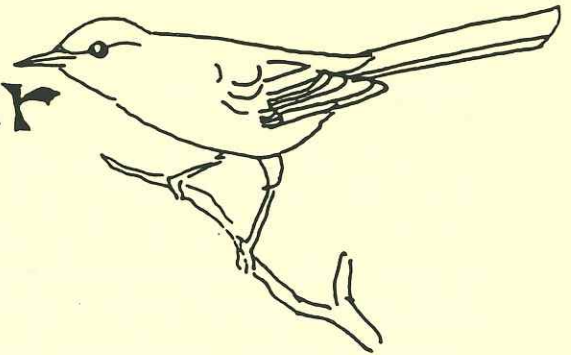


The Gnatcatcher



Newsletter of the Juniata Valley Audubon Society

P.O. Box 2378, Altoona, Pennsylvania 16603

March 1995

Taking the Offensive

By Stan Kotala

The International Association of Fish and Wildlife Agencies is spearheading an effort to obtain consistent and reliable funding for conservation projects. The proposal is known as the Wildlife Diversity Funding Initiative. It's supported by the National Audubon Society, the Sierra Club, and the National Wildlife Federation.

The Wildlife Diversity Funding Initiative calls for a 5 percent surcharge on outdoor recreational equipment, which would be collected from manufacturers. These funds would then be distributed to state fish and wildlife agencies for conservation projects. If this initiative is implemented, it is expected to raise \$350 million annually.

The administration of the Wildlife Diversity Funding Initiative will be based on the Federal Aid in Sport Fisheries Restoration Act (Dingell-Johnson) and the Federal Aid in Wildlife Restoration Act (Pittman-Robertson).

These acts implement a surcharge on hunting and fishing equipment and have provided reliable funding for fish and game conservation. The Wildlife Diversity Funding Initiative will provide money for nongame conservation projects.

Hunters and fishermen long have funded the majority of conservation projects in America. Now it's time for those who enjoy nongame wildlife to do their part. Peter S. Duncan III, former Executive Director of the Pennsylvania Game Commission, stated that "for many years the Pittman-Robertson and Dingell-Johnson Acts have provided 3-1 cost-sharing funds to assist states in maintaining conservation programs for species with consumptive value. These have been highly successful and accepted Acts, and it seems extremely inconsistent not to provide a comparable source of funds to benefit so-called nongame species of fish and wildlife."

To put the Wildlife Diversity Funding Initiative into practice, your help is needed. Please write let-

(Cont'd on page 5)

March Program

"RATTLESNAKE WATCHING" — Curt Brennan, author of Rattler Tales from Northcentral Pennsylvania, will discuss the natural history of rattlesnakes. His book will be available for sale at the meeting (see page 11).

7:15 p.m., Monday, Mar. 27 at Fifth Avenue United Methodist Church, 5th Ave. & 4th St., Altoona

Field Trip

LOWER TRAIL BIRD WALK with trip leaders Bill King and Dave Kyler (see page 2).

7:30 a.m., Sunday, Mar. 26

Next Board Meeting

7 p.m., Monday, May 1 at President Stan Kotala's residence. All members are welcome. Phone Stan at 946-8840 for directions.

From the Gnatcatcher's Nest ...

Now's the time to start planning to attend the JVAS annual banquet! It will be held on Monday, Apr. 24 in White Oak Hall at Fort Roberdeau County Park in Sinking Valley.

Our featured speaker will be Walt Young, who will present a fascinating slide show entitled "Central Pennsylvania Through the Eyes of a Naturalist."

We hope that all JVAS members will join us on this gala evening! (See box.)

(K)

Lower Trail SAP

The monthly bird census of the Lower Trail, conducted by Bill King and Dave Kyler, is off to a good start. A blustery January morning found this intrepid duo braving the cold and wind to log eight species of birds along the 11-mile route. Observed were the following: black-capped chickadee, brown creeper, common crow, ruby-crowned kinglet, golden-crowned kinglet, downy woodpecker, hairy woodpecker, and red-tailed hawk.

February 26th's results were even more impressive with 22 additional species. Added to the master list were: tufted titmouse, robin, cardinal, white-breasted nuthatch, junco, song sparrow, red-bellied woodpecker, mallard, Carolina wren, pileated woodpecker, raven, blue jay, winter wren, mourning dove, common grackle, common merganser, ruffed grouse, belted kingfisher, eastern bluebird, white-throated sparrow, house sparrow, and yellow-bellied sapsucker.

