 billion in tax revenues every year. Thanks to the excise taxes and license fees that all hunters and anglers pay, America boasts the best-managed fish and wildlife in the world.

The American people know what they have and will not give it up without a fight. When Congressman Jason Chaffetz (R-Utah) introduced legislation earlier this year to sell off 3.3 million acres to help balance the budget, the outcry was immediate and severe. Chaffetz then took to Instagram, wearing camo and holding a hunting dog, to announce that he was withdrawing his bill. Shortly thereafter, he resigned from Congress.

Instead of concocting schemes to sell off or dismantle America’s public lands systems, our academics, think tanks, and politicians should focus on ways to improve the management of public lands.

Let’s commit to giving the agencies the resources they need to better manage these lands. Let’s figure out ways to improve access so that more Americans can experience them. Let’s improve the way we handle energy development on public lands, so we can have energy independence and world-class wildlife and recreation. Let’s create better partnerships between the states and the federal government when it comes to managing lands and species. And, because water flows downhill and fish and wildlife do not read ‘posted’ signs, let’s incentivize private landowners to do what is right for conservation and manage entire ecosystems for future generations.

America’s public lands are not something to be sold off for a quick buck. They are, in the words of Wallace Stegner, “the best idea we ever had. Absolutely American, absolutely democratic, they reflect us at our best rather than our worst.”

Let us embrace that. trcp.org





Don't Drain Our Swamps!

Any angler who has ever enjoyed fishing in a clean stream buffered by neighboring wetlands, any hunter has ever watched the sun come up over a marsh while hoping for unsuspecting waterfowl to fly by, or any kid who has ever waded through the muck to catch a bellowing frog knows the importance of wetlands to Pennsylvania's rich outdoor landscape. I put myself in all three of those categories.

The phrase "Draining the Swamp" was coined many years ago to address the malaria problem, which caused the alarming deaths of millions of people around the world. Malaria is a disease caused by a parasitic protozoan, in the genus *Plasmodium*, that is spread to humans and other warm-blooded animals by a species of mosquitos in the genus *Anopheles*.

The most common methods for controlling mosquito populations include spraying insecticides and draining swamps. Dichlorodiphenyltrichloroethane (DDT) was one of the first chemicals used to kill

mosquitos during the second half of World War II. Fortunately, thanks to Pennsylvania's own Rachel Carson and her 1962 book "Silent Spring," we recognized the need to better evaluate the fate and effects of persistent cancer-causing chemicals and banned the agricultural use of DDT in 1972.

We continue to use pesticides and biocides to treat standing and flowing waters to combat waterborne diseases and nuisance species. For example, the Pennsylvania Department of Environmental Protection (PA DEP) spends millions of dollars treating water bodies throughout our Commonwealth for mosquito control with insecticides to combat West Nile Virus and with the biocide *Bacillus thuringiensis israelensis* (BTI) to control nuisance black fly populations.

If you have ever spent time fishing one of Pennsylvania's large rivers, you, like me, have been sprayed with BTI that is aerially applied by helicopter or fixed-wing aircraft. Fortunately, BTI is a United States Environmental Protection Agency (US EPA)-approved chemical, and according to the manufacturer, Arbio Organics, "is harmless to beneficial insects, wildlife, humans, pets or livestock."

The other method to deal with mosquitos living in swamps (a.k.a. wetlands) was to subsidize farmers to drain swamps, which not only took care of the mosquito problem but also provided more land to farm. We eventually realized that draining swamps was a bad idea since swamps provided many public benefits to society. Early in my career, my staff and I assisted the United States Fish & Wildlife Service (USFWS) with an assessment of wetlands in Pennsylvania, which contributed to a national wetlands inventory (Tiner 1984).

Tiner defined wetlands to include the



Mark Nale Photo

variety of marshes, swamps and bogs that produce many benefits for society including flood control, water quality maintenance, erosion control, timber and other natural products for man's use, and recreation besides providing homes for many fish and wildlife species. Tiner reported that approximately 215 million acres of wetlands existed in the conterminous United States at the time of the nation's settlement. In the mid-1970s, only 99 million acres remained, just 46% of our country's original wetlands acreage. In 1984, wetlands covered about 5% of the land surface of the lower 48 states. Between the mid-1950s and the mid-1970s, about 11 million acres of wetlands were lost, while 2 million acres of new wetlands were created. A net loss of 9 million acres of wetlands occurred over that 20-year period. Annual wetlands losses averaged 458,000 acres. Agricultural development was responsible for 87% of the national wetlands losses. Urban development and other development caused only 8% and 5% of the losses respectively.

President George H. W. Bush (1989-1993) vowed that America would lose no "wetlands" under his watch and a government wetlands manual was created that provided regulatory agencies like US EPA and the US Army Corps of Engineers guidance to protect the nation's wetlands, just as intended by the Clean Water Act.

"Draining the Swamp" has 



also been commonly used by politicians from all parties as a promise to change the bureaucracy at either the state or national level. Most recently, it was a campaign slogan for President Donald Trump that described his plan to fix problems in Washington, D.C. However, a part of that campaign promise may literally change the rules that protect our nation's swamps and headwater streams.

Current US EPA Administrator Scott Pruitt along with Mr. Douglas W. Lamont, Acting Assistant Secretary of the Army (Civil Works), signed a proposed rule, Docket ID No. EPA-HQ-OW-2017-0203 which was published in the Federal Register on July 27, 2017, that would revise the definition of "Waters of the United States" (WOTUS). This proposal is considered by the current administration to be consistent with the Executive Order signed on February 28, 2017, "Restoring the Rule of Law,

Federalism, and Economic Growth by Reviewing the 'Waters of the United States' Rule"—www.epa.gov/sites/production/files/2017-07/documents/2017-13997.pdf. The public comment period closed on September 27, 2017.

I recently joined Pennsylvania Secretary Patrick McDonnell (Department of Environmental Protection), Secretary Russell C. Redding (Agriculture) and Secretary Cindy Adams Dunn (Department of Conservation and Natural Resources) in signing a letter in response to the proposed WOTUS rule, which explains the Commonwealth's position on draining our swamps and reducing protections to our headwater streams

We ask that Pennsylvania anglers, boaters, and frog-catching kids of all ages join Rachel Carson, President George H. W. Bush, our Commonwealth agencies, many of our nation's conservation groups and over 20,000 scientists who have already spoken out about how draining America's swamps and allowing impacts to our headwater streams puts aquatic resources at risk not only in Pennsylvania but across the entire nation.

Remember fish and frogs can't talk, so only we can speak out in defense of our aquatic resources.

Tiner, R.W. 1984. Wetlands of the United States: Current Status and Recent Trends. National Wetland Inventory, United States Fish & Wildlife Service, Superintendent of Documents, United States Government Printing Office, Washington, D.C. 20402.

PFBC



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**Life Jackets Save Lives
Follow Safety Tips in
Cold Weather**

When sunny days tempt the boater in you, don't forget about your life jacket, especially if you are planning to use a canoe, kayak or similar small boat. Beginning Nov. 1 and lasting through April 30, individuals are required to wear a life jacket while underway or at anchor

on boats less than 16 feet in length or on any canoe or kayak. The requirement applies to all PA waters.

To learn more about life jackets and cold water survival, visit

<http://fishandboat.com/safety.htm> and www.wearitpennsylvania.com.

