

H.R. 1204 and H.R. 2408

LEGISLATIVE HEARING

BEFORE THE
SUBCOMMITTEE ON FISHERIES CONSERVATION,
WILDLIFE AND OCEANS
OF THE
COMMITTEE ON RESOURCES
U.S. HOUSE OF REPRESENTATIVES
ONE HUNDRED EIGHTH CONGRESS

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LEGISLATIVE HEARING ON H.R. 1204, A BILL TO AMEND THE NATIONAL WILDLIFE REFUGE SYSTEM ADMINISTRATION ACT OF 1966 TO ESTABLISH REQUIREMENTS FOR THE AWARD OF CONCESSIONS IN THE NATIONAL WILDLIFE REFUGE SYSTEM, TO PROVIDE FOR MAINTENANCE AND REPAIR OF PROPERTIES LOCATED IN THE SYSTEM BY CONCESSIONAIRES AUTHORIZED TO USE SUCH PROPERTIES, AND FOR OTHER PURPOSES; AND H.R. 2408, A BILL TO AMEND THE FISH AND WILDLIFE ACT OF 1956 TO REAUTHORIZE VOLUNTEER PROGRAMS AND COMMUNITY PARTNERSHIPS FOR NATIONAL WILDLIFE REFUGES.

Thursday, June 26, 2003

U.S. House of Representatives

Subcommittee on Fisheries Conservation, Wildlife and Oceans

Committee on Resources

Washington, DC

The Subcommittee met, pursuant to notice, at 10:02 a.m., in room 1324, Longworth House Office Building, Hon. Wayne T. Gilchrest [Chairman of the Subcommittee] presiding.

Present: Representatives Saxton, Gilchrest, Souder, Pallone, Kind and Bordallo.

STATEMENT OF THE HON. WAYNE T. GILCHREST, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF MARYLAND

Mr. GILCHREST. I apologize for interrupting the conversation. But we won't be here that long and you can return to that conversation.

The Subcommittee will come to order. Today the Subcommittee will hear testimony on two measures to improve our national wildlife refuge system.

The first bill is H.R. 1204 introduced by our colleague Mark Souder of Indiana. This proposal will establish for the first time a comprehensive concession policy for our refuge system.

And I first ask unanimous consent that my full statement be put into the record, and I want to thank Mark for his provisions. I think that will vastly improve the access and enjoyability of the refuge system.

And our second bill, H.R. 1204, contains provisions—well, that is Mark's. Our second bill is 2408, introduced by the Vice Chairman of the Subcommittee, Congressman Jim Saxton. This bill will reauthorize the National Wildlife Refuge System Volunteer and Community Partnership Act which he authored in 1998.

And we cannot run the refuge system without volunteers, and I want to thank both members for their attention to detail in these two issues. And I will yield back the balance of my time and ask Mr. Saxton if he has any opening statement.

[The prepared statement of Mr. Gilchrest follows:]

Statement of The Honorable Wayne T. Gilchrest, Chairman, Subcommittee on Fisheries Conservation, Wildlife and Oceans, on H.R. 1204 and H.R. 2408

Good morning, today, the Subcommittee will hear testimony on two measures to improve our National Wildlife Refuge System.

The first bill is H.R. 1204 introduced by our colleague Mark Souder of Indiana. This proposal will establish for the first time a comprehensive concession policy for our refuge system. Based on a survey of refuge managers, we know that there are about forty refuges throughout the country that offer a variety of concession services to the visiting public. These services range from book store sales, canoe rentals, interpretive tours and tour boat operators. In seven cases, private individuals have signed contracts with the U.S. Fish and Wildlife Service and they operate in buildings owned by the Federal Government.

H.R. 1204 contains provisions that require the development of a standardized contract for all concessionaires, allows a concessionaire to be given financial credit for any necessary maintenance and repairs and stipulates how the concession payments will be spent. The overarching goal is to enhance the public's recreational, educational and interpretive enjoyment of our refuge system.

This is a good bill, it was overwhelmingly adopted in the House last year and I compliment Congressman Souder for his tireless leadership in promoting this innovative idea.

The second bill is H.R. 2408 introduced by the Vice Chairman of the Subcommittee Congressman Jim Saxton. This bill will reauthorize the National Wildlife Refuge System Volunteer and Community Partnership Act which he authored in 1998.

There is no question that volunteers play an invaluable role in the successful operation of hundreds of refuges throughout the United States. Since 1982, the number of refuge volunteers has grown from 4,251 individuals to over 36,000. In the past year alone, volunteers have contributed over 1.3 million hours of their time to the refuge system. From operating a backhoe, assisting in the banding of birds or providing educational information to the public, volunteers do it all.

H.R. 2408 will extend the landmark 1998 law that established a pilot program for paid full time volunteer coordinators, allowed the service to enter into cooperative agreements and created a new refuge enhancement program. It is appropriate that we examine the effectiveness of these changes, determine whether modifications to certain provisions would be helpful and question whether we should extend or increase the level of appropriations.

I look forward to hearing from our distinguished witnesses and I would highlight the fact that we are considering this legislation during the 100th anniversary of the National Wildlife Refuge System.

I am pleased to recognize the distinguished Ranking Democratic Member of the Subcommittee, Congressman Frank Pallone.

**STATEMENT OF THE HON. JIM SAXTON, A REPRESENTATIVE
IN CONGRESS FROM THE STATE OF NEW JERSEY**

Mr. SAXTON. Thank you, Mr. Chairman, members of the Subcommittee. I am pleased to be here today to discuss a bill that I originally sponsored and authored, the National Wildlife Refuge Volunteer Act. I would like to thank our witnesses for being here today, and I would like to especially extend warm welcome to Dr. Edward Bristow—wave your hand at us there, Ed. Dr. Bristow is from the Friends of Forsythe. The Edwin B. Forsythe Refuge is located partially within my Congressional District.

And I mentioned to Dr. Bristow, we are going to have a rather disjointed hearing this morning because we are going to be interrupted in a few minutes to go to the House floor for some votes, and he said that is all right, I can describe this bill in two words: resounding success. So we are very pleased to have you here this morning, Dr. Bristow, to share those very concise but important thoughts with us.

Mr. Chairman, I have a lengthy statement, and I'll just ask unanimous consent that it be placed in the record for expediting time. Thank you.

Mr. GILCHREST. Without objection.

[The prepared statement of Mr. Saxton follows:]

**Statement of The Honorable Jim Saxton, a Representative in Congress
from the State of New Jersey, on H.R. 2408**

Good morning Mr. Chairman, members of the Subcommittee. I am pleased to be here today to discuss one of my bills, the National Wildlife Refuge Volunteer Act. Thank you to our witnesses for being here today. I would like to extend an especially warm welcome to Dr. Edgar Bristow, from the Friends of Forsythe. The Edwin B. Forsythe Wildlife Refuge is located partially within my Congressional district.

The National Wildlife Refuge System, which is administered by the U.S. Fish and Wildlife Service, contains 92 million acres of Federal lands dedicated to the conservation of fish and wildlife. The Refuge System contains 540 Refuges located throughout the United States.

The system provides habitat for thousands of species of fish and wildlife and it is particularly important to migratory bird conservation as many refuges are concentrated along the major North American flyways.

Section 7 of the Fish and Wildlife Act of 1956 authorizes refuge volunteer programs. This section of the Fish and Wildlife Act of 1956 was adopted in the 1978 amendments to the Act and this authority was expanded subsequently by my bill, the National Wildlife Refuge System Volunteer and Community Partnership Enhancement Act of 1998.

This bill authorized a number of actions to be taken by the Secretary of the Interior, including: to recruit, train and accept the services of individuals as volunteers for any program conducted by the agency; provide volunteers with food, housing, transportation and uniforms; provide matching funds for gifts or bequests to refuges; establish a Senior Volunteer Corps; enter into cooperative agreements with partner organizations, academic institutions or State or local governments to carry out resources stewardship operation and maintenance and educational projects; develop refuge education guidelines and refuge enhancement education programs; deem volunteers government employees for the purpose of tort claim liability and compensation for job-related injuries and require that gifts for specific refuges are used on site.

In addition, the Act added a new provision to enhance community partnerships with the refuges. This new provision allowed the Secretary to enter into cooperative agreements with a partner organization, academic institution, or any State or local government to carry out projects with geographically related refuges. Such projects could include promoting the stewardship of resources within the refuge through habitat maintenance or restoration.

Projects could also include education on the missions of the refuge, or projects to construct or improve facilities on the refuge. Finally, the Act created a new Refuge

Education Program Enhancement program to provide guidance for educational programs at individual refuges.

On June 10, 2003 I introduced the National Wildlife Refuge Volunteer Act of 2003, which will extend the authorization for these programs through September 30, 2009. I am pleased this hearing is being held today to discuss this important issue. Our wildlife refuge system provides so many people with the opportunity to enjoy the diverse natural resources our country has to offer. Thank you and I look forward to hearing the testimony from our witnesses.

Mr. GILCHREST. I recognize Mr. Souder.

STATEMENT OF THE HON. MARK E. SOUDER, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF INDIANA

Mr. SOUDER. Thank you, Mr. Chairman. I would also like to ask that my full statement be submitted into the record. And I appreciate working with the Chairman to try to move this bill. We have sponsored similar legislation in the last few Congresses. We have had it moved at, snared at the tail end, and I am looking forward to actually having it become law in this important anniversary year of the Fish and Wildlife Service.

My friend, Lou Hinds, who was the refuge director in the Ding Darling Fish and Wildlife Refuge down in Florida where often I would vacation, called this to my attention as we were looking at the difficulty of concessionaires and the motivation to provide in areas away from the nesting and away from where it might be problems to wildlife at different seasons, but how to bring more visitors into fish and wildlife areas where they can appreciate and understand the importance of such refuges; that given the current system, much like it was under the National Park Service, there hasn't really been a motivation on the part of individual refuge managers or concessionaires to provide or upgrade facilities, and it was often the last part of a package. And I believe this bill, patterned after the National Parks Concession Act that this full Committee passed, will address those questions for restrooms, campgrounds, boat docks, buildings that can—roof repairs, all sorts of problems that many of the areas have that discourage visitation and, quite frankly, often discourage environmentally sensitive concessionaires from even bidding in a process or wanting to provide those concessions.

So thank you, Mr. Chairman, for this hearing. I am looking forward to having this become law. And I want to thank the Fish and Wildlife Service, too, for their help in drafting it as we continue to move this through.

[The prepared statement of Mr. Souder follows:]

Statement of The Honorable Mark E. Souder, a Representative in Congress from the State of Indiana, on H.R. 1204

Mr. Chairman, I want to thank you for holding a mark-up on this important legislation to reform the concessions process within the National Wildlife Refuge System. The Fish and Wildlife Service has been working for many years to establish a process to properly maintain concession facilities located in National Wildlife Refuge areas and to provide the visiting public with safe places for recreation.

As the House sponsor of similar legislation in the 106th and 107th Congresses, I am pleased to be the sponsor of H.R. 1204 and look forward to working with my colleagues on the Resources Committee to successfully pass H.R. 1204.

H.R. 1204 amends the National Wildlife Refuge System Administration Act of 1966 to establish a new policy for the maintenance of facilities as well as Fish and Wildlife Service authorized improvements of facilities that are leased by concessionaires in National Wildlife Refuge System areas. Specifically, the bill authorizes the Secretary of the Interior to include in any contract with a concessionaire, provisions that authorize concessionaires to maintain and make repairs to facilities, and to treat such costs incurred as a form of payment towards the leasing fees of the facilities. Under the provisions contained in H.R. 1204, the Fish and Wildlife Service ultimately retains the right to decide which project repairs are consistent with the mission of the National Wildlife Refuge System.

Like many Americans, I regard wildlife refuges as a significant piece of our national natural treasures. Over 500 refuges and refuge areas have been established across the country not only to carry out conservation missions, but to also act as living laboratories for the System's many visitors. Historically, and in accordance to the System's statutory mission, refuges have sought to educate people about the importance of wildlife and plant habitats through conservation, management, and where appropriate, restoration. In order for the National Wildlife Refuge System to continue to carry out this mission, refuge facilities must be able to adequately support the visiting public.

Under current law, the Fish and Wildlife Service does not have the tools necessary to adequately maintain our refuges' facilities. Restrooms, campgrounds, boat docks and buildings throughout the System have fallen into a state of disrepair. I have witnessed and experienced this disrepair personally. Annually, my family travels to Sanibel Island, Florida which is home to the Ding Darling National Wildlife Refuge. While there, I have witnessed first hand the need for roof repairs, dock replacement and additional restrooms that handicapped accessible.

H.R. 1204 seeks to correct the problem that is becoming commonplace at refuges across the nation. The primary goal of this legislation is to provide safe and properly maintained facilities for the public to enjoy. I encourage my colleagues to support this important piece of legislation.

Mr. GILCHREST. Thank you, Mr. Souder. I don't know if I have to ask unanimous consent for Mr. Kind to sit on the dais.

Mr. KIND. Not anymore.

Mr. GILCHREST. Not anymore.

Mr. KIND. It is my understanding, Mr. Chairman, that as of yesterday I was notified that room has been made on the Subcommittee for my participation. So I am happy to be a new member of the Subcommittee, and I couldn't think of a better hearing to participate in today than these two bills pending, affecting the refuge system. I have two of the most beautiful refuges in the entire Nation in my Congressional District, the Upper Mississippi Wildlife Refuge, one of the largest; the great—

Mr. GILCHREST. Have you been to Blackwater Refuge in Dorchester County, Maryland?