We are now at 30 species and counting! Our goal for the Lower Trail Special Areas Project is between 75 and 100 species logged during the year, ending with the December count.

If you're interested in walking, watching, and listening with us, we'd enjoy your company on the March outing, which will be held on Sunday, Mar. 26 beginning at 7:30 a.m. Bill will be leaving from the Williamsburg trail head, and Dave will be leaving from the Alexandria trail head — meeting at

JVAS Annual Banquet

The JVAS Annual Banquet will be held on Monday, Apr. 24 in White Oak Hall at Fort Roberdeau County Park.

A social hour will begin at 6 p.m. with a turkey dinner with all the trimmings being served at 6:30.

This year our speaker will be Walt Young, who is the fly-fishing editor of *Pennsylvania Afield* magazine. He's also a nature observer and will be sharing some of his observations with us via a slide program.

Please fill out and send the attached reservation form with payment of \$11 per person to Amy King, 3021 W. Chestnut Ave., Altoona, PA 16601. Please make your check payable to Juniata Valley Audubon Society.

All reservations and money *must* be received by Apr. 16.

This is always an enjoyable evening. Hope to see everyone there.

— Amy King

Etna Furnace at around noon. Carpooling will be available for return to our respective starting locations. Bring your binoculars, comfortable footwear, and snacks and be prepared for an enjoyable walk.

For more information call Bill at 942-7673 or Dave at 643-6030.

— DK

Send Your Bi Lo/Riverside Receipts to Anne

Bi Lo Foods and Riverside Markets are no longer providing boxes in their stores for the collection of cash register tapes for the Save & Share Fund-Raising Program. The program, which provides donations to nonprofit groups, will continue. However, collection of the tapes will now be handled by the participating groups. Please continue to send tape receipts to Anne Borland, at 138A Larch St., Hollidaysburg, PA 16648. She redeems the tapes for \$\$\$ for the JVAS treasury.

— Ed.

CONSERVATION

O
R In these days of rapidly changing laws and
N regulations, one of the most important tools
E environmentalists need is information. This
R can come from many sources. Described here
are a few *free* newsletters available from the
Pennsylvania Department of Environmental Re-
sources (DER).

State Parks Magazine — a bimonthly publication
featuring recreation and environmental info on 114
Pennsylvania state parks. Editor: Sarah Hopkins.

Pennsylvania Geology — a quarterly highlighting
fossils, economic geology, and environmental topics.
Editor: Christine Dodge.

Clean Air Update — a bimonthly featuring
information on air quality issues such as regulations,
policies, technology, enforcement, monitoring, air
emissions sources, and pollutants.

Editor: Lauren Taylor.

Air Help News — a quarterly containing articles
designed to help small businesses comply with air
quality regulations. Editor: Cecily Beall (215-656-
8709, PRC Environmental Management Inc.).

Profile — provides info on the regulation of on-
lot sewage treatment systems.

Editor: Susan Martino.

Storage Tank Monitor — a quarterly featuring
articles about the regulation of underground storage
tanks and activities of the Underground Storage
Tank Indemnification Board and the Storage Tank
Advisory Committee. Editor: Susan Martino.

NewsSplash — a quarterly concerning drinking
water programs regulated under the Small Water
Systems Assistance Act. Editor: Audrey Kembel.

*Environmental Protection & Natural Resources
Update* — a weekly giving a summary of current
topics, bills, events, and deadlines.

Editor: Bruce Dallas.

To have your name placed on the mailing list for
any of these newsletters, write to the appropriate
editor at:

DER

P.O. Box 2063

Harrisburg, PA 17105-2063

— PF

Dunning Creek Wetlands Field Trip

Members of the JVAS are invited to join those
of the Bedford Bird and Nature Club for a field trip
to the Dunning Creek Wetlands near Alum Bank,
Bedford County on Saturday, Apr. 1 at 9 a.m.

Dr. Tom Dick, of Johnstown, purchased this
170-acre failed farm in 1987. It had been ditched
and drained for the benefit of crops, but neverthe-
less, crops never seemed to do well on the still-moist
soil. Dr. Dick began restoring the land to its
original state with the help of the U.S. Fish and
Wildlife Service's Partners for Wildlife program.

