



Pennsylvania Federation of Sportsmen's Clubs

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Providing leadership and advocacy for the enhancement of our fish and wildlife resources for the benefit of all hunters, trappers, anglers and conservationists. Protecting our 2nd Amendment Rights.

PFSC Club Proxy Voting Form

General Session Date: 3/18/2018

Your club must send a delegate to cast your proxy votes at the next general session.

This may be a representative from your club specifically or you may give your club's proxy votes to your county delegate to cast on your behalf. A county delegate may only cast votes for clubs within their designated county. **Please send 2 copies of this form with your delegate. (Exclude copies of the attached info pages.)**

Club Name: _____ County: _____

____ Club Delegate will be Voting for Club - Name: _____

____ County Delegate will be Voting for Club - Name: _____

Our club gives our delegate our proxy votes on:

_____ All Issues and policy statements coming before the general session

_____ Only on the issues below (Other issues may arise and be discussed during the meeting.)

Resolutions:

Yea, Nay, Abstain

1. ATV Helmet Exemption for Sportsmen/women (See attached resolution)	<u>69</u> Yea <u>17</u> Nay <u>1</u> Abst
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Other Issues:

Due to the recent shootings, particularly the school shooting in Florida, there has been a flurry of legislative pushes for "additional gun-control" legislation.

Do you support legislation that would:

1. Ban AR 15 type semi-auto firearms	<u>0</u> Yea <u>81</u> Nay <u>6</u> Abst
2. Ban bump stocks	<u>25</u> Yea <u>41</u> Nay <u>21</u> Abst
3. Implement a universal background check system that requires background checks for the purchase of all firearms, including private person to person sales	<u>10</u> Yea <u>63</u> Nay <u>14</u> Abst
4. Support legislation allowing schools to choose whether or not to allow teachers/staff to be trained to carry concealed or have access to locked firearms	<u>63</u> Yea <u>9</u> Nay <u>14</u> Abst

5. Support legislation eliminating schools as "gun free zones" and allow licensed CCW holders to carry when on school property.	<u>61</u> Yea <u>9</u> Nay <u>17</u> Abst
6. Ban large capacity ammo magazines	<u>4</u> Yea <u>69</u> Nay <u>14</u> Abst
7. Support legislation allowing for a system for the implementation of Extreme Risk Protection Orders (ERPO) granting family members & law enforcement the ability to petition a court to temporarily suspend an individual's access to firearms, as long as there are provisions for the individual to request a hearing to have the order rescinded and any confiscated firearms returned.	<u>41</u> Yea <u>25</u> Nay <u>21</u> Abst
8. Raise the legal age to purchase any firearm to 21	<u>6</u> Yea <u>67</u> Nay <u>14</u> Abst

The Delaware River Basin Commission is now considering a ban on the practice of shale gas drilling throughout the watershed, concluding after a lengthy scientific assessment that it "presents risks, vulnerabilities and impacts to surface and ground water resources." The Commission's proposal would still allow for drillers outside the Basin to use water from the Delaware or its tributaries, and allow for hydraulic fracturing wastewater to be imported into the watershed for treatment. Before this is permitted, the DRBC wants to institute strict regulations and enforcement provisions to ensure that these fracking-related activities are conducted responsibly.

9. Should PFSC sign on to the letter supporting a complete ban on shale gas drilling throughout the Delaware River Basin watershed? (Please review the attached letter and info)	<u>17</u> Yea <u>53</u> Nay <u>17</u> Abst
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RECLAIM Act Support: PFSC has always supported this type of mine reclamation work in the past, so we are being asked to support HR 1731 by signing on to a support letter.

10. Should PFSC sign on to the letter supporting passage of HR 1731? (See attached Reclaim Act sign-on resolution)	<u>58</u> Yea <u>9</u> Nay <u>20</u> Abst
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Recovering Americas Wildlife Act (HR 4647): This is another issue that PFSC has always supported, so we are once again being asked to help support the passage of the legislation by joining with the Alliance for America's Fish and Wildlife's national efforts.