Mr. KIND. We will have to do that, Mr. Chairman. I will be happy to accept an invitation and get out and about—and also the Necedah Wildlife Refuge, where we have three endangered species. So it is a tremendous system that has been established throughout the country. We have the 100th anniversary this year that we are celebrating. I think there is a lot of work that we can do in a bipartisan nature in order to improve the refuge system, and will look forward to today's hearing. Thank you.

Mr. GILCHREST. Thank you, Mr. Kind. Mr. Pallone?

STATEMENT OF THE HON. FRANK PALLONE, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF NEW JERSEY

Mr. PALLONE. Thank you, Mr. Chairman. Let me say that I am pleased to see that Mr. Kind is here today joining us as well.

I wanted to thank you for holding this hearing on the legislation to enhance and modernize visitor services within our national wildlife refuge system. With annual public visitation to the refuge system soon expected to surpass 40 million people, it is critical that we address the growing public use of refuge lands and waters in a manner that ensures healthy and productive fish and wildlife habitat for years to come.

By definition, refuge lands are set aside exclusively for the benefit of fish and wildlife, and we therefore need to be prudent and thoughtful when examining any proposal which might detract from the overall wildlife first mission of the refuge system, and this mission should be our priority concern.

I commend the sponsors of the bills before the Committee this morning, both Congressman Mark Souder and Congressman Jim Saxton. Their thoughtful legislation addresses specific aspects of an emerging conundrum challenging refuge managers how best to manage increased public visitation with limited or shrinking annual operating and maintenance budgets. Certainly the ideas embodied in both H.R. 1204 and H.R. 2408 impress me as positive steps in the right direction. After all, it is important to establish a standard governing policy for concessions in our Federal refuge system, as the continued absence of such a policy could be a potential management headache. And furthermore, considering that \$1.8 billion operations and maintenance backlog afflicting the refuge system, it seems like good policy to promote the participation and utilization of volunteers to supplement the Federal employees who have been stretched across the entire system.

We need to think both creatively and carefully to ensure that our refuge system continues to prioritize wildlife while providing continued access to refuge visitors. And with that thought in mind, I look forward to hearing from our witnesses about whether these bills strike this appropriate balance.

And again, I thank you and I thank Mr. Kind for being here as well.

[The prepared statement of Mr. Pallone follows:]

Statement of The Honorable Frank Pallone, a Representative in Congress from the State of New Jersey, on H.R. 1204 and H.R. 2408

Thank you, Mr. Chairman, for holding this hearing on legislation to enhance and modernize visitor services within our National Wildlife Refuge System.

With annual public visitation to the Refuge System soon expected to surpass 40 million people, it is critical that we address the growing public use of refuge lands and waters in a manner that ensures healthy and productive fish and wildlife habitat for years to come.

By definition, refuge lands are set aside exclusively for the benefit of fish and wildlife. We therefore need to be prudent and thoughtful when examining any proposal which might detract from the overall "wildlife first" mission of the Refuge System. This mission should be our priority concern.

I commend the sponsors of the bills before the committee this morning, Congressman Mark Souder and Congressman Jim Saxton. Their thoughtful legislation addresses specific aspects of an emerging conundrum challenging refuge managers: how best to manage increased public visitation with limited or shrinking annual operating and maintenance budgets.

Certainly the ideas embodied in both H.R. 1204 and H.R. 2408 impress me as positive steps in the right direction. After all, it is important to establish a standard governing policy for concessions in our Federal Refuge System, as the continued absence of such a policy could be a potential management headache.

Furthermore, considering the \$1.8 billion dollar operations and maintenance budget backlog afflicting the Refuge System, it seems like good policy to promote the participation and utilization of volunteers to supplement the federal employees who have been stretched across the entire System.

We need to think both creatively and carefully to ensure that our Refuge System continues to prioritize wildlife, while providing convenient access to Refuge visitors. And with that thought in mind, I look forward to hearing from our witnesses about whether these bills strike this appropriate balance. Thank you.

Mr. GILCREST. Thank you, Mr. Pallone.

Mr. Jones, thanks once again for coming to our Subcommittee. And we all look forward to your testimony. You may begin, sir.

STATEMENT OF MARSHALL JONES, DEPUTY DIRECTOR, FISH AND WILDLIFE SERVICE, U.S. DEPARTMENT OF THE INTERIOR

Mr. JONES. Thank you, Mr. Chairman. It is always a pleasure to be here and to be with all of you. And it is especially a pleasure today to have the opportunity to present the Administration's views on H.R. 1204, to establish a national wildlife refuge system concessions policy, and H.R. 2408, to reauthorize the Volunteer Act.

I am Marshall Jones, the deputy director of the Fish and Wildlife Service. And Mr. Chairman, there is so much that I could say about each of these bills, about how important they are, how much we appreciate the initiative by the Committee and the members to introduce these, but I will just give you a brief summary of my statement and would ask that my full written statement could be put in the record.

Mr. GILCREST. Without objection.

Mr. JONES. Thank you, sir. The H.R. 1204 would amend the National Wildlife Administration Act to authorize the Secretary of the Interior to provide for the maintenance and repair of buildings and properties located on lands in the refuge system. Mr. Chairman, the Administration strongly supports the goals of this legislation, and we appreciate all the efforts to bring it forward.

We do have some technical issues that we would like to discuss with the Committee and with the Committee staff, and we would like to work with you to address these things so that we can fine-tune some of the provisions to make sure that it will accomplish our mutual objectives.

We also fully support H.R. 2408, which would reauthorize the National Wildlife Refuge System Volunteer and Community Partnership and Enhancement Act.

First let me say a few words about H.R. 1204. Concessions are defined as businesses operated by the private sector that provide recreational, educational, and interpretive opportunities for the visiting public. A concession provides a public service and generally requires some kind of capital investment by the concessionaire and/or the Fish and Wildlife Service for the facilities and the products which would be used.

Mr. Chairman, in the 1980's we explored whether it would be possible for concessionaires to, instead of making a direct payment in cash to us, to instead use the costs that they might incur in upgrading or repairing facilities to offset part of what they would owe us as the concession fee. But the Department of Interior Office of the Solicitor gave us a pretty definitive ruling that that was not

possible under current law. Unlike the National Park Service, we do not have the exemption that would enable us to do that.

As a result, although we have, certainly, some excellent concessionaires operating in some refuges, concessions have not been used to nearly their full potential within the refuge system, since a concessionaire is hard-pressed both to make the required payments to us, payments that are determined through a bidding system, and then also to take it on themselves to incur the additional cost of repairing the boat dock or whatever facility they may be using. And so this has served as a disincentive to concessionaires in places where they might otherwise be able to provide very valuable services to the public.

When you combine this with the fact that both the Office of the Inspector General of the Department of Interior and then the GAO have audited our concession programs and found that there would be—great improvements could be made if we operated them on a more business-like basis but also used them more, and that we needed to also maintain our facilities better.

And so we believe, for all of these reasons, Mr. Chairman, that concessions can make an even greater contribution to the experience which the public would have in refuges than they have right now.

We appreciate the fact that the bill in front of us also, however, keeps in mind the need to ensure that any proposed concession activity first be screened to make sure that it is compatible with the mission of the refuge system and the purposes of that refuge, and that it will not have an adverse impact on priority activities that would take place on the refuge or the resources of the refuge. And so we believe, Mr. Chairman, that this bill does incorporate the right checks and balances within it.

However, Mr. Chairman, we do note that the requirement in the legislation that there be a standardized contract adopted by regulation could restrict our flexibility, since if we needed later to amend that contract, perhaps for a very small thing, if we had to go back and first change the regulations, that could be a process that could take a year or 2 years. And so we believe, Mr. Chairman, there might be a way that we could work within the spirit of the legislation to make some technical amendments that would give us that flexibility to adjust contracts as needed and yet still do that within the framework of regulations, as the bill calls for.

Mr. Chairman, to conclude, we look forward to working with you on H.R. 1204, and we especially appreciate the introduction of this bill during this year, the centennial anniversary of the refuge system. And we can think of no better contribution to enhancing the refuge system than to have concessions legislation which would enable us to do what the National Park Service does now, to have a more vibrant, strong concessions program, one that we would administer in close cooperation with the regulated public and everyone who is involved with it, something that would expand the wildlife-dependent recreational opportunities provided by the refuge system, and increase the value of the refuge system to the American people.

Now, Mr. Chairman, let me turn to H.R. 2408, the Refuge Volunteer Act. As I noted before, we strongly support reauthorization of this legislation.

Mr. Chairman, volunteers are one of the best investments, we believe, that we can make. I did some calculations this morning. We have well over 30,000 volunteers now providing services on national wildlife refuges, and over the past 2 years, the value of the services which they provided was over \$28 million. We administer this with an appropriation of about seven hundred and some thousand dollars. If you do the math, Mr. Chairman, that is a 20-to-1 return on our investment.

We believe that a 2000 percent return on investment is one that any prudent investor would think is a good deal. We think that is a good deal for the American people, and we thank this Committee for the effort to enact the legislation and now to reauthorize it.

The examples of the contributions made by volunteers are legion. And in my testimony, Mr. Chairman, you will see just a few examples of the tremendous contributions being made at refuges as diverse as Bitter Lake National Wildlife Refuge in New Mexico, where we have a organization which was recognized for the President's Volunteer Service Award under the Take Pride in America program.

Mr. Chairman, we have terrific work being done at Forsythe Refuge in New Jersey in Mr. Saxton's District, where we have terrific help from volunteers. And we have opportunities to expand that everywhere across the country using the model of the work that is being done at Forsythe National Wildlife Refuge, at Blackwater Refuge, Mr. Chairman, in your District, and at refuges across the country, refuges from Florida to my home State, Mr. Souder, of Indiana. We have opportunities right now that we need people for. Of course, the terrific contributions that refuge volunteers have made at Ding Darling Refuge on Sanibel Island in Florida has been a model for everyone around the country. But we have examples in every State of the Union now, where volunteers are making a tremendous difference in offering these services to the American people at that 20-to-2 return on investment.

We also appreciate, Mr. Chairman, the provisions of the law which allow for volunteer coordinators.

Mr. GILCHREST. Mr. Jones, I apologize, but I interrupt because we will be called for a vote at any minute, and I want to give the members a chance before they've left, in case they can't come back, to ask some questions. So thank you very much for your testimony and your insight.

[The prepared statement of Mr. Marshall Jones follows:]

**Statement of Marshall Jones, Deputy Director, Fish and Wildlife Service,
U.S. Department of the Interior, on H.R. 1204**

Mr. Chairman, thank you for the opportunity to present the Administration's views on H.R. 1204, which establishes a National Wildlife Refuge System (NWRS) concessions policy, and H.R. 2408, the National Wildlife Refuge System Volunteer Act. I am Marshall Jones, Deputy Director of the U.S. Fish and Wildlife Service (Fish and Wildlife Service).

Generally H.R. 1204 would amend the National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. 668dd-668see) (Administration Act) to authorize the Secretary of Interior to provide for maintenance and repair of buildings and properties located on lands in the Refuge System. The Administration supports the goals

of this legislation; however, we have some concerns with the bill and would like to work with the Committee to address these to help improve the management and accountability of the refuge concession program. H.R. 2408 would reauthorize the National Wildlife Refuge System Volunteer and Community Partnership Enhancement Act of 1998. We strongly support reauthorization of this Act.

H.R. 1204—Concessions in the National Wildlife Refuge System

History and Need for Legislation

A brief review of relevant legislation and background information will help explain the need for this legislation.

Concessions (i.e., secretarially-granted privileges) are defined as businesses operated by private enterprises that provide recreational, educational, and interpretive opportunities for the visiting public. A concession provides a public service and, generally, requires some capital investment by the concessionaire and the Fish and Wildlife Service for facilities and products. The Secretary of the Interior (Secretary) delegated the authority to approve such ventures to the Director of the Fish and Wildlife Service in October 1957. This authority has since been delegated to the Regional Directors.

Since 1935, the Secretary has been authorized to sell or otherwise dispose of surplus products, to grant privileges on units of the NWRS, and to have the receipts be reserved in a separate fund known as the Refuge Revenue Sharing Fund (Fund) (16 U.S.C. 715s). Subsection (b) of 16 U.S.C. 715s stipulates that the Secretary may pay any necessary expenses incurred in connection with the revenue-producing measures set forth in 715s(a). However, public recreation-related concession-generated revenues have not been utilized to offset concession-related refuge administration, capital improvements, and maintenance expenses because of competing priorities for refuge resources. Subsection (c) requires that the balance of the Fund be paid to counties in which lands are reserved from the public domain or acquired in fee and managed by the Fish and Wildlife Service. In Fiscal Year 2002, the Refuge Revenue Sharing Fund received deposits of \$6.1 million from sales and the disposal of property. Less than \$200,000 was deposited into this account from refuge concession programs.

The Refuge Recreation Act of 1962 (16 U.S.C. Sec. 460k through 460 k-3), as amended, allows for public recreation in fish and wildlife conservation areas as long as it is compatible with conservation purposes, is an incidental or secondary use, and is consistent with other Federal operations and primary objectives of the particular area.

Pursuant to the Administration Act, the Secretary is authorized to negotiate and enter into contracts with any person, public agency, or private enterprise for the provision of public accommodations when the Secretary determines such accommodations would not be inconsistent with the primary purpose for which the affected area was established.