Wildlife has returned to this wetland in astound-
ing numbers! Frogs, salamanders, turtles, water-
fowl, game birds, songbirds, butterflies, dragonflies,
and several species of mammals now call these
wetlands home. More than 200 species of birds
have been seen there, including several "species of
special concern in Pennsylvania," such as the sedge
wren, pied-billed grebe, and common snipe.

We hope that JVAS members will take advan-
tage of this excellent opportunity to visit an extra-
ordinary place. If you'd like to join us, call Stan
Kotala at 946-8840.

(K)



Audubon Council of Pa. to Host Seventh Annual Issues Day Conference

On Saturday, Apr. 8, the Audubon Council of Pennsylvania will host its Seventh Annual Issues Day Conference at the Embers Inn, in Carlisle. An exciting agenda has been planned. Peter Kostmayer, EPA Region III Director, will be the luncheon keynote speaker.

Tom Martin, Chief Operating Officer for the National Audubon Society, and Cindy Dunn, Chapter-elected Board Member for the NAS, will describe National Audubon's strategic planning process, while soliciting input on strategic planning from workshop participants. Current federal legislative initiatives will be presented by Kathleen Rogers, legal counsel for the NAS in Washington, D.C.

Habitat gardening using native plant species, membership building, and the Important Bird Areas project are just a few of the other topics to be presented.

For more information, contact Marci Mowery at (717) 763-4985. Cost for the day will be \$15, which includes lunch and all materials. Preregistration is recommended.

If you'd like to carpool to the meeting, call Paula Ford at 695-4799. — Ed.

Field Notes

Greg Furry, a landowner in Bedford Co., reports a pair of northern harriers on his property. The pair is usually tame, performing their hunting acrobatics within several feet of observers and allowing Greg to obtain some outstanding videotape footage.

Greg's land lies along Bob's Creek between Reynoldsville and Osterburg. The U.S. Fish and Wildlife Service has assisted him in restoring wetlands on his property.

Any JVAS members who are interested in seeing these birds should call Greg at 276-3981.



Pre-Conference Reception — Featuring Gene Wingert's Lively and Informative Slide Presentation on Vernal Ponds

Over the years it's been determined that social time among membership, and between the membership and the staff of the National Audubon Society, is one of the most valuable features of workshops and conferences. Too often this social time is very limited.

To address the need for social time a reception has been added to the annual Issues Day Workshop, to be held Friday evening from 7 p.m. and 9 p.m. at the Embers Inn, Carlisle.

Attendees will have the opportunity to meet with the staff from the Washington D.C. office and the New York office. Tom Martin, new Chief Operating Officer in the National Audubon Society, also will be available to answer questions about his newly created position and the NAS strategic planning process.

As a special treat, Gene Wingert will take attendees into the exciting, yet little-known, seldom-seen world of vernal pond wetland systems. Vernal ponds are a threatened wetland system in the state, and one that is often overlooked by those involved in wetlands.

Please plan to attend this enlightening and entertaining presentation. Light refreshments will be served.

Contact Marci Mowery at (717) 763-4985 for more information. Issues Day registration (\$15) includes the Friday night reception; the reception only costs \$3. For planning purposes, all attendees must preregister. — Ed.

***Don't forget to send your
Bi Lo and Riverside Markets
cash register tapes
to Anne Borland!***

Taking the Offensive (Cont'd from page 1)

ters of support to any of the outdoor equipment manufacturers listed on pages 6 and 7.

In this time of defending existing conservation programs from violent attacks, people who enjoy wildlife need to be on the offensive to get legislation passed that would provide reliable funding for habitat conservation, environmental education, nature centers, and other wildlife-oriented projects. If you want to receive a large packet of information about the Wildlife Diversity Funding Initiative, including a detailed 33-page booklet, please write to:

Naomi Edelson, Wildlife Diversity Director
INTERNATIONAL ASSOCIATION
OF FISH & WILDLIFE AGENCIES
Suite 544
444 N. Capitol St., N.W.
Washington, DC 20001
Phone (202) 624-7890

(K)

Envirothon '95

Volunteers are needed to help with our local Envirothon on Thursday, Apr. 27 at Fort Roberdeau County Park.

Envirothon competitors consist of student teams from local high schools, which go from station to station in the park taking tests covering environmental topics.

