



**Pennsylvania Council
Trout Unlimited
P.O. Box 5148
Bellefonte, PA 16823
www.patROUT.org**

December 6, 2021

Re: Concerns about ATV issues and natural resources

Honorable Chair Senator Gene Yaw and Honorable Chair Senator Carolyn Comitta and members of the Senate Environmental Resources and Energy Committee:

Trout Unlimited is the largest coldwater conservation organization in Pennsylvania, representing over 16,000 members. TU's mission is to protect and restore America's coldwater trout and salmon fisheries for the enjoyment of our children. TU would like to present our concerns to the Committee today related to ATV use in Commonwealth, the ATV pilot, and the evaluation of the pilot programs.

The Pennsylvania Council of Trout Unlimited agrees with and echoes many of the comments presented to the Committee today related to environmental resources and potential degradation of fisheries resources. We support the Susquehanna Chapter concerns that the proposed extension of an ATV trail connector in the Tiadaghton State Forest, and more particularly, the proposed route down the forestry road along Trout Run, tributary to Pine Creek at Cammal, will result in the degradation of a currently protected and restored high quality coldwater stream. As is well known, this wild and scenic stream has suffered in the past from deforestation and legacy erosion and sedimentation impacts of an old forestry road running immediately along its banks. Recognizing this problem, the Bureau of Forestry has appropriately closed the middle three miles of the road to vehicular traffic for many years. This wise policy decision has resulted in more vegetative cover and a substantial reduction of erosion and sediment after storm runoff events which, in turn, has significantly helped to restore stream habitat for aquatic macroinvertebrates and wild brook trout and reduced the volumes and loadings of sediment and the resulting particulate phosphorus discharges to Pine Creek.

The Susquehanna Chapter recommends the following activities be considered by the Committee:

- The ATV trail connector from Potter County down to Haneyville not be considered for implementation before and until the analysis of the full ecological and environmental ramifications of the pilot program is completed;
- The presently gated three-mile section of Trout Run Road not be opened to any motorized vehicular traffic, including ATVs and UTVs due to its close proximity to the stream and lack of vegetated forest floor buffer zones to absorb and mitigate storm runoff;
- Any potential routes considered for ATV travel in Tiadaghton State Forest be kept as close to PA Route 44 as feasible, and limited to areas as far away as possible from streams and low-impact, non-motorized scenic recreation trails (e.g., Black Forest Trail and connecting trails), and
- The currently closed old Lebo Vista Road from lower Trout Run Road up to the Lebo Vista not be considered as an ATV trail due to its steep, winding, narrow, and dangerous condition, and high potential for safety and erosion and sedimentation problems;

Further, PATU submits the following recommendations for consideration:

- In its work, the Department of Conservation and Natural Resources (DCNR) should include diverse stakeholder to participate in focus groups in each forest district.
- DCNR should require no new trail and/crossing construction as part of the pilot program.
- DRBC should require trail cameras at critical locations, such as bridges and wetlands (if present), to monitor user compliance with environmental laws and regulations as the pilot project is implemented.
- DCNR must require a portion of the revenue from registrations be required to come to fund local preservation/restoration projects.
- An open dialogue with state reps, county commissioners, and other local/regional officials needs to be opened and continued to allow for a balanced stakeholder discussion.
- Require pre- and post- project monitoring of stream condition, especially erosion and sedimentation, as part of the pilot.
- Require seasonal closures of trail segments that come within 150 feet of a wild trout stream or Class A water body during spawning season (also any HQ and EV waters as well).

Pine Creek Valley and its nationally-recognized scenic and pristine tributary streams and watersheds are now used by increasingly large numbers of people who benefit the local economy, but who also cherish the quiet solitude for hiking, fishing, nature walks, non-motorized biking and sight-seeing that this area already provides. The PA Legislature and DCNR need to now act proactively to prevent the degradation of the environment and infringement on the right to quiet enjoyment of those users from intrusive and detrimental ATV traffic. Otherwise, the DCNR and law enforcement agencies will be dealing with the trouble and costs of a great deal of after-the-fact policing and damage mitigation which could have been avoided.

Trout Unlimited appreciates the opportunity to provide comment to the committee as it considers future activities around ATV use. Should you have questions, please contact Jennifer Orr-Greene at jen.orr-greene@tu.org or (717)364-4368. Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "Greg Malaska". The signature is fluid and cursive, with the first name "Greg" being more prominent than the last name "Malaska".

Greg Malaska

Council President, Pennsylvania Trout Unlimited

Cc: Mr. John Norbert, Deputy Secretary for Parks and Forestry
Ms. Nicole Faraguna, Director of Policy
Ms. Ellen Schultzbarger, Director Bureau of Forestry
Mr. Erick Lewis, Secretary, Pennsylvania Council Trout Unlimited
Ms. Emily Baldauff, Mid-Atlantic Organizer, Trout Unlimited
Ms. Jennifer Orr-Greene, Eastern Policy Director, Trout Unlimited