In 1983, the Region 3's Regional Director requested that concessionaires at the Crab Orchard National Wildlife Refuge (NWR) in Marion, Illinois, be allowed to pay for repairs to facilities there in lieu of making concessions payments to the refuge. This request was denied. The Department's Office of the Solicitor had determined that 40 U.S.C. 303c (an exemption to 40 U.S.C. 303b, which requires all payments for leasing of buildings and property to be monetary in nature) applied only to the National Park Service. While a legislative proposal was forwarded to Congress in 1984, it was never enacted.

In 1995, the Office of the Inspector General identified the need to improve the condition of concession facilities, to increase the fees paid to refuges, and to have repairs and improvements made to the facilities (Audit Report No. 95-I-376). As an aside, the Office of the Inspector General has issued numerous reports on the management and administration of National Park Service concessions and Concessionaire Improvement Accounts. The National Park Service has an extensive concession program, and we believe that any legislation to improve the NWRS concession program should consider the recommendations included in these reports on managing concessions.

The Government Accounting Office (GAO) subsequently conducted an audit of government agencies providing concession opportunities. In its 1996 report, the GAO found that competition resulted in a higher rate of return from concession operations and that agencies that were allowed to retain fees received a better rate of return. The average return to the government in agencies retaining fees was 11.1 percent; in contrast, concessions managed by agencies that did not retain fees averaged 2.6 percent.

Most recently, the Refuge Improvement Act of 1997 (16 U.S.C. 668dd) (Improvement Act) established priority uses for the NWRS. Hunting, fishing, wildlife

observation, photography, environmental education, and interpretation are the six priority uses that the NWRs must provide, if deemed compatible with the purpose for which the refuge was established.

Finally, the Fish and Wildlife Service supplemented this existing statutory framework in November 2001 by issuing a Director's Order on concession contracts. The purpose of the Order was to establish the scope, policies, authorities, and responsibilities for concession contracts within the NWRs, and to provide guidance for issuing concession agreements under our current legislative mandates and authorities.

The Value of Concessions in the National Wildlife Refuge System

Despite the long history of attention to this issue, the concessions program in the NWRs can be improved.

The Fish and Wildlife Service utilizes concession operations as a valuable management tool by which it can provide recreational and educational services to the visiting public. In some instances, concession operations may be the best means for visitors to view and appreciate wildlife and, thus, to gain a better understanding of the purpose and mission of the NWRs. In general, concessions help the Fish and Wildlife Service achieve its mission. They also help to educate the public about the importance of wildlife habitat preservation and the protection of ecosystems.

Concession operations also help refuge managers enhance visitor experiences. Current concession operations include services such as canoe rentals, guided naturalist tours, ferry operations to remote refuge islands, and fishing guides. All of these operations afford the public the opportunity to experience, "hands on," the many features and advantages of wildlife refuges and, we hope, to come away with a greater appreciation of how tax dollars are being spent.

Despite the many advantages of concession operations, the Fish and Wildlife Service currently has very few operations in place compared to the total number of refuges. Part of the reason for the low numbers is that current law (40 U.S.C. 303b) requires leasing of buildings and properties by concessionaires to be paid for with monetary consideration only. Some refuge managers believe their best efforts to provide a cost-effective means of maintaining refuge facilities are hampered by not allowing non-monetary consideration be paid by concessionaires for such leases. Although the Service can pay for the administration, capital improvement, and maintenance expenses involved with a concession operation (as is allowed under subsection (b) of 16 U.S.C. 715s), other priorities exist, and all must fit within the framework of priorities established by the President's Budget.

We believe that improving the existing concessions program could begin with legislation like H.R. 1204 which, among other things, would allow the Service to accept non-monetary considerations in lieu of concessions payments.

H.R. 1204, Establishing Concessions Policy in the National Wildlife Refuge System

We believe that changes in existing authority could improve refuge concessions management and accountability. The Administration supports the goals of H.R. 1204 and would like to work with the Committee and the bill's sponsors to strengthen and clarify a few provisions.

Specifically, Section 1(a) requires the issuance of regulations to establish a standardized contract for concession activities in the NWRs. We support this change but, because of the variability in the types and terms of such agreements, we would like to ensure that the Fish and Wildlife Service maintains the ability to adapt our contract terms to different situations. We would like to work with the Committee to ensure that we have that flexibility.

This section also authorizes a concessionaire to maintain or repair any improvement on or in such land or water that the concessionaire is authorized to use for such purposes, and treat costs incurred by the person for such maintenance or repair as consideration otherwise required to be paid to the United States for such use. In other words, this legislation would allow a concessionaire to make repairs to concessions facilities on National Wildlife Refuges, with the stipulation that the United States retains title to property maintained or repaired under these provisions.

Finally, this section establishes that concession-related receipts shall be available for expenditure in accordance, without further appropriation, to increase the quality of the visitor experience and enhance the protection of resources. This means that an appropriate share of the concessionaire's gross receipts would be available to the refuge for contract administration, backlogged repair and maintenance projects, interpretation, signage, habitat or facility enhancement, and resource protection and preservation.

Section 2 would amend the Administration Act to require the Secretary to provide a report to the House Resources Committee and the Senate Environment and Public Works Committee detailing concessions activities within the NWRS.

As noted above, we do have some technical concerns with the current language, and a few minor changes that will clarify the statutory language, as well as provide regulatory flexibility with respect to the standardization of concession contracts.

Conclusion

The Administration supports the goals of H.R. 1204 and looks forward to working with the Committee to address our concerns. As the NWRS celebrates its Centennial anniversary this year, the Fish and Wildlife Service is working hard to ensure that visitors find National Wildlife Refuges welcoming, safe, and accessible, with a variety of opportunities to enjoy and appreciate America's fish, wildlife, and plants. We continue to host thousands of activities for the public nationwide throughout the year and will carry on activities beyond our Centennial year. We want people in communities to become aware of their local National Wildlife Refuges, to understand that each refuge is part of the NWRS, and to realize how refuges can contribute to tourism and enhance local economies.

Providing quality wildlife-dependent recreational opportunities is part of the Fish and Wildlife Service's vision for the NWRS, and concession operations can provide the visiting public with a means to access and interpret our refuges. We look forward to working with the Committee to help ensure that the Fish and Wildlife Service's concessions system will be more efficient and economical and improve the quality of the visitor experience at existing operations without compromising overall management and accountability of the refuge concessions program.

We believe that these changes will help accomplish the Fish and Wildlife Service's desire to build a broader base of public support for wildlife conservation by reaching out and involving a larger cross section of the American public in public use programs and community partnership efforts.

H.R. 2408—National Wildlife Refuge Volunteer Act of 2003

H.R. 2408 reauthorizes the National Wildlife Refuge System Volunteer and Community Partnership Enhancement Act of 1998 (Act). As noted above, we strongly support this reauthorization.

The Fish and Wildlife Service's volunteers play a vital role in helping to fulfill our mission of conserving, protecting and enhancing America's fish and wildlife and the habitats on which they depend. Volunteers provide essential services that we do not have the resources or staff to provide. Further, many Americans are interested in volunteering their time and energy to improve the environment, and the NWRS is where volunteers can satisfy their desires to make a difference while assisting the Fish and Wildlife Service accomplish its mission.

With passage of the Act in 1998, Congress provided the Fish and Wildlife Service with new tools to involve the American people as stewards of our Nation's wildlife resources. These tools have helped us broaden and increase the size of our volunteer programs. Our volunteer program began in 1982 with 4,251 volunteers donating 128,440 hours of service. Those numbers have increased substantially since then, with National Wildlife Refuges alone hosting more than 34,000 volunteers in 2002, contributing over 1.2 million hours of service. The tireless and creative efforts of our volunteers complete more than 20 percent of the work conducted on refuges, and volunteer contributions over the last two years are valued at \$28.8 million. Clearly, money spent on the volunteer program yields values far greater than the initial investment.

Our volunteers perform a variety of tasks, such as providing information and interpretation to the visiting public, leading refuge tours, conducting fish and wildlife surveys and habitat improvement projects, construction and repair projects, and assisting with laboratory and scientific research. They are individuals who want to give back to their communities, parents who want to be good stewards of the land and set examples for their children, retired people willing to share their wealth of knowledge, concerned citizens of all ages who want to learn more about conservation, and passionate people who enjoy the outdoors and want to spread the word about America's greatest natural treasures. Organizations providing volunteers include, among others, boy scouts, girl scouts, members of the American Association of Retired Persons, local Friends-of-the-Refuge groups, local Audubon or Ducks Unlimited chapters, and school groups, and we use volunteers from organizations such as the Student Conservation Association. The volunteer program offers a direct link between the Fish and Wildlife Service and citizens. There has been a strong public interest in participating in our programs and visiting Fish and Wildlife Service

facilities, and we expect that interest to continue. Several examples of our volunteer efforts include:

- At Bitter Lake NWR, New Mexico, volunteers have provided support and contributed thousands of hours of their time and talent to study and determine the nesting and fledgling success of endangered interior least terns, and also completed several 1,000+ hour studies to determine habitat use and populations of wintering sandhill cranes. Leading the study was a Ph.D. biologist who teaches at a local school. This volunteer has contributed over 10,000 hours of service to date and has received several awards for his volunteer efforts with the Fish and Wildlife Service, including most recently the President's Volunteer Service Award under the "Take Pride in America" Program. He also trains recent college graduates to perform biological studies, which are critical to the biological integrity of the NWRS's wildlife and conservation programs.
- At Edwin B. Forsythe NWR, New Jersey, volunteers assist by performing weekly waterbird surveys. They also monitor the threatened piping plover's breeding activity and construct and maintain nest predator exclosures around piping plover nests. Nest predator exclosures have substantially reduced egg losses to predators. This monitoring provides valuable information on how to better protect these species. In addition, the interpretation work by volunteers to the public has substantially reduced people-caused disturbance to the nesting birds.
- At the Hakalau Forest NWR, Hawaii, forty-two volunteer groups traveled to the refuge on weekends and weekdays to assist with the reforestation and alien plant control. The reforestation work included seed collection, tree nursery maintenance, and tree planting; over 23,000 native and endangered trees were outplanted. The alien plant control efforts included removal of several acres of banana poka.
- Volunteers at Stone Lakes NWR, California, contributed over 3,500 hours this past year. Many projects, such as the mistnetting and banding of songbirds, planting of native trees and shrubs, could not have been accomplished without the help of dedicated volunteers. Thousands of school children and the general public learned about the refuge and the unique habitats of the Central Valley from tours given by volunteers during the year.
- At Turnbull NWR, Washington, volunteers participating in the refuge's biological program contributed over 6,300 hours. Projects included assisting with spring and fall waterfowl surveys, marshbird survey, songbird point counts, MAPS, breeding bird surveys, duck banding, fire monitoring in ponderosa pine and aspen forests, pit fall trapping, raptor and shorebird surveys, rare plant surveys, elk surveys, coyote scat transects, aquatic amphibian surveys, a frog malformation study, construction and installation of elk exclosures, and monitoring bluebird and wood duck nest boxes. In addition, volunteers participating in the refuge's environmental education program contributed over 5,200 hours. Over 110 school and civic groups enjoyed field trips, classroom activities, aquatic ecology studies, night hikes, tours, and outreach programs facilitated by refuge volunteers.
- At Ash Meadows NWR, Nevada, two volunteers removed 240 inactive utility poles over a two month period. They donated over 500 hours and saved the Fish and Wildlife Service \$100,000.
- At Okefenokee NWR, Georgia, 12 trailer concrete pads with water, sewage, and electric hookups were built to provide volunteers with temporary housing opportunities. Volunteers are required to stay a minimum of 2 months and work 32 hours a week in exchange for full service hookups. This exchange of housing lots for skilled refuge operations work has been so popular that the 12 trailer pads are used at full capacity and having to put prospective volunteers on a waiting list is very common.
- Volunteers at St. Marks NWR, Florida, donate hundreds of hours towards the Monarch Butterfly migration Research Program. Volunteers educated visitors on the natural history of the monarch butterfly, and, thanks to the coordinating efforts of one of the lead volunteers, 3,203 monarchs were counted and 1,553 were tagged.
- Chincoteague NWR, Virginia, hosts several Elder hostels. The Elder hostel program provides retired and semi-retired seniors the opportunity to use their valuable skills and talents toward hands-on service projects. Last year, participants removed a portion of the Marsh Trail dike and built an elevated boardwalk in its place. They planted trees and built several information kiosks on the refuge.

Volunteer Coordinators

One of the most significant provisions of the Act is its authorization to establish up to 20 volunteer enhancement pilot projects nationwide, each of which may hire a full time volunteer coordinator. Appropriations have allowed the Fish and Wildlife Service to create 16 of the 20 authorized positions. These full time volunteer coordinators are charged with recruiting, training, managing, and supervising volunteers and seeking partnerships between refuges and communities. The volunteer coordinators have significantly elevated the visibility and productivity of the 16 volunteer programs as well as helped in local fundraising efforts.

The pilot volunteer coordinators have been instrumental in setting up key elements of effective volunteer programs on their refuges. They have created an organizational structure, tools, training and resources needed to manage the volunteer programs effectively. Programs established under this Act have substantially enriched refuge operations while providing satisfying work experiences for volunteers.