The JVAS is sponsoring the Envirothon again this year. It's always an enjoyable event. If you'd like to help, call Stan Kotala at 946-8840.

(K)

Audubon Field Notes Now Available

Audubon *Field Notes* is now publishing quarterly. It provides regional reports on bird sightings as well as avian migration and population trends. The one-year subscription rate of \$25 entitles you four issues plus the annual *Christmas Bird Count*. Send subscriptions to NAS Field Notes, P.O. Box 179, Yorktown Heights, NY 10598-9808. — Ed.

BOOK REVIEW



Mountains of the Heart:
A Natural History of the Appalachians
by Scott Weidensaul
1994, Fulcrum Publishing (\$21.95)

Sometime in the early '70s we had our first encounter with the man we soon dubbed Mountain Rabbit Joe, a neighbor from the valley who asked permission to hunt on our land. His quarry: the elusive — presumably mythic — "mountain rabbit." Imagine my shock when I came across the following passage in this new book: "Hunters have long differentiated between lowland and highland cottontails . . . They knew the New England cottontail as the 'woods rabbit' or 'mountain rabbit' . . . [it] is the game of choice for many beaglers because it is reputed to run better before the hounds" (p. 108) So Joe was right!

That's just one of the fascinating tidbits I gleaned from this well-researched, impressionistic account of the Appalachians. Weidensaul, who lives near Kittatinny Ridge (home to the Hawk Mountain Sanctuary), grew up with the "endless mountains" in his blood. A prolific writer, photographer, and illustrator — all three skills highlighted in this beautiful work — his travels take him as far south as Cheaha Mountain, Alabama, and as far north as Belle Isle, off the coast of Newfoundland. In 250 pages there's obviously a limit to the amount of detail that can be included about each subject, but Weidensaul manages to spin his tales in a manner that suggest a wealth of other stories waiting to be told — the sign of a true master.

In many ways *Mountains of the Heart* updates Maurice Brooks' 1965 classic, *The Appalachians*. So much more is known today about things like plate tectonics, acid rain, monarch butterfly migration, woodland edge effects on Neotropical migrant birds, and so on, that it seems almost unfair to compare the two works.

But some of the subtler differences are more intriguing. Thirty years of gradually increasing environmental awareness and general knowledge of more basic ecological concepts (food chains, protective coloring) have made parts of Brooks' work seem very antiquated indeed. And while George Constantz's *Hollows, Peepers and Highlanders* (reviewed in the February *Gnatcatcher*) provides a handy summary of current ecological theory, it lacks the breadth and lyricism of *Mountains of the Heart*. This book seems destined to become a classic in its own right.

— Dave Bonta

POTENTIAL COMPANIES TO WRITE LETTERS TO:

The goal is to let companies know that you, as a consumer of their product(s), support paying a small user fee added to their product that will be dedicated to wildlife conservation, outdoor recreation, and conservation education. Please address your letters to the CEO of the company.

OUTDOOR GEAR (CAMPING & HIKING)

American Recreational Products
(Kelty, Slumberjack)
P.O. Box 7048-A
St. Louis, MO 63177
Attn: Mr. George Grabner Jr.,
CEO

Coleman Outdoor Products Inc.
250 N. St. Francis Ave.
Wichita, KS 67202
Attn: Mr. Larry Jones, CEO

Eastern Mountain Sports
One Vose Farm Road
Peterborough, NH 03458
Attn: Mr. William Ferry, CEO

Jansport
2425 W. Packard
Appleton, WI 54913
Attn: Mr. Paul Delorey, President

L.L. Bean, Inc.
1 Casco Street
Freeport, ME 04033
Attn: Mr. Leon A. Gorman, President

Johnson Camping (owns Eureka, Camp Trails, Old Town Canoes, Carlisle Paddles, Silva Compasses, and Wolfskin Outerwear)
625 Conklin Rd.
Bimington, NY 13903
Attn: Mr. William D. George,
President

Merrell footwear
55 Green Mountain Drive
S. Burlington, VT 05406
Attn: Mr. Doug Barbor, President

North Face
999 Harrison Street
Berkeley, CA 94710
Attn: Mr. Bill McFarlane, President

Recreational Equipment Inc. (REI)
6750 South 228th Street
Kent, WA 98032
Attn: Mr. Wally Smith, President