11. Should PFSC support efforts to pass HR 4647? (See attached info regarding HR 4647)	<u>64</u> Yea <u>5</u> Nay <u>18</u> Abst
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Club Officer Signature: _____ Date: _____

Office Held: _____

ATV Resolution:

TITLE: ATV HELMET EXEMPTION FOR SPORTSMEN

WHEREAS:

Helmet use, without exception, is mandatory while operating or riding as a passenger in or on an ATV as specified in PA Code 77 ~ 7726 (5.). In Pennsylvania ATVs are classified as Class I or Class II by weight. Most side-by-side UTVs fall into the Class II ATV category. A new federal class of vehicles, Low Speed Vehicles (LSVs), are also emerging. LSVs have more passenger safety features than ATVs.

ATV/UTV/LSV use while hunting is becoming more common, especially on private land and where permitted by disabled hunters, trappers and fishermen. Their use is now permitted in gun dog Hunt Tests and Field Trials by judges, bird wranglers and disabled handlers.

Although the use of a helmet is required; PGC WCO's and PF&BC Fish Warden's do not enforce this statute. However, it would be in everyone's best interest to exempt mandatory helmet use by sportsmen and make it optional, rather than leave enforcement on a discretionary basis. State Police, local police, PA DCNR Rangers, and USFS Rangers may not be so forgiving. Many other states have already done this. The proposed amendments are modeled after other state amendments such as in Michigan.

Hunting while wearing a helmet is cumbersome, costly, unnecessary and may be unsafe:

- While handling a gun dog, alighting from the vehicle, it is impossible to shoulder and aim a shotgun with current civilian helmets worn. One would need to either take the time to remove the helmet and don the required orange hunting cap or purchase a military style helmet. This extra time may cause loss of control of the gun dog, loss of point by the gun dog and lead to hurried and unsafe gun handling. Note that in this situation a disabled hunter is already required to turn OFF the vehicle ignition, place the vehicle in PARK, un-rack the shotgun, dismount the vehicle and load the shot gun.
- An orange military style helmet would need to be purchased to comply with PGC requirements. The only one available is used by the US Coast Guard. These cost more than \$1,000.00.
- When the vehicle is operated under 10 M.P.H and in a safe manner, as required by PGC and PF&BC regulations, helmet use is unnecessary. Note that the PA Code already exempts on-road motorcycle operators and passengers from helmet use on vehicles that operate up to 70 M.P.H. on PA interstates.
- Enacting the helmet exemption would allow sportsmen to be confidently legal in the pursuit of their sport.

THEREFORE BE IT RESOLVED:

PFSC supports the following legislative proposal:

APPENDIX III PROPOSED "No Helmet Requirement While Hunting" Legislation Amendment Pennsylvania Vehicle Code - Chapter 77

7726. Operation:

a. No person shall operate a snowmobile or ATV in any of the following ways:

- a. 5. without a securely fastened helmet on the head of an individual who operates or is a passenger on snowmobile or ATV or who is being towed or otherwise propelled by a snowmobile. The Department shall specify the types of helmets allowed through rules and regulations.

ADD: >

i. Exemption: Helmets shall not be required to be worn by operators or passengers of an ATV while engaged in hunting, trapping, fishing, falconry, gun dog training, participating in a hunt test or participating in a field trial provided the vehicle:

- is operated at or below a speed of 10 M.P.H..

ii. Exemption: Helmets shall not be required to be worn by operators or passengers of a Low Speed Vehicle (LSV) manufactured to Federal specification 49 CFR 571.500 and so indicated on a placard attached to the vehicle when operated off-road as a Class II ATV provided all safety equipment specified in the Federal Motor Vehicle Safety Standard FMVSS.500 is in use including approved seat belts, approved windshield, a roof attached to an Occupational Safety and Health Administration (OSHA) approved Roll-Over Protection System (ROPS) (roll cage).