In addition to offering needed skills to refuge programs, volunteer coordinators and the volunteers they manage provide important links between the refuge and neighboring communities, serving as a bridge between government and local citizens. These, in turn, help foster new partnerships. Time and again volunteers have proven the theory that good conservation through communication, consultation, and cooperation works best.

Community Partnerships

The Act helps to facilitate partnerships between the Fish and Wildlife Service and non-Federal entities to promote public awareness of the resources of the NWRS and public participation in the conservation of those resources. The Act also encourages donations and other contributions by persons and organizations to individual refuges and the NWRS.

In many cases, community partnerships take the form of "Friends" groups for a given refuge. "Friends" are groups of local citizens who join together to form 501(c)(3) nonprofit organizations in long term commitments to support the mission of their local NWR. They provide many important services to the refuge system including community outreach, educational programs, habitat restoration support, volunteer staffing and fundraising. Many of the groups are well established and provide far reaching assistance to their refuges. Others are just getting started. The national network of Friends groups numbered 70 in Fiscal Year 1996 and grew to more than 225 by the end of Fiscal Year 2002, a significant rate of growth indicating their popularity in local communities. As the number of groups have increased, so too has the sophistication under which these groups design and implement programs—all of which benefit the NWRS greatly.

These partnerships with outside organizations and individuals are increasingly critical elements of our ability to carry out conservation, recreation, and education programs. Partnerships considerably add to our abilities to interact with the private sector in accomplishing the NWRS mission.

The Fish and Wildlife Service thanks you, Mr. Chairman, and members of your Committee for undertaking the reauthorization of this Act. I cannot think of a better time, during the NWR System's 100 year anniversary, to reauthorize this important Act. Its reauthorization should provide a major boost for refuge volunteer programs and community partnership efforts and the many benefits they bring to our National Wildlife Refuges. It will allow the Fish and Wildlife Service to continue building upon its successful efforts to engage and involve private citizens in accomplishing our mission.

Again, thank you, Mr. Chairman, for giving me the opportunity to discuss this legislation with the Committee. This concludes my statement and would be happy to answer any questions you might have.

Mr. GILCHREST. And I will yield to Mr. Saxton.

Mr. SAXTON. Thank you. Mr. Jones, let me apologize, too. It is just one of the things that happen around here. We are going to—those buzzers are going to ring in the next few minutes and we are going to be out of here for a little bit.

H.R. 2408, the volunteer bill that you talked about and that was described earlier by Mr. Bristow as a tremendous success, talk to us—there we go. We have about five or 6 minutes that we can chat here before we have to run off. Talk to us a little bit about the

maintenance backlog and what role the volunteer corps may be playing in helping to alleviate some of those problems.

Mr. JONES. Well, Mr. Saxton, as you correctly note, we have a significant maintenance backlog. Right now we have over \$720 million of backlogged deferred maintenance and another \$250-some million in construction. So that is over a billion dollars. Now, volunteers—the services that volunteers provide, as I mentioned, \$28 million over the last 2 years, a significant proportion of the work that they do is helping us to address some of these deferred maintenance activities. Volunteers and friends groups have also worked with us to partner on construction projects, so it is making an enormous contribution, Mr. Saxton.

Mr. SAXTON. Thank you. And with regard to user-friendly, if you will, human user-friendly facilities, I am aware that Friends of Forsythe, under the leadership of Dr. Bristow, have recently added some equipment that will help visitors get close-up looks at wildlife. Would you speak to that and other such activities that may be ongoing in other refuges?

Mr. JONES. Mr. Saxton, probably Dr. Bristow is the best one to talk about the terrific things that they have done there. And I am looking forward, I hope next month, to having a chance to be up at Forsythe Refuge and to see first-hand—it has been a couple of years since I have been there—exactly what has been done there. But clearly, the activities that have been taking place at Forsythe have been a model for refuges around the system and a terrific example of how the effort of people like Dr. Bristow and others, their energy and their creativity, helps us do things that in some cases we wanted to do and couldn't, and in other cases, things we hadn't even thought of, new ideas that are brought into the system—all of which provide tremendous benefits for the American people.

Mr. SAXTON. The final question is, are there any changes that are needed legislatively in order to further enhance the program?

Mr. JONES. Mr. Chairman, we have some technical things that we would like to discuss with the Committee. Those things, a couple of them are alluded to in my testimony. Basically, it is excellent legislation. There are some fine-tuning we think that could be done.

Mr. SAXTON. Thank you.

Mr. GILCHREST. Thank you, Mr. Saxton. Mr. Pallone.

Mr. PALLONE. I know that we have a vote, so let me just be quick. I just wanted to ask the question about how many volunteer enhancement pilot projects were conducted pursuant to Section 4 of the National Wildlife Refuge Volunteer and Community Partnership Enhancement Act, and was the report evaluating and making recommendations required in these pilot projects ever presented to Congress? What were those recommendations? Also, is there a senior volunteer corps established at this point, and are there any guidelines for the refuge education program? These are just—you know, you can try to answer some of those, or if not, give them to me in writing, if you can.

Mr. JONES. Mr. Pallone, I will try to do this in 30 seconds or less here.

Mr. PALLONE. I know, it is hard.

Mr. JONES. We have 16 projects right now that are active. We do have a report on this. I apologize that that report has been delayed, but it is at the printer now, that would give you more information about what we have done. In terms of the senior corps, we have seniors as the mainstay of our volunteer programs, though we have people of all ages. What we are going to do now is explore how we could reach out more to organizations like AARP and others and highlight the fact that we want, need, and welcome seniors to be part of the refuge volunteer program. They are making tremendous contributions now, but we think we could do more, recruit more, and recognize better the contributions that they are making.

Mr. PALLONE. And that report, you say, is going to be available soon, the one you mentioned?

Mr. JONES. Yes, sir.

Mr. PALLONE. OK. What do you estimate when? Another week?

Mr. JONES. My guess is in a few weeks. And we will provide that more specific information for the record.

Mr. PALLONE. And then as far as the concessions are concerned, it is our understanding that a new concessionaire has entered into an agreement with Fish and Wildlife to take over the concession at Midway Atoll National Wildlife Refuge. Is that correct? And what process was used to go through and select this concessionaire—any information you might have about bidders or the financial arrangements? If you can answer that.

Mr. JONES. Mr. Pallone, Midway is obviously a very complicated topic. We would be happy to provide you with details. We do have an organization, it is an Alaska Native-based organization, which is working with us now. But we also learned a lot of lessons from Midway because we didn't have the sort of concessions legislation that is now being offered here. The things we did in the past in Midway to work around that gave us a lot of lessons in what does and doesn't work.

Mr. PALLONE. Well, with your permission, Mr. Chairman, if we could get a written response to some of these questions about Midway, because I know we are running out of time.

Mr. JONES. We would be pleased to do that.

Mr. PALLONE. Thank you.

Mr. GILCHREST. Mr. Souder.

Mr. SOUDER. Thank you for your testimony. I wanted to clarify two things. One is that you referred in your written testimony and verbally to the technical concerns about having more flexibility at the Fish and Wildlife with the concessions, and then—but I can't see what other concerns were enumerated, yet you referred to "these changes." I know I have met and believe that we can meet some concerns, such as concessionaires being based at the refuge with some of the friends groups. Are those the type of technical changes you are talking about, or are there additional beyond the standardized contract?

Mr. JONES. The standardized contract is one. Another issue is who exactly should be treated as a concessionaire. We know that there are some issues about guides, for example. A guide is a little different than a person who rents a boat, since the guide is with the person through their entire experience on the refuge and provides services and takes care of the health and safety. So we would

like to discuss with the Committee what is the right way to look at guides.

We also know that there are issues that you will hear about later from Evan Hirsche about the issues about bookstores and things, issues that we think we probably can fit within the existing legislation, but we are happy to discuss that because we don't want to have an unintended adverse effect on good things that are already happening.

Mr. SOUDER. Yes, and I share that. And certainly, at the very least, for existing refuge programs where you have such services, the National Parks concession bill is littered with this type of agreements. But I will say that the goal of this is to get some standardization. And I have seen the kind of pros and cons in the park Service at times the word "flexibility" is important if it is technical, it is important if there was a whopper of an error made at the beginning. On the other hand, part of the goal of standardization is to limit some flexibility and to make sure that the concessionaire can make a reasonable financial bid without having the rules changed.

So we want to have the bulk of this be standardized, understanding that in any new area, like Fish and Wildlife, hopefully you can learn from the Park Service, but you are going to have differences that may not be anticipated. I certainly believe that this was primarily targeted for how to expand site-based concessionaires inside a refuge and not to impact friends groups or existing relationships.

However, I do believe that we have to be very careful in moving where new concessionaires move in, how to work with the friends groups in bookstores, how to work with—because in many parks they coexist. Sometimes they can't. It depends on the estimate of the volume, and presumably that is taken into consideration in the initial standardized contract. Same with, in some places, where some guide services would be refuge- or park-based and some would come in from the outside.

But generally speaking, it isn't to upset any existing relationships in the refuge as it is to set for expansion. As long as we work with those kind of general guidelines, I am sure we can work out most of the technical questions.

Mr. JONES. Congressman, I agree with everything you said, exactly. We agree that there needs to be standardization and we believe this bill will help us do that. We have a hodge-podge of things right now, where we have work-arounds because we don't have the authority. But we want to learn from the Park Service's experience, such as at Midway, so that we can have a program that this Committee would feel fully meets the letter and the spirit of the law and everything you have said.

Mr. SOUDER. Thank you very much, Mr. Chairman.

Mr. GILCHREST. Do you want to ask other questions of Mr. Jones when we come back?

Mr. SOUDER. No, I am fine. We will work on the details.

Mr. GILCHREST. Thank you, Mr. Souder. Thank you very much, Mr. Jones. We are going to recess now for three votes. We probably will be back in the neighborhood of 20 minutes. I think we are done

with Fish and Wildlife. And again, thank you, Mr. Jones, very much.

Mr. JONES. Thank you, Mr. Chairman.

Mr. GILCREST. The Committee is in recess.

[Recess.]

Mr. GILCREST. What's left of the Subcommittee will come to order. I appreciate everybody's patience.

Our next panel will be Mr. Marshall Jones—oh. Mr. Marshall Jones has left. Left the building. Mr. Thomas Hook, Treasurer, Friends of Blackwater Refuge. Welcome, sir.

Mr. HOOK. Thank you.

Mr. GILCREST. Dr. Edgar Bristow, President, Friends of Forsythe National Wildlife Refuge; Mr. Chip Campbell, President, Okefenokee Adventures, Inc.—sounds like a great organization; and Mr. Evan M. Hirsche, President, National Wildlife Refuge Association. Welcome to all of you. We look forward to your testimony. Thank you for crossing the Bay Bridge, Mr. Hook.

Mr. HOOK. It was a pleasure. Beautiful ride there this morning.

Mr. GILCREST. And we appreciate all of your attendance here this morning and we look forward to your testimony on these two pieces of legislation, and very often your insight on the ground as a compassionate yet objective observer of Government programs is always very useful. Mr. Hook, you may begin, sir.

**STATEMENT OF THOMAS A. HOOK, TREASURER,
FRIENDS OF BLACKWATER REFUGE**

Mr. HOOK. Thank you. I appreciate the opportunity to appear before the Committee this morning. My name is Tom Hook, and for over 5 years I've been the volunteer treasurer at the Friends of Blackwater. Friends of Blackwater is a tax-exempt 501(c)(3) organization of over 800 members and is an official cooperation association authorized by the Fish and Wildlife Service.

In 2003, the Friends of Blackwater received the prestigious Friends Group of the Year award from the National Wildlife Refuge Association. We appreciate it, Evan, thank you very much.

The mission of the Friends of Blackwater is to support the purposes of the Blackwater National Wildlife Refuge by working for the protection, preservation, enhancement of these precious lands through advocacy, environmental education, and outreach. In 2002, volunteers contributed over 19,000 hours of volunteer support to the Blackwater Refuge. That is the equivalent of over nine full-time employees. And Congress Gilchrest is one of our volunteers.

Without the time and efforts contributed by volunteers, refuge management would have no choice but to forego many, if not all, of the projects I outline in my written testimony. This would mean there would be fewer and less valuable, fewer or no bird tours, fewer or no school orientation programs. The visitors center would be staffed by docents much less of the time, there would be fewer recreational facilities and opportunities like the photo blind, paddling trails, and hiking trails; less marsh, wetland, and forest restoration, and refuge staff would not have the behind-the-scenes support for the never-ending task of refuge maintenance, biological studies, and special projects.

Blackwater is not the only refuge with a friends group or a co-operating association. There are over 230 such volunteer groups across the Nation supporting the refuge system. One of the most important volunteer jobs in the friends group is that of volunteer coordinator. This is the time-consuming and arduous task of making sure the visitors center is staffed by volunteers 363 days a year, keeping track of each individual's hours and contributions, making sure sufficient volunteers are available for tours and projects on the right day and at the right time and scheduling replacements when the original volunteer has a conflict, recruiting new volunteers, and serving as a volunteer clearinghouse for information.

Clearly, this would be a job description for a full-time employee. However, neither Blackwater Refuge nor the Friends of Blackwater have an employee to handle these duties. These duties are handled by Maggie Briggs, the refuge outdoor recreation planner in addition to her regular duties and several volunteer coordinator. Maggie and volunteering coordinators have done a tremendous job managing this task.