Sierra Designs
2039 Fourth St.
Berkely, CA 94710
Attn: Ms. Sally McCoy, CEO

Timberland Co.
P.O. Box 5050
Hampton, NH 03842
Mr. Sidney Swartz, President

Vasque
314 Main Street
Red Wing, MN 55066
Attn: Mr. William Sweasy, President

BACKYARD WILDLIFE PRODUCTS

Kaytee Products Corp. (Birdseed)
292 East Grand
Chilton, WI 53014
Attn: Mr. Bill Engler, CEO

Pennington Enterprises, Inc.
(Birdseed)
P.O. Box 290
Madison, GA 30650
Attn: Mr. Brooks Pennington III,
President

Wild Bird Center
7687 MacArthur Blvd.
Cabin John, MD 20818
Attn: Mr. George Petrides, President

Wild Birds Unlimited
3003 E. 96th St.
Indianapolis, IN 46420
Attn: Jim Carpenter, CEO

PHOTOGRAPHIC EQUIPMENT

Agfa Corporation
100 Challenger Rd.
Ridgefield Park, NJ 07660
Attn: Mr. Helge H. Wehmeier, CEO and
President

Canon USA Inc.
One Canon Plaza
Lake Success, NY 11042
Attn: Mr. Haruo Murase, President

Eastman Kodak Co.
343 State Street
Rochester, NY 14650
Attn: Mr. George M.C. Fisher,
Chairman, CEO and President

Fuji Photo Film USA Inc.
555 Taxter Rd.
Elmsford, NY 10523
Attn: Mr. Sam Inoue, President

Nikon
1300 Walt Whitman Rd.
Melville, NY 11747
Attn: Mr. H. Nakayama, CEO

Olympus Corporation
4 Nevada Drive
Crossways Park
Lake Success, NY 11042
Mr. Koji Suzuki, CEO

Pentax
35 Iverness Dr., East
Englewood, CO 80112
Attn: Mr. Masa Tanaka, CEO

CANOES

Aguaterra/Perception Incorporated
P.O. Box 8002
1110 Powdersville Road
Easley, SC 29640
Attn: Mr. William Masters, President

Dagger Canoes
PO Box 1500
Harriman, TN 37748
Attn: Mr. Joe Pulliam, President

Grumman Canoes, OMC Aluminum Boat
Group Inc.
P.O. Box 549
Marathon, NY 13803
Attn: Mr. Bill Ek, President

Mad River Canoe
Box 610
Wattsfield, VT 05673
Attn: Ms. Katherine Henry, President

Old Town Canoe Co.
58 Middle Street
Old Town, ME 04468
Attn: Mr. John Blass, General
Manager and President

Wenonah Canoes
1252 Bundy Blvd.
P.O. Box 247
Winona, MN 55987
Attn: Mr. Mike Cichanowski,
President

BINOCULARS/SPOTTING SCOPES

Bausch & Lomb Sports Optics
(includes Bushnell and Jason Empire
Products)
9200 Cody
Overland Park, KS 66214
Attn: Mr. Joseph B. Messner,
President

Leica Camera Inc.
156 Ludlow Ave.
Northvale, NJ 10022
Attn: Mr. Roger Horn, CEO

Nikon Sports Optics
1300 Walt Whitman Road
Melville, NY 11747-3064
Attn: Mr. H. Nakayama, CEO

Carl Zeiss Optical, Inc.
Sports Optics Division
1015 Commerce
Petersburg, VA 23803
Attn: Mr. Ed Greene, CEO

Pentax Corporation
35 Inverness Dr. E.
Englewood, CO 80112
Attn: Mr. Masa Tanaka, CEO

Swift Instruments
952 Dorchester Ave.
Boston, MA 02125
Attn: Mr. Swift, President

Tasco
P.O. Box 520080
Miami, FL 33152-0080
Attn: Mr. George Rosenfield,
President

PUBLISHING COMPANIES

Houghton Mifflin (Publishes
Peterson Field Guide Series)
222 Berkely St.
Boston, MA 02116-3764
Attn: Mr. Nader Dareshori, CEO

Random House (owns Knopf Publishers,
Publishes Audubon field guides.)
201 E. 50th St., 12th Floor
NY, NY 10022
Attn: Mr. Alberto Vitale, CEO

