



NEWS RELEASE

FOR IMMEDIATE RELEASE
January 14, 2010

Jennifer Shuey, Executive Director
ClearWater Conservancy
2555 North Atherton Street
State College, PA 16803
(814) 237-0400
jennifer@clearwaterconservancy.org

CLEARWATER WANTS OWNERS HELD ACCOUNTABLE FOR THE PROTECTION OF UNIQUE NATURAL AND CULTURAL RESOURCES OF THE ROCKVIEW LANDS

ClearWater Conservancy has taken Representative Babette Josephs' challenge to develop a locally supported compromise solution for the protection of the Rockview divestment lands seriously. In light of the recently reported talks about the Canyon, ClearWater Conservancy encourages the public to keep in mind the things that we all agree on. Specifically, through the planning process, we know that there is community consensus on the basic goals of the Master Plan:

- "To preserve the property's unique natural resources, including the biological resources, native species and their supporting habitats which include native species that are uncommon in Pennsylvania";
- "To preserve the integrity of Spring Creek, currently designated as a high-quality cold water fishery which requires the protection of the property's groundwater recharge value and its springs, wetlands, and floodplains";
- "To recognize the site's equally significant cultural resources"; and
- "To provide opportunities for research, education, and recreation".

ClearWater Conservancy feels strongly that all owners of divested Rockview lands comply with the Spring Creek Canyon Master Plan, and be subject to conservation easements to ensure the protection of the site's rare and sensitive natural and cultural resources. The \$170,000+ plan for managing the site's rare qualities was developed in late 2008 through early 2009 in the publicly funded and community shaped Spring Creek Canyon Master Plan. Specifically, Appendix E of the Master Plan, developed by the Plan's 16-member Technical Advisory Committee and additional community scientists, documents the

known biological, water resource, and cultural conservation values of the property and offers initial guidance for the proper management of those resources.

Some of the property's conservation values are well known and understood, such as the Spring Creek trout fishery. Other values are less publicly known, such as the site's rare terrestrial plant and insect communities. These communities resulted in a portion of the property receiving the designation of a Biological Diversity Area of "exceptional significance" by the Centre County Natural Heritage Inventory.

The purpose of Representative Josephs' call for compromise has been to determine:

- who the owners of the 1,800 acre site will be,
- which portions of the land each of them will own,
- how they will manage the land for the protection of the site's unique natural and cultural resources, and
- how the public can be assured that the owners will protect and enhance those resources in perpetuity.

Part 7 of the Spring Creek Canyon Master Plan concludes the document by recommending a conservation easement framework to ensure that the new owners implement the Master Plan and its management strategies to ensure the long-term health and continued viability of the site's unique resources. The Master Plan proposes that the PA Department of Conservation and Natural Resources (DCNR) and ClearWater Conservancy jointly co-hold conservation easements with any future owners.

A conservation easement is a legally-binding agreement that restricts a landowner's use or development of the land while simultaneously preserving the landowner's right to complete activities that both the landowner and the conservation easement holders have agreed upon. By accepting conservation easements, DCNR and ClearWater become legally responsible for enforcing the easements' stipulations in perpetuity.

ClearWater Conservancy supported the ownership plan, the management focus on the protection of the rare and sensitive resources, and the conservation easement commitments that emerged at the completion of the master planning process. But that ownership scenario seems to have been lost in the request for political compromise.

In December 2009, a generous benefactor pledged \$2 million to ClearWater Conservancy that allowed us to explore several possibilities for compromise that were previously beyond our reach. We first explored the possibility that DCNR might be willing to own the land if a sufficient management endowment was offered to go with it. The PA Department of Conservation and Natural Resources is the logical first choice because of its legal jurisdiction over plants, and the rarity of this site is in its plant communities—barrens, limestone cliff, and rare forest communities—and the insect species that depend on them. DCNR's "Wild Plant Sanctuary" management designation also seems to be the most

appropriate management framework for the site. However, DCNR reiterated their position that they do not want to own this property.

ClearWater believes that this leaves two possible compromise scenarios that we could support, each of which includes the provision that all owners implement the Spring Creek Canyon Master Plan, which includes managing the property for its rare and sensitive natural and cultural resources and agreeing to a conservation easement to ensure that the unique conservation values are maintained and enhanced through time.

1. The compromise being developed by Representatives Hanna and Benninghoff splits the ownership of the 1,800 acres north of I-99 between Penn State University, the PA Game Commission (PGC), and the PA Fish & Boat Commission (PFBC). So far, Penn State and PFBC have agreed in conversations to accept a conservation easement that holds each of them accountable to implementing the Master Plan. We are concerned that to date, PGC has not yet agreed to accept a conservation easement that will ensure they manage for the site's unique biological resources. For ClearWater to support this option, we must insist that the PA Game Commission implement the Master Plan and accept a conservation easement that will hold them accountable.
2. In the event that one or more of the owners in the first scenario are ultimately unwilling or unable to accept a conservation easement, ClearWater Conservancy offers itself as a possible alternative landowner. ClearWater Conservancy would enter into a conservation easement to be held by an appropriate and experienced land trust and/or DCNR.

We would like to go on record stating that we prefer the first of these two compromise options, but we are willing to accept the immense responsibility of ownership if it becomes clear that one or more of the property owners will not abide by the community's wishes established through the Master Plan. This would include accepting a conservation easement to ensure enforcement of the Plan's management provisions to protect and enhance the rare and sensitive natural and cultural resources.

We encourage the public to voice their support for the implementation of this community-shaped Master Plan, including managing for this exceptional site's rare biodiversity and sensitive cultural resources, and using conservation easements as the time-tested conservation tool to ensure the resources' protection and enhancement in perpetuity.

We invite everybody with an interest in this issue to share your personal thoughts about the protection of the unique natural and cultural resources of the Spring Creek Canyon with Representative Hanna, Representative Benninghoff, and Senator Corman by phone or in writing and to attend the January 28 public meeting on the compromise developed by Representatives Benninghoff and Hanna.

###

ClearWater Conservancy of Central Pennsylvania, Inc. is a Centre County based land trust and natural resource conservation organization formed in 1980. Our mission is to promote conservation and restoration of natural resources in central Pennsylvania through land conservation, water resource protection and environmental outreach to the community.

The full text of this statement can be found at www.clearwaterconservancy.org.

The Spring Creek Canyon Master Plan and its Appendices can be found at http://www.canyonplanning.com/index.php?option=com_wrapper&view=wrapper&Itemid=78.