

Conserving natural resources since 1980

# ClearWater Conservancy

*Everyone Working Together to Conserve Natural Beauty  
and the Environment in the Heart of Pennsylvania*

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June 27, 2007

The Honorable Governor Edward Rendell  
225 Main Capitol Building  
Harrisburg, PA 17120

Senator Jake Corman, 34<sup>th</sup> District  
236 Match Factory Place  
Bellefonte, PA 16823

Representative Mike Hanna, 76<sup>th</sup> District  
102 Turnpike Street  
Milesburg, PA 16866

Representative Kerry Benninghoff, 171<sup>st</sup> District  
209 South Allegheny Street, Suite B  
Bellefonte, PA 16823

Representative Scott Conklin, 77<sup>th</sup> District  
301 South Allen Street, Suite 102  
State College, PA 16801

Dear Governor Rendell, Senator Corman, and Representatives Hanna, Benninghoff, and Conklin,

On behalf of the Board of Directors of the ClearWater Conservancy, I am writing to you to express our concerns and request specific actions related to the proposed divestment of 1,800 acres of Rockview State Correctional Institution lands north of Interstate 99 in Centre County.

Conservation of the Spring Creek Canyon is one of ClearWater Conservancy's highest priorities. Many publicly funded plans and studies, including the *Spring Creek Rivers Conservation Plan* (ClearWater Conservancy 1994), the *Centre County Natural Heritage Inventory* (Western Pennsylvania Conservancy 2002), the *Conservation Blueprint for Pennsylvania* (Western Pennsylvania Conservancy 2006), and the *Spring Creek Valley Ecological Assessment* (Western Pennsylvania Conservancy 2006), call for the

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conservation of this ecologically diverse property and outline specific recommendations for the current and future landowners.

The *Centre County Comprehensive Plan* specifically recommends protecting unique and special habitats in Centre County from development pressure and degradation by guiding land development activities. Following the guidance of the Centre County Planning Office, the five municipalities comprising the Nittany Valley Region provided an additional layer of protection through the *Nittany Valley Comprehensive Plan* by placing the 1,800 acres of Rockview land north of I-99 in a “Conservation Zone” to restrict development to protect this natural resource. Although this zoning designation is beneficial, as the current landowner, only the Commonwealth of Pennsylvania has the ability to ensure that the biological diversity of this property is protected in perpetuity.

In two letters sent to you and dated December 8, 2005 and February 16, 2007 respectively, ClearWater Conservancy requested that the Commonwealth ensure the protection of the natural resources of this public property, including our locally-treasured Spring Creek, by facilitating a planning and community visioning process to create master and management plans. The recommendations of this planning process would determine the appropriate land uses and, therefore, the appropriate future landowners. We have been assured by several sources, however, that the Commonwealth will not facilitate this planning process prior to divesting the property to Benner Township, PA Fish and Boat Commission, and Penn State University as currently proposed. **Divesting this property without ensuring that these unique natural resources are protected in perpetuity creates a serious threat to their continued existence.**

**ClearWater Conservancy believes that it is the obligation of the Commonwealth and our legislators to protect the biological diversity of this property.** Conservation of biodiversity is not the highest priority of the proposed future landowners. Their priorities for this public property include recreation (Benner Township), fisheries management (PA Fish and Boat Commission), and agriculture and education (Penn State University). We are aware that several Memoranda of Understanding (MOU) have been signed between the proposed new landowners and the Commonwealth and that these MOUs were not drafted to protect the biological or water resources of this property.

A number of community organizations including ClearWater Conservancy, Spring Creek Chapter of Trout Unlimited, Moshannon Chapter of the Sierra Club, the Centre County Federation of Sportsmen’s Clubs, Spring Creek Watershed Community, Spring Creek Watershed Commission, Centre County Historical Society, and the Bald Eagle Archeological Society have united in advocating the best protection of this unique and treasured resource. However, as stated above, it is our understanding that the Commonwealth will not defer the land transfer until a proper planning process has been

completed. Lacking a comprehensive plan, we struggle to guess at what the best alternative protection could be.

ClearWater Conservancy has been invited to join an alliance that is requesting that the property currently slated for Benner Township and Penn State University be sold to the PA Game Commission (PGC). ClearWater is not opposed to this proposal but has chosen not to endorse any specific landowner. We believe that the most important issue is the management of the land. Therefore we have chosen not to take a stand advocating a specific landowner, as long as conservation of the biological resources on the property is the highest priority of the new landowner.