Western Publishing (owns Golden
Press)
850 Third Ave.
NY, NY 10022
Attn: Richard Bernstein, CEO

February 28, 1995
PO Box 410
Pine Grove Mills, PA 16868

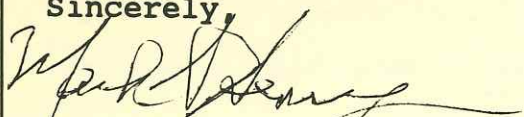
Dear Members of the Juniata Valley Audubon Society

In reviewing the Congressional agenda for the first 100 days, I found a potentially disastrous provision in The Job Creation and Wage Enhancement Act, H.R. 9. The provision, rightly called the 'takings' provision, is Title IX of the proposed Act and essentially is a 'pay off' system for those who do not want to comply with federal regulations that protect private property, community values, public health, public safety, civil rights and the environment. This 'takings' provision, often misrepresented as 'private property rights' by proponents, will require taxpayer dollars to be used to 'pay off' landowners such as big coal, oil and gas companies, whenever any federal regulation limits the use of their land/water and affects market value by at least 10%. This requirement will apply regardless of what the landowner wants to do with the land/water and regardless of the impacts on neighboring property and/or the public health, the community and the environment.

Further, it is clear that such a 'pay off' will cost millions and even billions of taxpayer dollars which is fiscally irresponsible for a Congress that claims to be committed to controlling government spending and balancing the budget. In fact, two conservative Republican state legislators, one from Colorado and one from New Hampshire, in a 1993 letter to Congress stated "As Republican state legislators, we are writing to urge you to oppose federal takings bills and amendments for the same reasons that we and our colleagues killed similar state legislation: takings legislation would increase taxes and create a new, unnecessary level of bureaucracy."

For these reasons, JVAS members are encouraged to write their federal Representative and urge him/her to oppose 'takings' proposals including but not limited to The Job Creation and Wage Enhancement Act of 1995, H.R.9. Letters can be addressed to your Representative at the U. S. House of Representatives, Washington, D.C. 20515. Please write or we may all have to pay and pay and pay.

Sincerely,



Mark S. Henry, member
Juniata Valley Audubon Society

Winter Song

In winter there's always the promise of spring as soon as our resident birds begin singing. This year spring bird song began on January 11, a gray, damp, cold day, yet I heard the first "peter-peter" of a tufted titmouse. This song was followed, on January 23, by the "fee-bee" song of two black-capped chickadees. Both days were winter days in appearance and temperature, but the singing birds made me think of spring.

The next chorister chose to sing on February 7 when it was 7 degrees. A northern cardinal sang his "pretty-pretty" song in the quiet of the Far Field thicket. Five days later, when it was 1 degree below zero with a howling wind, I listened to three chickadees "fee-beeing" as if in a contest, while titmice sang all morning.

Our resident song sparrow sang his first weak rendition of "hip-hip, hurrah! boys, spring is here" on an overcast, barely-above-freezing February 16, and was joined by a full chorus of house finches and titmice, as well as a single cardinal song.

By Marcia Bonta

Then came the February thaw. On February 19 the song sparrow and house finches sang. Woodpeckers and ruffed grouse drummed, and bluebirds appeared along the edge of First Field. The next day the first killdeer called as it flew overhead.

Along the top of Sapsucker Ridge I stopped to sit and listen on a sunny February 25 and was rewarded by the singing of a brown creeper, which, to me, sounds a bit like an upside-down eastern meadowlark song.

By the second of March the song sparrow was singing at 6:20 a.m., heralding the dawn chorus of cardinals, titmice, and chickadees. So far, all the singers had been resident birds. But on March 5, despite overcast skies, I sat at the magic place listening to the drumming of grouse. Bluebirds called, and titmice and cardinals sang.

Then, in the distance, I heard the first geese of spring calling. With that I knew the phoebes would be here any day now. Although their song is monotonous and tuneless, to me it is the essence of spring on the mountain.



Wetlands Activity in the Pennsylvania General Assembly

Several bills have been introduced or are being routed for cosponsorship in the Pennsylvania General Assembly that could seriously undermine wetland protection efforts in the state. The numbered bills are HB 341 (Camille "Bud" George-D, Clearfield) and HB 200 (Howard Fargo-R, Mercer). Theresa Brown's (R, Crawford) wetlands bill does not yet have a number, but is very similar to HR 3130 of the last session.