We would like Blackwater to have a position available to handle the job, which will only grow in value as we undertake more and more refuge projects and refuge support activities. It would also free up Maggie to conduct more interpretive and educational activities, making Blackwater's outdoor programs even more valuable to the public.

H.R. 2408 is an important piece of legislation for the refuge system. It continues the funding for volunteer coordinators hired since 1998 on those refuges that were given a volunteer coordinator staff position. This is good. However, I strongly urge you to consider expanding the Act to provide funding for more volunteer coordinators and make the funding available for additional full-time or part-time positions in order to provide more refuges with this critically needed support.

We constantly receive requests from people who want to volunteer a few hours or days a week or a month, or who want to work on a particular project or who have a particular skill of interest. However, the task of managing those requests in addition to the current volunteer activities is too much for one person to handle in addition to their other full-time duties.

My point is this: If we at Blackwater, in a small rural community with a population of just over 30,000, are in a position of not being able to handle the volunteers that come to us, I am certain there are many, many refuges across the country in the same position. Which means the valuable resources of many volunteers for the refuge system are not serving the refuge system or are going somewhere else to volunteer. The bottom line is the refuge system is missing out on valuable volunteer time and expertise that are there and are free for the asking.

Before I close, I would like to acknowledge the support and encouragement the Friends of Blackwater receives from the management and staff of the Blackwater National Wildlife Refuge. Glenn Carowan, the refuge manager; Maggie Briggs, the outdoor recreational planner; and the entire staff of the refuge are truly our

partners. We love what we do, and it would not be possible without the management and staff support we receive from the refuge.

I want to thank you for this opportunity to support H.R. 2408, and I would be glad to answer any of your questions. Thank you. [The prepared statement of Mr. Hook follows:]

Statement of Thomas A. Hook, Representing The Friends of Blackwater National Wildlife Refuge, Cambridge, Maryland

My name is Tom Hook, I am the volunteer Treasurer for the Friends of Blackwater, a position I have held for over 5 years. I would like to thank the Committee for this opportunity to speak this morning in support of H.R. 2408, the extension of the National Wildlife Refuge System Volunteer and Community Partnership Enhancement Act of 1998.

WHO WE ARE & WHAT WE DO

The Friends of Blackwater is a tax-exempt 501 c (3) organization of over 800 members from across the United States and Canada. Chartered in 1987, the Friends of Blackwater is an official "cooperating association" authorized by the U.S. Fish & Wildlife Service.

In 2003, the Friends of Blackwater received the prestigious "Friends Group of the Year" award from the National Wildlife Refuge Association.

The mission of the Friends of Blackwater is:

"To support the purposes of the Blackwater National Wildlife Refuge by working for the protection, preservation, and enhancement of these precious lands through advocacy, environmental education and outreach".

In carrying out this mission, the Friends of Blackwater volunteers:

- Conduct educational Programs for elementary, middle and high school students,
- Serve as docents and contact sources for the Visitors Center,
- Conduct three educational "Open House" events each year directed at children, and support the annual "Kid's Fishing Derby",
- Operate the Visitors Center bookstore, one of the best stocked wildlife bookstores on the Eastern Shore,
- Conduct refuge orientation programs and guided tours,
- Assist refuge management in biological studies, forest management projects, and forest restoration,
- Conduct guided bird tours,
- Apply for grants and raise funds and undertake major projects to enhance the educational and recreational assets of the refuge. Examples include:
 - * Improving and replacing exhibits at the Visitors Center,
 - * Constructing a new photo blind and observation deck,
 - * Installing and operating an osprey cam on the Internet,
 - * Planning and constructing over 20 miles of paddling trails, and
 - * Planning and constructing over 4 miles of new hiking trails,
- Working with the Dorchester County Department of Tourism to install and operate a tourist information radio station that broadcasts 24 hours a day,
- Participating in and coordinating major wetland restoration projects on the refuge. Congressman Gilchrest and his staff were volunteers for the Barren Island marsh restoration project, and
- Supporting the refuge staff in data entry, refuge maintenance, and special projects.

While funding for these projects comes from grants, donations from the community, funds raised by the Friends through its fundraising activities, and partnerships with others, these efforts are conducted with volunteer management and support. In 2002, volunteers contributed over 19,000 hours of volunteer support to the Blackwater National Wildlife Refuge. That is the equivalent of over 9 full-time employees.

WHY ARE VOLUNTEERS IMPORTANT?

Without the time and efforts contributed by the Friends of Blackwater volunteers, refuge management would have no choice but to forgo most if not all of the projects I just outlined.

This would mean:

- There would be fewer and less valuable educational programs, fewer or no bird tours, fewer or no school orientation programs,
- The Visitors Center would be staffed by docents much less of the time, thus denying the public much of the valuable educational experience of the refuge,

- There would be fewer recreational facilities and opportunities like the photo blind, paddling trails and hiking trails,
- Less marsh and wetland restoration,
- Refuge staff would not have the behind-the-scenes support for their never-ending task of refuge maintenance, biological studies, forest management and restoration, and special projects.

Most importantly the public would be denied the rich diversity of the educational and recreational experiences the Blackwater Refuge has to offer.

THE VALUE OF VOLUNTEER COORDINATORS

Blackwater is not the only refuge with a Friends Group or a Cooperating Association. There are over 230 such volunteer groups across the nation supporting the refuge system.

One of the most important volunteer jobs in the Friends Group is that of Volunteer Coordinator. This is a time consuming and arduous task of making sure:

- the Visitors Center is staffed by volunteers 363 days a year,
- keeping track of each individuals' hours and contributions for reporting to Fish and Wildlife Service headquarters, and giving credit to the volunteers for their contributions,
- making sure sufficient volunteers are available for tours, and projects on the right day, and at the right time,
- scheduling replacements when the original volunteer has a conflict,
- recruiting new volunteers, and
- serving as a clearinghouse for volunteer information.

With a volunteer membership of over 800 and a regular volunteer base of over 100 individuals, clearly this would be a job description for a full-time employee. However, neither Blackwater Refuge nor the Friends of Blackwater have an employee to handle these duties. These duties are handled by Maggie Briggs the refuge Outdoor Recreation Planner in addition to her regular duties, and several volunteer "Volunteer Coordinators". Maggie and the volunteering coordinators have done a tremendous job managing this task. But we would like the refuge to have a position available to handle the job, which will only grow in value, as we undertake more and more refuge projects and refuge support activities. It would also free up Maggie to plan and conduct additional interpretive and educational activities, which would make Blackwater's outdoor programs even more valuable to the public.

H.R. 2408 is an important piece of legislation for the refuge system. It continues the funding for Volunteer Coordinators hired since 1998 on those few refuges that were given a Volunteer Coordinator staff position. This is good. However, I strongly urge you to consider expanding the Act to provide funding for more Volunteer Coordinators, and make the funding available for additional full-time or part-time positions, in order to provide more refuges with this critically needed support.

Funding more Volunteer Coordinators would mean more refuges could leverage the expense many times over by getting the volunteers needed to manage, conduct, and support refuge educational programs, projects and maintenance. We all know the Fish and Wildlife Service and the Wildlife Refuge System have limited budgets and more tasks than their budgets can handle. However, across the nation there are thousands of people with an infinite variety of skills that are willing to volunteer their time and expertise to the Refuge System if there were someone to coordinate those activities.

We constantly receive requests from people who want to volunteer a few hours or days a week or a month, or who want to work on a particular project, or who have a particular skill or interest. However, the task of managing those requests in addition to the current volunteer activities is too much for one person to handle "in addition to their full time job".

We do everything we can to accommodate these volunteer requests since we do not want any volunteer to go somewhere else. However, if we had a full time Volunteer Coordinator we could do so much more.

My point is this. If we at Blackwater, in a small rural community with a population of just over 30,000 are in a position of not being able to handle the volunteers that come to us, I am certain there are many, many refuges across the country in the same position. Which means the valuable resources of many, many "Volunteers" for the refuge system are not serving the refuge system or are going somewhere else to volunteer. The bottom line is the refuge system is missing out on valuable volunteer talents and expertise that are there, and are free for the asking.

While most of our volunteers are from the Eastern Shore, we have volunteers who regularly come from D.C., Baltimore, the rest of Maryland, Pennsylvania, New Jersey and Virginia. The public's love with and excitement for the Nation's Refuge system is a tremendous asset. It can be leveraged, and one of the best tools to do that

is with Volunteer Coordinators. I encourage you to pass this bill, with additional funding for more coordinators.

Before I close I would like to acknowledge the support and encouragement the Friends of Blackwater receives from the management and staff of the Blackwater National Wildlife Refuge. Glenn Carowan the Refuge Manager, Maggie Briggs the Outdoor Recreational Planner, and the entire staff of the refuge are truly our partners. We love what we do, and it would not be possible without the management and staff support we receive from the refuge.

Thank you and I would be glad to answer any questions.

Mr. GILCREST. Thank you very much, Mr. Hook. You do represent a beautiful area of the world.

Dr. Bristow.

**STATEMENT OF EDGAR C. BRISTOW, M.D., PRESIDENT,
FRIENDS OF FORSYTHE NATIONAL WILDLIFE REFUGE, INC.**

Dr. BRISTOW. Mr. Chairman, my name is Dr. Edgar Bristow. I am the president of the Friends of Forsythe, an organization that has been in existence now for approximately five to six years, and I am also president emeritus of the Atlantic Audubon Society. I don't know why they did that one to me. But we have been volunteers at the refuge since 1981, working with the refuge.

I was a witness for the original bill in 1997 and was delighted to be one of the refuges that got the first volunteer coordinators. So what I would like to do this morning is give you some idea of what the benefit of a volunteer coordinator is.

First of all, there has been an improvement in the orientation and training of volunteers since we have had the coordinator. Previously it was done by the outdoor recreation planner who, with her many other duties, had very little time to spare for that. As a result, our volunteers are better trained and better able to serve the public.

Reaching out to the community, we have been able to get folks involved that have never been involved before—everything from Boys and Girls Clubs to Scout groups to veterans groups to senior citizens, and everything in between—teenagers to old folks like me. We have been working on partnerships with local businesses for various projects that have benefited the refuge. We have been able to perform a number of some of the lesser maintenance requirements for the refuge that the maintenance staff simply couldn't keep up with—things like mowing the grass and trimming the trees along the trails, cleaning up, and similar kinds of projects. In fact, in one instance, when the visitors restroom facilities were in a very bad state of disrepair, it was members of the friends group who happened to be plumbers who volunteered to restore that to an operating condition.

We have put on any number of events, including Refuge Day in the fall, International Migratory Bird Day in the spring, Make a Difference Day, and other special events through the year. We have provided funding for a number of refuge projects through the money that we have raised through our store operation, through grants, and through a couple of projects that we have undertaken. As a result, we have been able to fund a couple of reforestation projects, currently a salt marsh restoration project. We are working on some educational programs now as well. We provide educational

programs for school classes that come to the refuge to learn more about the salt marsh and water quality as well as the wildlife and the birds that are there. We also provide guides for tour groups. We work with the local tourism council in order to provide services to those groups.

As a result of this we are seeing increasing use of the refuge and more importantly to my mind is we are seeing an increased diversity in the types of people who are using the refuge. Rather than being just a mecca for birdwatchers as it has been for many years, Forsythe Refuge now offers a lot of opportunities, including cycling and walking, strolling along woodland trails, strolling along marsh trails, use of telescopes to observe some of the more distant things. Our friends store provides rental binoculars for anybody who forgot to bring their binoculars with them when they come, and so on. So as a result of that, we are seeing a great deal more work done here.

My recommendation is to, yes, this bill should be passed, providing more support. More refuges need volunteer coordinators so the same kind of good things can happen there as is happening at Forsythe Refuge. And we look forward to working with whoever is involved in planning this out over the years.

Thank you, Mr. Chairman. I will be happy to answer any questions you have.

[The prepared statement of Dr. Bristow follows:]

**Statement of Edgar C. Bristow, M.D., President,
Friends of Forsythe National Wildlife Refuge, Inc.**

Mr. Chairman, I am Dr. Edgar C. Bristow, President of Friends of Forsythe N.W.R. Inc. (hereafter designated as "Friends"), the support group for the Edwin B. Forsythe National Wildlife Refuge in New Jersey. I am also President Emeritus of the Atlantic Audubon Society, the local chapter of the National Audubon Society, which is also a support group for the Forsythe Refuge. I had been a witness before this Committee when the original bill was considered in June, 1997, and am here today to provide information on the effects of that bill over the intervening years, and to support the passage of H.R. 2408. I would also make some comments on H.R. 1204, a bill to establish a National Wildlife Refuge System Concession Policy.

Our Friends group had just organized and was beginning to work out our relationship with staff and the Audubon Refuge Keeper group. The employment of a Volunteer Coordinator under the terms of the bill allowed for better coordination and smoother action. Our corps of volunteers has grown to well over 100, varying in age from teenagers to older retired folks like myself. Many activities have involved other community groups ranging from Boys & Girls clubs and scout groups to veterans groups and senior citizens. Working with the volunteer coordinator has enabled the Friends to be an effective force for providing both manpower and resources for which the refuge did not have any budgeted funds.

The Volunteer Coordinator has provided better orientation and training for all volunteers. A Garden group was established to plan and install a Native wildflower garden to enhance the appearance of the headquarters building and to serve as a teaching tool for visitors interested in planning their own gardens to benefit wildlife. A small group of handicapped citizens have also been working with the garden volunteers helping them to feel more useful.