**The magnitude of documented ecological significance on the Rockview property north of I-99 warrants that the protection of biodiversity be the Commonwealth's highest priority for the proposed divestment.** ClearWater Conservancy therefore is respectfully recommending the following:

- The property currently proposed for Benner Township and Penn State University should be given or sold to one landowner. That landowner must hold conservation of biodiversity of the property as its highest priority *and* have the ability to protect these resources in perpetuity.
- Further fragmentation of the land for development, such as the proposed workforce housing and the possible YMCA indoor sports complex pose a significant threat to the natural resources and are incompatible uses for this property. While both projects have unquestionable merit, placing them on this particular land will cause great detriment to our community's most unique and sensitive natural resources. The idea that this land is "free" is a misconception. Extending the required infrastructure would more than offset the hoped for project cost savings. These proposals should be eliminated from any proposed legislation, and any future land development proposals for the publicly-owned property north side of I-99 should be declined.
- We believe a conservation easement must be placed on this property prior to divestment and that a corresponding management plan must be required through the divestment legislation regardless of the landowner in order to ensure the security and protection of the exceptional natural resources of the Spring Creek Canyon and adjacent uplands. If the Commonwealth cannot agree to a protective conservation easement, then the property should be given or sold to a natural resource agency (e.g., PA Department of Conservation & Natural Resources or PGC) or organization (e.g., Western Pennsylvania Conservancy) whose mission is to protect natural resources.
- ClearWater Conservancy and the legislators should work together to draft the necessary protective language for a required biodiversity management agreement for the PA Fish and Boat Commission and the landowner of the remaining acreage. This language would be incorporated into the divestment legislation.

- The Commonwealth must facilitate a community planning process for the remaining Rockview property, because it is only a matter of time before the remaining acreage is divested.

Eight publicly-funded and community-supported studies and plans have documented the rarity of the natural resources located on Rockview property and have identified community conservation opportunities to protect them as well as to create valued recreational and cultural amenities for residents and visitors of Centre County. The 1994 *Spring Creek Corridor Study* (the first phase of the *Spring Creek Rivers Conservation Plan*) calls for “the establishment of the Spring Creek Nature Reserve to protect the large contiguous areas of mature native forests, rare and endangered species and natural communities, dramatic 200-foot high limestone cliffs, historic resources, exceptional trout habitat, wonderful recreational opportunities, and the most beautiful scenic vistas of the twisting, forested canyon in all of Centre County”. This is a conservation legacy that is worthy of our community and that must be supported.

We would like to request a meeting of the four state legislators for our region—Senator Corman, and Representatives Benninghoff, Conklin, and Hanna—to facilitate the incorporation of our recommended protection measures into any legislation transferring ownership of the Rockview property. We look forward to your cooperation.

Sincerely,



Jeff Sturniolo  
President, ClearWater Conservancy

Cc: Secretary James Creedon, Department of General Services  
Secretary Jeffrey Beard, Department of Corrections  
Secretary Dennis Wolff, Department of Agriculture  
Secretary Michael DeBerardinis, Department of Conservation and Natural Resources  
Larry Williamson, Department of Conservation and Natural Resources  
Douglas Austen, Executive Director, PA Fish & Boat Commission  
Carl Roe, Executive Director, PA Game Commission  
David Densmore, Field Supervisor, US Fish & Wildlife Service  
Steve Dershem, Centre County Commissioner

Chris Exarchos, Centre County Commissioner  
John Saylor, Centre County Commissioner  
Gary Schultz, Senior Vice President for Finance and Business, Pennsylvania State University  
Robert Steel, Dean, College of Agricultural Sciences, Penn State University  
Franklin Tennis, Superintendent, State Correctional Institution at Rockview  
Bob Jacobs, Director, Centre County Planning Office  
Dave Breon, Chair, Benner Township Supervisors  
John Elnitski, Chair, Benner Township's Spring Creek Canyon Community Advisory Committee  
Bill Kunze, State Director, The Nature Conservancy in Pennsylvania  
Jacquelyn Bonomo, Vice President, Western Pennsylvania Conservancy  
Dennis Hameister, Chair, Spring Creek Watershed Commission  
Rob Fugate, Chair, Nittany Valley Joint Planning Commission; Benner Township Planning Commission  
Robert Crum, Director, Centre Regional Planning Agency  
Robert Donaldson, Chairman, Spring Creek Watershed Community  
Bill Brusse, President, Spring Creek Chapter of Trout Unlimited  
Robert Anderson, Centre County Farmland Trust  
Ann Donovan, Watershed Specialist, Centre County Conservation District  
Genie Robine, Centre County Chapter of PA Senior Environmental Corps  
Ron Woodhead, Mount Nittany Conservancy  
John Coleman, Chamber of Business & Industry of Centre County  
Chris Magent, Heritage One Committee of the Chamber of Business & Industry of Centre County