HB 341 amends the Dam Safety and Encroachment Act permitting provisions. According to this bill, a permit would not be needed for activity in a wetland where "building foundations, other remains of previous structures, or existing abandoned structures exist." An owner can continue an activity in a wetland regardless of the time lapse between start of the project and current date, and if the activity requires the discharge of fill material into adjoining wetlands, a permit will not be required.

The provisions of this bill would reduce wetland protection by encouraging development of sites that are unsuitable for building. "Remains of previous structures" could be interpreted as historic foundations or remnants of canals — without an age limit on the structures, the sky's the limit. Structures or activities that were begun prior to wetlands protection regulations — during the era of "wetlands are wastelands" — could continue.

HB 200 is very similar to the Hayes legislation at the federal level. HB 200 was introduced the past two sessions, with only moderate changes each time it was introduced. The bill currently has 52 cosponsors — almost three times as many as when it was first introduced in 1992.

Fargo's bill would provide a classification system for wetlands, upon which protection decisions would be determined. The three classes of wetlands range from "Type A" wetlands, which serve "critical wetland functions, hold a concentration of wildlife, consist of or are a portion of 10 or more contiguous acres, must be scarce in the watershed, and can have no overriding public interest" to "Type C" wetlands, which serve limited functions, are prior converted croplands or fastlands, or are within a developed or industrialized area. Type A wetlands would be protected (barring no overriding public interest); Type B wetlands may be protected; while Type C wetlands are fair game.

Wetland delineation would be based upon:

- presence of hydric soils
- hydrology — surface water must be present for 21 consecutive days during the growing season (Under current delineation standards, water must be present for 7 days.)
- presence of hydrophytic plants

To quote the *Federal Manual for Identifying and Delineating Jurisdictional Wetlands*: "Of the three technical criteria for wetland identification, wetlands hydrology is often the least exact and most difficult to establish in the field, due largely to annual, seasonal, and daily fluctuations." Fargo's proposed increase to 21 days surface saturation is not only inconsistent with federal regulations, it is unfounded in establishing a wetland.

If HB 200 were implemented, it is estimated that it would cost approximately **\$20 million to perform the classification scheme**. No funding mechanism is provided for the classification, and the task is charged to an already understaffed and overworked Department of Environmental Resources. Furthermore, this classification would remove protection from approximately 70 percent of Pennsylvania's wetlands. **Even under current regulations, we are losing about 1200 acres of wetlands a year — a large figure, considering only 2 percent of Pennsylvania's land mass is wetlands.**

Fargo's bill provides a monetary compensation to the landowner who is denied a permit — taxpayers are being asked to pay polluters not to pollute. Additionally, this bill would grant permits by default — a permit must be issued within 90 days of receipt of the application regardless of the completeness of the application. Finally, **should the DER determine that wetland mitigation or replacement is part of the permit, DER is charged with finding the mitigation site for the applicant, and is required to place these sites on public lands.** (What next — will DER have to build the structures????)

The Audubon Council of PA is opposing both of the above-mentioned bills, and will oppose the Brown bill when it is available. As determined by Audubon chapters and membership in Pennsylvania, wetlands protection is a priority issue for the Council.

Action needed: *Write or call your Representative and ask him to oppose both HR 200 and HR 341. Explain that current regulations and the new State Programmatic General Permit address the needs of both the applicant and wetlands protection. Both of these bills are now in the House Environmental Resources and Energy Committee.*

To write your Representative:

The Honorable _____
PA House of Representatives
Main Capitol Building
Harrisburg, PA 17120

Note: Rep. Jerry A. Stern (R-Blair) is a member of the House Environmental Resources and Energy Committee.