Issues Question #9: DRBC Sign-On Letter

The Honorable Tom Wolf
Governor of Pennsylvania
225 Capitol Building
Harrisburg, PA 17120

The Honorable Phil Murphy
Governor of New Jersey
P.O. Box 001
Trenton, NJ 08625

The Honorable Andrew Cuomo
Governor of New York
NYS State Capitol Building
Albany, NY 12224

The Honorable John Carney
Governor of Delaware
150 MLK Jr. Blvd South
Dover, DE 19901

Brigadier General William H. Graham
U.S. Army Corps of Engineers, North Atlantic
302 General Lee Avenue
Brooklyn, NY 11252

Dear Commissioners:

On behalf of the undersigned representatives of the sportsmen's community, we are writing today in support of the Delaware River Basin Commission's proposed regulations regarding natural gas development in the watershed. We welcome these steps to protect our natural resources from the potential impacts of hydraulic fracturing in this critical Basin. At the same time, we are concerned about several aspects of the proposed rules, and urge the DRBC to strengthen the regulations to more fully protect our water resources.

The undersigned organizations represent a cross-section of the more than 15 million anglers, hunters, and wildlife watchers who spend \$12 billion a year in Pennsylvania, New York, New Jersey and Delaware. While we recognize the economic benefits of energy development, we have long been concerned about the effects hydraulic fracturing can have on our natural resources—the streams and forests where we hunt and fish. Many of us have spent years working with government agencies, conservation partners, and the industry to encourage policies and practices that avoid, minimize, and mitigate impacts to clean water and wildlife habitat from development across the Marcellus region.

Installing oil and gas well pads, water impoundments, access roads, and new pipelines has the potential to damage fish and wildlife habitat if not properly managed. "Fracking" a well requires millions of gallons of water; if drillers source this water from local streams during spawning seasons or periods of low flow, they can do serious harm to aquatic species. We live in constant concern about spills and leaks of fracking fluids, flowback, and produced water.

Simply put, drilling thousands of wells would have a major impact on the watershed, from headwater tributaries to the main stem of the Delaware. A study by the nonprofit research organization CNA ("The Potential Environmental Impact from Fracking in the Delaware River Basin," August 2015) found that hydraulic fracturing of the Marcellus shale in the watershed could require the construction of 1,000 pads, which would require clearing five to 10 percent of headwater forest areas and would increase erosion rates by up to 150 percent during the development phase. Discharge of fracking wastewater could raise instream levels of harmful chemicals if not properly treated. The report concluded that the "changes to land cover and associated impacts to area forests, hydrology, and water quality appear the most likely to occur and most difficult to mitigate completely."

The DRBC's decision in 2010 to review natural gas projects in the watershed was in keeping with its mandate to protect water resources in a Basin that supplies drinking water to 15 million people. It also recognized the Delaware River's status as "Special Protection Waters" across its non-tidal reach. Since then, the Commission has studied "the evolving scientific literature on the impacts of natural gas development on water resources," and has concluded that hydraulic fracturing "presents risks, vulnerabilities and impacts to surface and ground water resources." Given this thorough review of the scientific literature, and in consideration of the Basin's historic, economic, and ecological significance, we believe the Commission's decision to prohibit fracking is justified.

We are concerned, however, that the regulations would allow drillers to export great volumes of water for hydraulic fracturing elsewhere, and permit the industry to send fracking wastewater into the Basin for treatment. We urge the Commission to strengthen the draft regulations to address impacts from these activities.

Among our concerns:

- As drafted, the regulations do not set conditions for the withdrawal of water for fracking outside the Basin. They do not consider impacts to aquatic resources and other users; do not require pass-by monitoring to protect streams' ecological flow requirements; and do not address invasive species controls or impacts of erosion and sedimentation.
- Appropriately, the draft regulations require that "pollutants of concern" in any effluent not exceed background concentrations. But this list of pollutants does not account for the more than 1,600 chemicals that the EPA has detected in fracking fluids and produced water. The Commission should establish a comprehensive set of water quality standards for all possible constituents in fracking wastewater.
- The rules do not outline mechanisms for monitoring, inspections, and enforcement to ensure that the export of source water or import of wastewater does not degrade water quality in the Basin. This is essential if the Commission is to safeguard the watershed from potential impacts of this activity.