Under the auspices of the Friends, a camera club was started and has now been incorporated into the Friends organization, providing photographic assistance to the Refuge, chronicling activities, animals, plants and other aspects of the Refuge. The group has also established a working relationship with MotoPhoto for support of photo contests, as well as expertise in film development. The Audubon Society and Friends continue to provide survey teams to do a weekly count of waterbirds using the Refuge.

Volunteers are involved in many routine maintenance jobs, including trail clearing, mowing grassy areas, checking nest boxes, monitoring the weather station, doing water quality studies in the impoundments and performing minor repairs

under the supervision of the maintenance staff. All groups work smoothly together under the direction of the Volunteer Coordinator

Both Friends and Audubon, working together, have managed Refuge Day activities, International Migratory Bird day events and Make-a-Difference Day projects. Friends have operated a small gift and information shop on weekends through spring and fall, providing information, selling annual passes and selling items related to Refuge activities such as field guides, T-shirts, hats and assorted gift items. Completion of an exhibit, preparation of a trail and auto tour route map for visitors and funding printing of a coloring book to accompany the Puppet Show "At the Refuge" are examples of other projects.

Under the guidance of the Volunteer Coordinator, Friends have developed a small model "T.R. Bear" to celebrate the start of the Refuge System by President Theodore Roosevelt during this Centennial Year. Our Friends group also funded a Centennial CD with music composed and performed by Fish & Wildlife staff and volunteers. Both items were made available to the various units of the Service at both wholesale and retail rates. All proceeds are going to benefit Forsythe Refuge.

Other activities of Friends include providing guides for tour groups visiting the Refuge, providing visiting student groups with guides and instructors, and working with staff on outreach programs. Most recently, Friends hosted a "Hooked on Fishing" day, working with grants from WalMart, local sportsmen's clubs, and the State Fish & Game Department. It is expected that this will become an annual event.

In addition to my work with our local group, I have also been part of the Friends Mentoring Program under the Friends Initiative. I have been privileged to assist several other refuge Friends groups to organize and more effectively work with their Refuge staff, and expect to continue that effort this year. Since each group and refuge presents a different set of issues, problems, opportunities and personalities, such visits provide an ever-changing array of challenges to the mentoring teams. It is my firm belief that this program has provided the units of the Fish and Wildlife System with a tool that greatly enhances their ability to interact with the public. Friends groups help to improve the public's understanding of the nature of the system and its role in caring for the natural world that is so important to us all.

Finally, observations over the past five years through our store operations, we have seen a continuing increase in public use of our Refuge. Not only are visitor numbers increasing, now reaching 300,000 a year, but we are also seeing an ethnic diversity that had not been present in the past. For many, the Refuge is a peaceful oasis conducive to quiet reflection. For others, it represents a window into the natural world that is hard to find in the midst of ever encroaching development. For some, it even represents an opportunity to get some exercise as they bicycle around our eight mile Wildlife Drive.

In summary, it is my considered opinion that the National Wildlife Refuge Volunteer Act has been a major success story since the original Act was passed. Its continuation will provide Refuges with willing, skilled and committed citizens to help the staff fulfil their mandates under the various laws in a more thorough and timely fashion. However, this can never be a substitute for more adequate funding for Operations and Maintenance, filling staff positions already designated and providing full funding for land acquisitions under the Land and Water Conservation Fund.

In regard to H.R. 1204, the Concessions Policy Act, there should be a specific reference under Sec. 5, (b)(2)(B) to retail sales outlets operated under a Cooperative Agreement as well as "volunteers". Many outlets are staffed only by volunteers, including ours. In some cases, regular staff may also assist. I am assuming that the determination of suitability of items offered for sale will be made by the project leader, under the authority granted by the Secretary. Friends groups should have the right of first refusal on any proposed concession. Concession service provided by Friends would be more beneficial to the Refuge, since a larger portion of the proceeds would return to the Refuge through Friends. A commercial operation would have higher operating costs, and would be returning only a percentage of the lower profits. If the Friends do not feel that they can provide such service, there would then be an opportunity for competitive bidding by commercial vendors to provide that service.

Thank you for the opportunity to testify here today. I would be happy to answer any questions you may have.

Mr. GILCHREST. Thank you very much, Dr. Bristow, for traveling to D.C.

Mr. Campbell.

STATEMENT OF CHIP CAMPBELL, PRESIDENT, OKEFENOKEE ADVENTURES, INC., OKEFENOKEE NATIONAL WILDLIFE REFUGE CONCESSIONAIRE

Mr. CAMPBELL. Good morning, Mr. Chairman and members of the Committee. I want to thank you for giving me the opportunity to speak in support of H.R. 1204. I do believe the passage of this bill is important to the public use and support of our country's outstanding national wildlife refuge system.

My wife, Joy, and I own and operate Okefenokee Adventures, Inc. in Folkston, Georgia. In the spring of 2000 we were awarded the concession contract for the Okefenokee National Wildlife Refuge's east entrance, which is also known as the Suwannee Canal entrance. We began operations on September 1st of 2000.

I will refer you to my written statements for some descriptions of the refuge, but I would like to extend an invitation to everyone to come see it. It is an extraordinary place, the largest national wildlife refuge east of the Mississippi. It is the most ecologically intact of all the large Southern wetland areas. And it is our business to help visitors understand and appreciate the extraordinary ecological dynamics, wilderness values, and cultural history of the Okefenokee Swamp.

In doing so, we help to further the missions and purposes of the national wildlife refuge system while engaging in a compatible private enterprise that contributes directly to the local economy. Our commitment to developing a high-quality visitors services operation was the centerpiece of our contract proposal. And we have worked hard to meet that commitment, and we are gratified to note that Fish and Wildlife Service management, the local community, and our regular visitors at Okefenokee tell us that our efforts have succeeded. We view our relationship with the refuge public-use program as that of a cooperating partnership and our role as that of a liaison between refuge management and the visiting public.

While public use is understandably and properly a priority secondary to conservation on a national wildlife refuge, it is a significant factor on a refuge that attracts approximately 400,000 visitors each year from the local communities, across the United States, and around the world.

To give you some background, a Georgia Department of Industry, Trade and Tourism study reveals that Okefenokee visitors produce an annual economic impact of \$55-60 million for the three Georgia counties in which the refuge is located. In 2000, overall tourism expenditures in these counties totaled 77.2 million. According GDITT data, tourism supports 66 businesses and provides 1,083 jobs in this same three-county area.

We have three entrances to the refuge. The one where I am located is the primary refuge entrance, which is located on the east side near Folkston, Georgia, and about half of our refuge visitors come through our entrance. The facilities provided to our company under our concession contract are located onsite at the Suwannee Canal entrance.

The facilities consist of two buildings—an 1800-square-foot climate-controlled building, and a 900-square-foot storage shed. Along with the visitors center, the structures were built in the late 1960's to replace the dilapidated shacks of a fish camp that had operated

at the site, and the buildings were completed about 1970. They are immediately adjacent to a boat basin that includes a 400-foot wooden bulkhead and dock, 25 finger docks, and a concrete boat ramp. And we also have an oil and gas house for hazardous materials storage, and a 500-gallon above-ground fuel tank away from the water's edge, across a paved parking area.

At the time of their completion in the early 1970's, these structures served a site that was really primarily and access for fishermen. And over the years, I have observed considerable upgrades to that facility. When I was a boy, only half of the main building was wired. There were some beanie-weenies and some sardines and that kind of thing there, but not a whole lot else.

Over the years, as the visitor demographics shifted—and we still do get fishermen, especially in the spring—but as time went on in the 1980's and 1990's, our visitor demographics very much have shifted toward traveling families and retirees, birders, wildlife photographers, canoeists, and other outdoor recreationists—so-called eco-tourists or nature-based tourists. And the previous concessionaire began to bring in more items for that market, such as T-shirts and rubber alligators and other souvenirs. They did have to remove a fish-cleaning station there at the edge of the boat basin—it became too attractive to the alligators—and replaced it with a picnic area immediately adjacent to the boat basin.

Today using these facilities, we provide a full range of services. We have about maxed out the facilities that we have there. We operate 364 days a year, every day except Christmas. We have five tour boats. We conduct interpretive tours for individuals, families, and organized groups. We have 12 employees, most of whom work full-time or nearly so. We conduct custom walking tours for birders and photographers on the refuge trails and boardwalk. And in addition to our interpretive tours, we have 60 canoes, 22 kayaks, and 23 motorized skiffs, all of them with four-stroke motors, available for rent. We rent camping gear, fishing gear, bicycles. We have a gift shop that includes a variety of nature- and swamp-related souvenirs, educational toys and local crafts, and we operate a full-service food-service operation, which provides good sandwiches and hot meals to the visiting public, organized groups, and refuge personnel—which they appreciate.

We have had a lot of support from the refuge managers, the staff, our volunteers and AmeriCorps crews since we began operations. At the same time, we have become aware of the critically—or the extremely limited funding available to maintain and repair our facilities. Now, critical materials such as replacements for rotten dock boards—they have been obtained promptly. But other projects languish for lack of funds. If H.R. 1204 becomes law, necessary maintenance projects could be funded directly from our concession revenues, and things like dock boards and nails, keeping a ready supply on hand, replacing the tiling in the building and our bathroom facilities, which have been there for quite a long time, really need to be completely renovated.

In addition to these basic maintenance and repairs, the provisions for funding facility enhancements are very appealing to us. A new concession building has been identified as a priority for the refuge. Though we assume that major facility enhancements, such

as new building construction, would continue to require special project grants or appropriations, the proposed amendment would help provide funding for substantial facility enhancements. And other that we can think of are a proposed boardwalk, the trailhead to which is slated to be immediately adjacent to our facility; new observation decks or benches; upgrades to the composting toilets on our wilderness canoe trail system; construction—or reconstruction, more accurately—of new canoe trail camping platforms; and some landscaping with native plants. These are all things that are planned that we could help with that would be of direct relation to our business. But it is our opinion that any refuge projects receiving our concession fees, however unrelated to the public-use program, ultimately do benefit our interest.

An important point that I do respectfully urge the Committee to consider, the proposed change should represent a net gain for refuge public use program funding. If, as I understand it, one of the purposes of H.R. 1204 is to provide refuge managers with greater incentives to enter into concession contracts that enhance the public-use programs, the proposed change will need to provide revenues that supplement other funding sources, rather than replacing them.

I do wish to thank Congressman Souder for introducing this important and necessary legislation. It makes good business sense for everyone. And I want to say that it is a privilege and the realization of a lifelong dream to serve as the Okefenokee National Wildlife Refuge's concessionaire. And it is a tremendous honor to share my views here today. Thanks a lot, and if you have any questions, I will be happy to answer them.

[The prepared statement of Mr. Campbell follows:]

**Statement of Chip Campbell, President of Okefenokee Adventures, Inc.,
Okefenokee National Wildlife Refuge Concessionaire, on H.R. 1204**

Mr. Chairman and members of the Committee, thank you for giving me the opportunity to speak in support of H.R. 1204. I believe that the passage of this bill is important to the public use and support of our country's outstanding National Wildlife Refuge system.

My wife, Joy, and I own and operate Okefenokee Adventures, Inc. in Folkston, Georgia. In the spring of 2000, we were awarded the concession contract for the Okefenokee National Wildlife Refuge's East Entrance, also known as the Suwannee Canal Entrance. Okefenokee Adventures began operations on September 1, 2000.

Established in 1937, Okefenokee National Wildlife Refuge is the largest National Wildlife Refuge in the eastern United States, encompassing 396,000 acres of the 438,000-acre Okefenokee Swamp, a vast peat wetland complex of cypress, bay, gum and pine forests, dense shrub bogs, freshwater marshes, small lakes and streams. In a region that abounds with wetlands, Okefenokee is "The Swamp". The most ecologically and hydrologically intact of the great Southern wetlands and the largest blackwater swamp ecosystem in the world, it is also a landscape of incomparable beauty. Home to hundreds of black bears and thousands of American alligators, as well as endangered woodpeckers, threatened tortoises, and a tangled riot of birds, frogs, dragonflies and vegetation, the Okefenokee is a natural wildlife refuge. Although it bears the fading scars of human economic endeavors, including a failed drainage attempt in the late 19th century and successful logging operations in the early 20th century, it remains one of the most fundamentally wild places in America. In recognition of its enduring wilderness qualities, in 1974 Congress designated 354,000 acres of the Okefenokee as a Federal Wilderness Area.

The human history of the Okefenokee is as rich as its biological diversity and its wilderness values. Once inhabited by people of Woodland and Mississippian cultures whose burial mounds dot the interior islands and upland edges, the Okefenokee was later home to Timucuan and then Seminole before being settled by frontier folk of extraordinary toughness and self-reliance: the "swampers". Today the residents of

Okefenokee communities take great pride in the colorful history and folklore of their swamper heritage.

As the Okefenokee National Wildlife Refuge's concessionaire, it is the business of Okefenokee Adventures to help visitors understand and appreciate the extraordinary ecological dynamics, wilderness values and cultural history of the Okefenokee Swamp. In doing so, we help to further the mission and purposes of the National Wildlife Refuge system while engaging in a compatible private enterprise that contributes directly to the local economy. Our commitment to developing a high-quality visitor services operation was the centerpiece of our contract proposal. We have worked hard to meet that commitment, and we are gratified to note that U.S. Fish and Wildlife Service management, the local community, and Okefenokee regulars tell us our efforts have succeeded. We view our relationship with the Refuge public use program as that of a cooperating partnership and our role as that of a liaison between Refuge management and the visiting public.