— Marci Mowery, Audubon Council of PA

Rattler Tales from Northcentral Pennsylvania

C. E. BRENNAN

FOREWORD BY CLARK SHIFFER, FORMER HERPETOLOGY AND
ENDANGERED SPECIES COORDINATOR, PENNSYLVANIA FISH AND BOAT COMMISSION

PITT SERIES IN NATURE AND NATURAL HISTORY

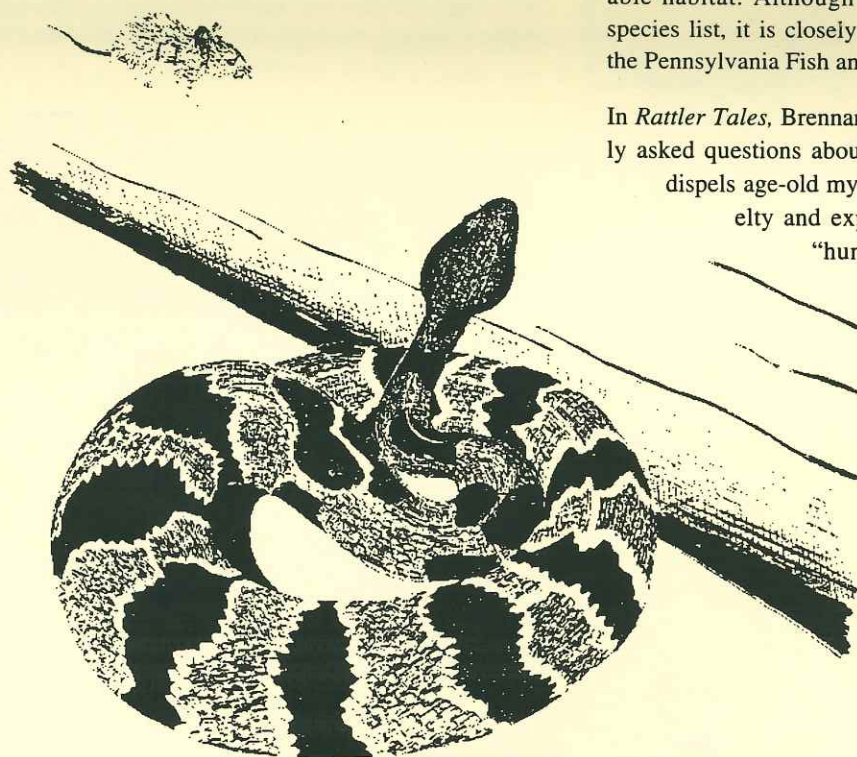
C. E. Brennan is a reformed rattlesnake hunter. For years he roamed the steep slopes of the rugged mountains of northcentral Pennsylvania, flipping rocks, destroying dens, capturing and killing timber rattlesnakes. In 1977 he and another intrepid hunter collected seventy of them and won first prize at the Morris Rattlesnake Hunt for "the most snakes." Brennan came to realize that this type of hunting could lead to the total eradication of the snake in northern Pennsylvania. Today, he still hunts rattlers, but he does so in order to locate and preserve them, and to educate the public about this rare and fascinating species.

In *Rattler Tales*, Brennan weaves together stories of his own exploits in rattler country, the natural history of the timber rattlesnake according to the latest scientific research, and portraits of the notorious and indefatigable rattlesnake hunters he has known. With humor and skill, he invites the reader on a journey into rattlesnake country, describing the events at a rattlesnake hunt as well as the excitement of finding a den full of rattlers in the country he knows so well.

The timber rattlesnake, *Crotalus horridus*, was once found throughout central Pennsylvania, chiefly in mountainous regions. But decades of determined assault, fueled by misconceptions about the animal, have led to a serious decline in numbers and in suitable habitat. Although not yet on the endangered species list, it is closely monitored and regulated by the Pennsylvania Fish and Boat Commission.

In *Rattler Tales*, Brennan answers the most commonly asked questions about the timber rattlesnake and dispels age-old myths. He also exposes the cruelty and exploitation of the rattlesnake "hunts." Confronting the widespread hostility toward any snake presumed to be venomous, he pleads for humane, respectful treatment of this complex and unique creature.

C. E. BRENNAN is a Forest Maintenance Supervisor in Tioga County, Pennsylvania.



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Many a tree is found in the wood,
And every tree for its use is good;
Some for the strength of the gnarled root,
Some for the sweetness of flower or fruit;
Some for shelter against the storm,
And some to keep the hearthstone warm.
Some for the roof and some for the beam,
And some for a boat to breast the stream;
In the wealth of the wood since the world began
The trees have offered their gifts to man.

— HENRY VAN DYKE

EDITOR'S NOTE: The deadline for April's issue of *The Gnatcatcher* is April 8.
Please submit articles to editor Charlie Hoyer, P.O. Box 32, Tyrone, PA 16686-0032.

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