The Basin is home to some of our region's best trout water. The Upper Delaware is a nationally designated Wild and Scenic River where anglers can find a wild brown and rainbow fishery not unlike great western rivers. Elsewhere in the Basin, we pursue stripers and shad and smallmouth. Our forests are home to bear, deer, pheasant and grouse—and a wealth of sportsmen's recreation. We appreciate that the DRBC is taking necessary steps to ensure that this river and this watershed continues to be a special place.

Issues Question #9:

RESOLUTION URGING THE PASSAGE OF RECLAIM ACT (REVITALIZING THE ECONOMY OF COAL COMMUNITIES BY LEVERAGING LOCAL ACTIVITIES AND INVESTING MORE ACT OF 2017) – H.R. 1731

<https://www.congress.gov/bill/115th-congress/house-bill/1731?q=%7B%22search%22%3A%5B%22hr+1731%22%5D%7D&r=1>

WHEREAS, Substantial coal mining has occurred in Pennsylvania for more than 140 years, and the industry has been a significant employer of our citizens for most of these years; and

WHEREAS, Pennsylvania is #1 in the nation with the most abandoned coal mined lands and streams; and

WHEREAS, Abandoned mines pose hazards in Pennsylvania of dangerous shafts, mountains of black waste, scarred landscapes, acidic drainages polluting more than 5,500 miles of our streams and other hazards threatening human health and safety and depressing local economies; and

WHEREAS, At least 44 of Pennsylvania's 67 counties are affected by abandoned coal mines; and

WHEREAS, At least 1.4 million Pennsylvanians live within one mile of abandoned mine lands; and

WHEREAS, Abandoned mines and abandoned mine lands create negative impacts on local economies by hampering recreational opportunities, lowering land values, leaving communities desolate once the mines are exhausted and ruining sites for further residential, forestry, commercial or agricultural uses, and threatening the human health and safety of people living in our coal field communities; and

WHEREAS, Reclamation of abandoned mine sites can add to the economy by creating jobs, increasing community pride, increasing property values, decreasing stress-related costs through stream-based recreation, restoring the health of the environment and providing future sites for commercial or industrial endeavors; and

WHEREAS, Congress established the Abandoned Mine Reclamation Fund under Title IV of the Surface Mining Control and Reclamation Act of 1977 to reclaim areas abandoned before 1977 and the modern environmental standards requiring mine operators to reclaim their sites; and

WHEREAS, The Surface Mining Control and Reclamation Act of 1977 assessed a per ton fee on coal operators to provide a source of revenue for the Abandoned Mine Reclamation Fund to help finance the reclamation and remediation of lands mined prior to 1977; and

WHEREAS, The scope of the abandoned mine problem continues to far outpace available resources, and the AML Fund has been impacted by sequestration, meaning less restoration money is being distributed to the states and tribes; and

WHEREAS, The AML Fund fee collection is set to expire in 2021 if it is not reauthorized; and

WHEREAS, Pennsylvania has relied upon the Abandoned Mine Reclamation Fund as a primary source of money to clean up toxic mine pollution in our water supplies, restore impaired lands, extinguish mine fires and eliminate other dangerous abandoned mine hazards; and

WHEREAS, The RECLAIM Act (H.R. 1731) releases unspent funds within the AML Fund to compensate for reduced funding caused by sequestration to spur job creation, improve economic conditions, and facilitate restoration; and

WHEREAS, Pennsylvania would receive \$253 million over the next 5 years to accelerate the creation of new jobs to clean up impacted lands and streams if the RECLAIM Act becomes law.

NOW THEREFORE BE IT RESOLVED: That _____ County urges the United States Congress to pass the RECLAIM Act (H.R. 1731), which will enable us to restore our mining-impacted lands and streams, assist with job creation, and ensure a more vibrant future economy for our coal impacted communities.