

Pennsylvania Fish & Boat Commission Report

John A. Arway, Executive Director

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A Civics Lesson

On July 14, 2014, the Pennsylvania Fish and Boat Commission (PFBC) presented the Ralph W. Abele Conservation Heritage Award to former Senator Franklin Kury, to recognize Mr. Kury's lasting conservation impact as the author and champion of Article I, Section 27 of the Pennsylvania Constitution, also known as the Environmental Rights Amendment.

Arguably, this addition to the Pennsylvania Constitution stands as one of the most important pieces of environmental legislation ever passed in the state. The incredible legacy of Article 1, Section 27 places Mr. Kury among Pennsylvania's most notable conserva-

tion leaders.

The Abele Award is the highest recognition the PFBC provides to persons who distinguish themselves in the cause of conservation.

The PFBC established the award to recognize citizens of Pennsylvania who have made outstanding contributions to the protection, conservation, and enhancement of the aquatic resources of the Commonwealth.

Following the award presentation to Mr. Kury, we aired a taped interview with Professor John Dernbach, Distinguished Professor of Law and Co-director of the Environmental Law Center at Widener University. Professor Dernbach's work featured prominently in the Pennsylvania Supreme Court's recent Robinson Township decision that gave renewed relevance to Article 1, Section 27.

The evening also featured a panel discussion on the significance of Article I, Section 27. It was moderated by someone familiar to many of us – Pete Duncan, former Executive Director of the Pennsylvania Game Commission.

I was honored to join

Mr. Kury and Terry Bossert, former Chief Counsel for the Department of Environmental Protection and currently with Range Resources, on the panel.

WITF television taped the evening as part of an ongoing project to document important people and events in Pennsylvania's rich conservation history. The entire program may be viewed on our website at <http://fishandboat.com/videos.htm>

When planning my talk for the evening, I remembered a video clip I once saw of the famous statesman and comedian, Red Skelton, telling the story about one of his teachers explaining, to him as a young schoolboy, the words and meaning of the Pledge of Allegiance. He later wrote down and then recorded his own version. I used this approach to open the panel discussion on July 14, and it also seemed like a good way to explain Article 1, Section 27 to the readers of On Target.

The people: A plurality of persons considered as a whole, which includes all 12 million of us who are citizens of our great Commonwealth.

Have a right: In accordance with what is good or proper. In conformity with fact, reason, truth or some standard or principle. The recent Supreme Court opinion clarified that our environmental rights are just as important as our political and other civil rights. Chief Justice Castille in his plurality

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John, with a 19" smallmouth bass caught on the Susquehanna River. Photo by Andy Shiels

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opinion said these rights are “on par with any other right reserved to the people in Article 1.” These would include the rights to life, liberty, property, and the pursuit of happiness, freedom of speech, freedom of religion, the right to trial by jury and the right to bear arms. The Environmental Rights Amendment speaks to the rights of the people.

Have a right to clean air: Air safe to breathe and absent of pollutants that can impact our health and well-being.

Pure water: Nearly 1 billion people around the world suffer needlessly without access to safe, clean water to drink. Safe potable water free of disease vectors, pathogens, or unacceptable levels of toxins. Water clean enough to support the fishable/swimmable goal of our Clean Water Act in all of our Commonwealth’s waterways.

And to the preservation of the natural, scenic, historic and esthetic

values of the environment: To keep all of our natural treasures safe from harm.

Pennsylvania’s public natural resources: Our broad biodiversity and geodiversity that exist naturally, relatively undisturbed by man. Things such as our air and wind, our water, our soils and rocks, our forests, and our fish and wildlife.

Are the common property of all the people: Real property owned by us, “the tenants in common,” who each have an “undivided interest” in the entire property of our Commonwealth. Property belonging to each and every one of us.

Including generations yet to come: Even our children yet to be born.

As trustee of these resources: Those of us in state government who hold power for property or authority, or are in position of trust or responsibility for the benefit of the general public.

We are the trustee for your property, and you are the beneficiary of that trust.

The Commonwealth: A political community founded for the common good. A state in which the supreme power is vested in the people. We are a state in which sovereign power is invested in representatives chosen by the people to govern. And government is the people; and it’s from the people to the leaders, not from the leaders to

the people.

Shall conserve: To prevent injury, decay, waste or loss of our natural resources or to keep things in a safe or sound state.

And maintain them To keep them in an existing condition and not allow further degradation.

For the benefit: A good or helpful result; an improvement of our general well-being as a society.

Of all the people: All of us – it’s as much your property as it is mine. Herbert Hoover once said “All men are equal in the eyes of fish.”

At the event, I concluded by asking the attendees to join me in reciting Article 1, Section 27. While I cannot be there to do it with you, I encourage you to invite a fellow angler or boater to accompany you as you read. . .

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. – Article 1, Section 27 of the Pennsylvania Constitution



*John, presenting Mr. Kury with a trout print in honor of receiving the Abele Award
Photo from PFBC*



National Hunting and Fishing Day to Take Place September 27, 2014

Each year, outdoorsmen and women celebrate efforts taken to conserve our heritage. National Hunting and Fishing Day is important to each. Conserving wildlife and the lands that house what we all enjoy are of the utmost importance.

National Hunting and Fishing Day is a day set aside to celebrate all that sportsmen do to support those efforts whether it be building habitat for dwindling quail populations or funding conservation projects. Their support has forged new pathways for hunters, fishermen and outdoorsmen for the past 43 years to enjoy public waterways and lands without worry of diminishing access or natural resources.

Country music star, award-winning TV host and former soldier Craig Morgan is slated to serve as the honorary chairman for National Hunting and Fishing Day.