While public use is understandably and properly a priority secondary to conservation on a National Wildlife Refuge, it is a significant factor in the management and operation of a Refuge that attracts approximately 400,000 visitors each year from the local communities, across the United States, and around the world.

A Georgia Department of Industry, Trade and Tourism study reveals that Okefenokee visitors produce an average annual economic impact of \$55–\$65 million for the three Georgia counties, Charlton, Clinch and Ware, in which the Refuge is located. In 2000, overall tourism expenditures in these counties totaled \$77.2 million. According to GDIT data, tourism supports 66 businesses and provides 1,083 jobs in this same three county area. The Okefenokee National Wildlife Refuge administers three public entrances under varying arrangements. A private attraction, Okefenokee Swamp Park, on the north side of the swamp in Ware County near Waycross, Georgia, receives about 80,000 visitors per year. On the swamp's Clinch County side near the small town of Fargo, the State of Georgia operates Stephen C. Foster State Park under a lease agreement with the U.S. Fish and Wildlife Service, which provides access for approximately 120,000 visitors per year. And about half of the Okefenokee's visitors, approximately 200,000 people per year, come through our entrance, the East Entrance, located in Charlton County south of Folkston, Georgia. The East Entrance serves as the primary National Wildlife Refuge entrance.

The facilities provided to our company, Okefenokee Adventures, under our concession contract with the U.S. Fish and Wildlife Service are located onsite at the East Entrance, which was formerly known as the Suwannee Canal Recreation Area and historically known as Camp Cornelia. These facilities consist of two buildings: an 1800-sq. foot, climate-controlled building and a 900-sq. foot storage shed without climate control. Along with the Refuge Visitor Center, these structures were built in the late 1960's to replace the dilapidated shacks of a fish camp that had operated at the site. The buildings were completed about 1970 and are immediately adjacent to a boat basin that includes a 400-foot wooden bulkhead and dock, twenty-five (25) 15-foot long "finger" docks, and a concrete boat ramp. A 6 X6" oil/gas house for hazardous material storage and a 500-gallon above-ground fuel storage tank are located away from the water's edge across a paved parking area.

At the time of their completion in the early 1970's, these structures served a site that was primarily an access for fishermen. According to Refuge officials, the projected useful life of the buildings was 20 years. They are still in use, although the primary public uses have changed and visitor numbers have increased.

Over the years, I have observed numerous renovations of this service area as the operators have sought to accommodate changing visitor needs. When I was a boy, we purchased fish bait and tackle in a tiny waterside shop that offered little in the way of visitor amenities beyond Vienna sausages, beanie-weenies and soda crackers. A counter was located in the half of the larger building that was wired for electricity. The other half of the building was unwired and used for storage.

As visitor numbers increased, the larger building's former storage area was enclosed and wired. The building's electricity, air conditioning and plumbing systems were extended into the expansion. Restroom facilities were constructed, although they could not (and still cannot) be accessed from the building's interior. In the 1980's and 1990's, as visitor demographics continued to shift towards traveling families and retirees, birders, wildlife photographers, canoeists, and other outdoor recreationists—so-called "ecotourists" or "nature-based tourists"—items such as T-shirts, postcards, rubber alligators and other souvenirs appeared on concession shelves. The Refuge removed a fish cleaning station beside the boat ramp that had become far too attractive to the boat basin's resident alligators and replaced it with an attractive and handicapped-accessible 1,100-sq. foot picnic deck. The 900-sq. foot outbuilding was divided into three rooms to accommodate storage and workshop

needs, and a 40-foot canoe storage rack was constructed. In the late 1990's, the previous concessionaire converted a back room into a small kitchen, primarily to prepare meals for organized groups.

Today, using these same facilities, our company, Okefenokee Adventures, provides a full range of visitor services. We are open 364 days a year (every day except Christmas) from half an hour before sunrise until 5:30 p.m. during Daylight Saving Time and until 7:30 p.m. during Standard Time. We have 12 employees, most of whom work full-time or nearly so. With 5 tour boats, we conduct guided interpretive tours for individuals, families and organized groups. We also offer guided half-day and full-day canoe and kayak tours by arrangement, and we outfit and guide multi-day excursions on the Refuge wilderness canoe trail system. We conduct custom walking tours for birders and photographers on the Refuge's upland trails and 4-mile boardwalk. In addition to our interpretive tours, we have 60 canoes, 22 kayaks, and 23 motorized skiffs available to rent for self-guided explorations. We also rent camping gear, fishing gear, and bicycles, which visitors use to observe wildlife along our drive. We sell Georgia hunting and fishing licenses. Our gift shop inventory includes a variety of swamp and nature-related souvenirs, educational toys and local crafts. In addition to packaged snacks, beverages, and ice cream, we have expanded the facility's limited kitchen into a full service food service operation, Camp Cornelia Café, which serves quality sandwiches and hot meals to the visiting public, organized groups, and Refuge employees.

Since Okefenokee Adventures began operations September 1, 2000, we have enjoyed tremendous assistance and support from Okefenokee National Wildlife Refuge managers, staff, volunteers, and AmeriCorps crews. At the same time, we are aware of the extremely limited funding available to repair and maintain our facilities. While critical materials such as replacements for rotten dock boards have been obtained promptly, other projects languish for lack of funds. If H.R. 1204 becomes law, necessary maintenance projects could be funded from our concession revenues. We need a ready supply of replacement dock boards and nails. The ceramic tiles in the original half of our main building do not match the linoleum tiles of the expansion and kitchen, and they are all badly discolored and worn, so we would like to replace our tiling. Our bathroom fixtures are old and corroded and need to be replaced: in fact, we would like to renovate the bathrooms completely. And we can identify several repairs and upgrades to our kitchen facilities that would probably please our county health inspector.

In addition to basic maintenance and repairs, the provisions for funding of facility enhancements are appealing. A new concession building has been identified as a priority by the Refuge. Though we assume that major facility enhancements such as new building construction would continue to require special project grants or appropriations, the proposed amendment could help provide funding for substantial facility enhancements. Examples that would be of direct benefit to Okefenokee Adventures' interests could include the proposed Mizell Prairie boardwalk, the trailhead for which is slated to be located adjacent to our facility; new observation decks and/or benches; upgrades to the composting toilets at the wilderness canoe trail campsites; construction of new canoe trail camping platforms; and new landscaping with native plants. If, as proposed, H.R. 1204 assures that Revenue Sharing Program payments will not be affected, it seems reasonable to conclude that returning our concession fees to the Okefenokee would provide a net gain for the Refuge and the local economy and preferable to the current situation. Furthermore it is our opinion that any Refuge projects receiving our concession fees, however unrelated to the public use program, ultimately benefit our business interests.

An important point that I respectfully urge the Committee to consider: the proposed change should represent a net gain for Refuge public use program funding. If, as I understand it, one of the purposes of H.R. 1204 is to provide Refuge managers with greater incentives to enter into concession contracts that enhance their public use programs, the proposed change will need to provide revenues that supplement other funding sources rather than replacing them.

In conclusion, I wish to thank Congressman Mark E. Souder for introducing this important and necessary legislation. It makes good business sense for Refuge concessionaires, Refuge managers and Refuge public use programs—and, by extension, it makes good business sense for the local communities in which National Wildlife Refuges are located.

It is a privilege and the realization of a lifelong dream to serve as the Okefenokee National Wildlife Refuge's concessionaire. And it is a tremendous honor to be asked to share my views today. Thank you.

Mr. GILCREST. Thank you very much, Mr. Campbell. Is the theme song for your concession “Dueling Banjos”?

Mr. CAMPBELL. They have actually used that on the local Chamber of Commerce website. We told them that is probably not sending the right message.

Mr. GILCREST. Well, the very beginning part of the movie, when they actually played it, just tell everybody to forget about the rest of the film.

Mr. CAMPBELL. Right.

Mr. GILCREST. Just that one scene with that little boy on the bridge. That was—you know, you could cut that off right there. Great song, though.

Mr. CAMPBELL. It is.

Mr. GILCREST. Mr. Hirsche.

**STATEMENT OF EVAN M. HIRSCH, PRESIDENT,
NATIONAL WILDLIFE REFUGE ASSOCIATION**

Mr. HIRSCH. Thank you, Mr. Chairman. I would like to start by saying that I am honored to sit at the same table with two of the finest refuge friends groups in the system—in fact, the Friends of Blackwater received the Refuge Association and the Fish and Wildlife Foundation’s Refuge Friends Group of the Year award this year—and among the finest concessionaires in the system, with Chip. So, an honor.

Mr. Chairman, my name is Evan Hirsch. I am president of the National Wildlife Refuge Association. On behalf of the association and its nationwide membership of individuals and friends affiliate groups, thank you for the opportunity to offer comments on H.R. 1204 concerning concessions activities on refuges, and H.R. 2408 reauthorizing the National Wildlife Refuge System Volunteer and Community Partnership Enhancement Act.

Before proceeding with my remarks, I would like to submit written testimony for the record.

Mr. GILCREST. Without objection.

Mr. HIRSCH. Thank you, Mr. Chairman.

As the only national organization dedicated exclusively to supporting the refuge system, the Refuge Association has a fundamental interest in both the operation of concessions and use of volunteers on refuges. From the outset, we want to affirm that, while we are strong supporters of the wildlife-first mission of the refuge system, we also recognize that providing opportunities for the public to engage in compatible wildlife-oriented recreational activities on refuges contributes to building community support for these lands and waters. With an anticipated visitation of more than 40 million during this refuge system centennial year—and that accounts for about a 100 percent increase since 1990, an enormous increase—the Committee has chosen an appropriate time to take up the issue of concessions.

In considering such legislation, it is of the utmost importance, in our view, that programs and facilities meant to provide a positive experience for visitors safely meet demand while not detracting from the important conservation activities that refuges are charged with implementing. We thank Representative Souder for intro-

ducing H.R. 1204 and appreciate his interest in ensuring these goals are met.

We are concerned, however, that the legislation as written will create incentives for financially stressed refuges to allow concessions that may not meet strict compatibility guidelines. While all concession activities will be required to meet compatibility determinations under law, the lure of increased operations and maintenance funding for refuges could result in refuge professionals tilting their decisions in favor of allowing a concession in situations where they might otherwise err on the side of caution.

To minimize this potential problem, the Refuge Association recommends that language be modified in the act, or in the bill, to more specifically limit fee expenditures to facilities improvement and services that are directly related to the concession.

We are pleased, however, that the bill includes Section 7, which requires an annual accounting of concession activities, believing that this will provide a valuable level of oversight. Nevertheless, it is our opinion that stronger sideboards are needed on the scope of fee expenditures. An additional way to better ensure that concessions activities remain consistent with the conservation objectives of refuges is to offer a right of first refusal to refuge friends groups on the units where they exist.

Another point on this legislation, and with further respect to friends groups, the Refuge Association recommends that H.R. 1204 should explicitly exclude friends group bookstores operated by friends and cooperating associations from regulations governing concessions. For many of these groups, operating refuge bookstore retail outlets are important funding sources to support friends activities in connection with refuges, and we wouldn't want to, I think, hinder that.

Moving now to comments on H.R. 2408, concurrent with the growth of refuge friends has been the dramatic expansion of volunteer activity on refuges. In 1982, roughly 4,000 volunteers provided support for refuges; in 2002, the number, according to Fish and Wildlife is 34,000 volunteers contributing more than a million hours of service and, by their estimates, equals roughly 20 percent of the refuge system's staffing—an exceptional number.

The National Wildlife Refuge System Volunteer and Community Partnership Act recognizes the important role that volunteers play at refuges and provides the Fish and Wildlife Service with additional tools and incentives to expand an already impressive refuge system volunteer work force. And we thank Representative Saxton for introducing H.R. 2408, which would reauthorize what we consider extremely valuable legislation.

Overall, the Act has yielded strong results, particularly in the area of placing volunteer coordinators on refuges. As Mr. Jones pointed to earlier, 16 refuges were selected for participation in the pilot project, and we witnessed an extremely strong growth in volunteering as a result. We have spoken with several of these refuges, and all were grateful for the staffing additions and expressed real enthusiasm about the resulting programmatic achievements.

In reauthorizing this act, we support two modifications that we believe will strengthen the legislation. First, we request the Com-

mittee support an amendment that would enable Fish and Wildlife Service to transfer project funds to its refuge partners and provide needed contracting flexibility. In several instances since passage of the act, partner groups engaged in developing large projects, such as visitors centers, encountered unanticipated hurdles as a result of restrictions on the service's ability to transfer funds.

The Refuge Association also supports an amendment to ensure that the maximum amount of funding generated through friends group activities is returned to sustain their important conservation work on refuges. Specifically, the association requests that the Committee support a provision in the reauthorized Act that reduces the frequency of required audits, averaging about 6,000 apiece for groups generating more than \$250,000 in annual sales. Our recommendation would be to change from one per year to once every 3 years.

In concluding, with respect to H.R. 1204, we believe changes can be made to ensure that this legislation addresses maintenance needs related to concessions activities while also preserving the mission and purposes of refuges. Further, an exemption in this legislation for agreements with friends groups to operate bookstores on refuges will ensure that groups have a valuable and continued revenue source with which to make significant contributions to refuges. Concerning H.R. 2408, the Refuge Association strongly supports this legislation and we will look forward to working with the Committee to strengthen the legislation to allow greater flexibility for Fish and Wildlife Service to contract with its partners while also ensuring friends return as much revenue as possible back to refuges.

Thank you, Mr. Chairman. This concludes my testimony.
[The prepared statement of Mr. Hirsche follows:]

**Statement of Evan M. Hirsche, President,
National Wildlife Refuge Association, on H.R. 1204 and H.R. 2408**

Mr. Chairman and Members of the Subcommittee:

On behalf of the National Wildlife Refuge Association (NWRA), and its nationwide membership consisting primarily of refuge professionals and members of the 240 refuge Friends volunteer groups representing an estimated 40,000 individuals, thank you for the opportunity to offer comments on H.R. 1204, concerning concessions activities on refuges, and H.R. 2408, reauthorizing the National Wildlife Refuge System Volunteer and Community Partnership Enhancement Act of 1998.

As the only national organization dedicated to the protection, enhancement and expansion of the Refuge System, the Refuge Association has a fundamental interest in both the operation of concessions and use of volunteers on refuges.

As a member of the Cooperative Alliance for Refuge Enhancement (CARE), we are also acutely aware of the need to address the System's massive operations and maintenance backlog if these vital conservation lands and waters are to successfully ensure that wildlife populations remain both plentiful and diverse in this new century.

H.R. 1204—Concessions on Refuges

In our view, H.R. 1204 raises important issues as well as questions and we look forward to working with the Committee to address these as this legislation moves forward. We wish to thank Representative Souder for his continuing interest in having refuges directly benefit from concessions fees generated on site.

From the outset, we want to affirm that, while we are strong supporters of the "wildlife first" mission of the Refuge System, we also recognize that providing opportunities for the public to engage in compatible, wildlife-oriented recreational activities on refuges contributes to building community support for these lands. Furthering public understanding and appreciation for refuges can help us ensure a well-tended Refuge System in the years ahead.

With an anticipated visitation of more than 40 million during this the Refuge System Centennial year—a 100 percent increase from 1990—the Committee has chosen an appropriate time to again take up the issue of concessions. In considering such legislation, it is of the utmost importance that programs and facilities meant to provide a positive experience for visitors safely meet demand while not detracting from the important conservation activities that refuges are charged with implementing.

The NWRA applauds H.R. 1204 for seeking to address this challenge by allowing concessionaires to allocate fees that would otherwise be directed off the refuge, to instead improve concessionaire facilities on site. It appears that the intent of the legislation is to ensure funding otherwise allocated to concession facility upkeep could then be directed to other critical refuge needs.

Incentives for Allowing Concessions

We are concerned, however, that the legislation will create incentives for financially stressed refuges to allow concessions that may not meet strict compatibility guidelines. As currently crafted, the language in Sec. 5(f)(2)(C) could conceivably allow fees to support everything from major expansion of visitor centers to habitat restoration. In our view such a broad array of authorized uses is fertile ground for abuse.

While all concessions activities will be required to meet compatibility determinations under the National Wildlife Refuge System Improvement Act, the lure of increased operations and maintenance (O&M) funding for refuges could result in refuge professionals tilting their decisions in favor of the allowing the concession in situations where they might otherwise err on the side of caution.

Concessions currently operate on at least 7 refuges and at first glance it might appear that the opportunities to operate lucrative businesses on other units are limited. As for-profit ventures, however, private concessions must devise strategies to lure more customers and provide more services to ensure long-term profitability. From our perspective, there are numerous untapped possibilities that might represent outstanding opportunities for concessionaires where such activity may be inappropriate.

For example, a concessionaire running a photo-safari business specializing in bird photography could make a compelling case to a refuge manager that building a photo-blind proximate to a colonial nesting bird rookery would be a powerful enticement for attracting new clients—and generate additional dollars for the refuge—when such a project may, in fact, be marginally disruptive to the nesting birds.

While careful monitoring of Comprehensive Conservation Plans (CCPs) by more objective parties may serve as a balance, and we are strongly supportive of Sec. 7 which requires an annual accounting of concession activities on refuges, the likelihood of consistent oversight is unlikely. To minimize this potential problem, the NWRA recommends that language be modified in H.R. 1204 to more specifically limit funds to facilities improvement and services that are directly related to the concession.

An additional way to better ensure that concession activities remain consistent with the conservation objectives of refuges is to offer right of first refusal to refuge Friends groups on the units where they exist. The benefits of such an approach would have a two-fold effect: Refuge Friends groups, by their very nature, have the best interests of the refuge in mind and; the refuge will benefit not only from fees returned to offset concession maintenance, but also from profits generated by the enterprise that will ultimately be returned to support the refuge in a number of different ways; in essence, doubling the money.

Finally, we hope that it is not the intent of the Committee that concessions fees serve as a substitute funding source to address critical O&M backlog needs beyond those of operating and maintaining concession facilities. In our view, concessions fees should not release the Federal Government from its responsibility to provide necessary refuge O&M funding.

Exempting Friends-Operated Bookstores from Concessions Guidelines

To the great benefit of the Refuge System, there has been an explosion of refuge “Friends” groups over the past ten years, now numbering more than 240 nationwide. These independent local citizens groups have become instrumental in providing a range of services to refuges, from providing interpretive tours and building boardwalks, to running hunt programs and raising private dollars for visitor centers.

For many of these groups, operating refuge bookstore retail outlets generates important funding with which to support the refuge. Because of this, the NWRA believes that H.R. 1204 should explicitly exempt refuge bookstores operated by refuge Friends and cooperating associations from regulations governing concessions. Ac-

cordingly, we would propose adding language in Sec. 5(b)(2) that exempts bookstore operations agreements with Friends groups from the auspices of the Federal Grant and Cooperative Agreements Act of 1977 (31 U.S.C. 6301 et. seq.) and Title 43 CFR (Part 12).

H.R. 2408—Reauthorizing Volunteer Programs and Community Partnerships

Concurrent with the growth of refuge Friends groups has been the dramatic expansion of volunteer activity occurring on refuges. In 1982, 4,251 volunteers provided support for refuges. In 2002, the U.S. Fish and Wildlife Service (FWS) reports that 34,000 volunteers contributed more than 1.2 million hours of service, valued at \$28.8 million—roughly 20% of the Refuge System's annual operating budget.

Working as part of groups or independently, volunteers assist refuges with a range of conservation and public outreach programs. Depending on a refuge's needs and a volunteer's skills and interests, tasks performed can be as varied as bird banding surveys, working at a visitor contact station or assisting refuge staff with administrative support. In short, volunteers play an indispensable role in helping the National Wildlife Refuge System meet critical conservation objectives.

To recognize the important contributions made by volunteers to refuges each year, the NWRRA, in partnership with the National Fish and Wildlife Foundation (NFWF) provides awards to exceptional volunteers and Friends groups. This year's Volunteer of the Year award went to Jim Montgomery, a resident of Roswell, NM, who has volunteered more than 10,000 hours at Bitter Lake NWR. The NWRRA and NFWF also recognized the Friends of Blackwater NWR this year as Friends Group of the Year for their remarkable scope of programs benefiting both the refuge and the public.

Recognizing the beneficial role volunteers play in connection with refuges, Congress in 1998 passed the National Wildlife Refuge System Volunteer and Community Partnership Enhancement Act (Act), legislation designed to provide the FWS with additional tools and incentives to expand an already impressive Refuge System volunteer workforce. We thank Representative Saxton and the Committee for introducing H.R. 2408, which would reauthorize this valuable legislation and will look forward to working with the Committee to ensure that necessary improvements are made.

Volunteer and Community Partnership Act Accomplishments

Overall, the Act has yielded strong results, a top priority being the establishment of volunteer coordinators on up to 20 geographically diverse refuges. Since enactment, 16 refuges or complexes have been selected for participation in the pilot program. Selected sites are diverse, varying in size, location, habitat, number of professional staff, access to population centers, presence of a Friends group and the existence of volunteer programs prior to the pilot program.

The projects launched as a result of the Act vary as greatly as their respective refuges. The most common type of service provided by volunteers is public education and recreation, accounting for 60% of total volunteer hours. The next most common volunteer service involves assisting refuge staff with biological studies and wildlife monitoring, accounting for 21% of volunteer hours. The remaining volunteer time is spread over a variety of activities. Habitat management and restoration accounts for 13% of volunteer hours, while maintenance is a continual need involving facilities repair, clearing trails, trimming trees and a variety of other projects.

Following are three examples of selected pilot projects and their associated accomplishments:

Desert NWR Complex, NV

In 2001, the Desert NWR Complex, located outside of Las Vegas, Nevada, hired a full-time volunteer coordinator under the pilot. The coordinator was charged with reaching out to community members in the rapidly advancing Las Vegas metropolitan area. As a direct result of the coordinator's efforts, in Fiscal Year 2001 volunteers committed 10,000 hours to the refuge, valued at more than \$135,000—equal to more than five full time GS-5 employees.

Further, the refuge has also been successful in developing partnerships with many different organizations including the National Fish and Wildlife Foundation, Outside Las Vegas Foundation, National Parks Foundation, Ducks Unlimited, Wildlife Habitat Improvement in Nevada and the Red Rock Audubon Society.

Anahuac NWR, TX

Anahuac NWR is a complex of three refuges protecting more than 10,000 acres of coastal habitat running from Vermillion Bay in Louisiana to Galveston Bay in Texas. The refuges receive more than 100,000 visitors annually who enjoy the excellent birding, hunting, fishing and crabbing opportunities.

Anahuac's volunteer coordinator was hired in September 2000 and has helped to generate more than 10,000 volunteer hours annually. Credit also goes to the Friends of Anahuac Refuge which has brought energetic leadership and promoted volunteerism at the refuge. Their combined efforts have resulted in a 15–20% boost in volunteerism since the position was created, and the refuge estimates that volunteers contribute almost as many hours as the refuge staff. Volunteers staff the information center, have helped build more than 730 feet of boardwalk and have conducted an environmental education program attracting 1200 to 1600 students annually. The volunteer program is so successful that Anahuac's Friends group was nominated for the organization of the year in Chambers County.

Neal Smith NWR, IA

The Neal Smith NWR, located 20 miles east of Des Moines, Iowa, is a rich native prairie restoration project covering more than 8,500 acres. Since hiring a volunteer coordinator, volunteer activities in the refuge have doubled. In Fiscal Year 2002 volunteers spent some 20,000 hours on the refuge working on a wide variety of projects such as managing the visitor center, greeting the public, operating the bookstore and conducting wildlife surveys. Volunteer prairie restoration efforts have included thousands of hours devoted to stopping the spread of invasive plant species and promoting the re-growth of native grasses.

Because of the refuge's proximity to Des Moines, more than 15,000 students visit the refuge every year and are guided and educated by volunteers from the local community. Volunteers have become so active that their work is equal to that of eight FWS employees.

Without question, the addition of volunteer coordinators on refuges constitutes exceptional value added. By adding one additional staff dedicated to volunteers and partners, refuges in many cases will be able to effectively grow their overall staffing capacity. Accordingly, the NWRA strongly supports this provision of the Act and believes that the program should be broadly expanded to other refuges as part of the reauthorization.

Improving FWS Cooperation with Partners on Large Projects

In several instances since passage of the Act, partner groups engaged in developing large projects such as visitor centers on refuges have encountered unanticipated hurdles as a result of restrictions on the FWS's ability to transfer project funds to its partners. In two cases, legislative fixes in the appropriations process were sought to resolve the difficulties.

Two years ago, the "Ding" Darling Wildlife Society, the Friends group for J.N. "Ding" Darling National Wildlife Refuge in Florida, built a \$1.3 million dollar Center for Education from 100% private funds and donated the high quality facility to the refuge. \$750,000 in Federal funds were appropriated for Center exhibits but, by law, could not be transferred to the group. This was resolved in the Fiscal Year 2001 Interior Appropriations bill by Congress directing the Service to transfer the funds to the Society.

Similarly, the John Heinz National Wildlife Refuge at Tinicum completed construction of the Cusano Environmental Education Center in December 2000. The majority of funds for this project came from a \$2.47 million bequest that was transferred to the NFWF. The Service had \$180,000 in appropriated construction funds and \$168,000 in operations funding, as well as \$82,000 from private contributions, that could not be transferred to the Foundation as matching funds. Like the Darling problem, this was also resolved through appropriations language in the Fiscal Year 2001 Interior Appropriations bill. It is impractical and inefficient to conduct business in this manner.

To successfully address this recurring difficulty and other unresolved public/private partnership challenges, the NWRA suggests the following amendment to the National Wildlife Refuge System Volunteer and Community Partnership Enhancement Act of 1998:

- strike "The Secretary of the Interior may enter into a cooperative agreement (within the meaning of chapter 63 of title 31, United States Code" at the beginning of subsection (2)(A); and;
- insert "Notwithstanding the provisions of the Federal Grant and Cooperative Agreements Act of 1977 (31 U.S.C. 6301 et. seq.) and Title 43 CFR (Part 12), the Secretary of the Interior is hereafter authorized to negotiate and enter into cooperative agreements with any partner organization, academic institution, or State or local government agency to carry out one or more projects or programs for a refuge or complex of geographically related refuges in accordance with this subsection."

Friends Group Audits

To ensure that the maximum amount of funding generated through Friends group activities is returned to sustain their important conservation work for refuges, the NWRA requests that the Committee support a provision in the reauthorized Act that reduces the frequency of required audits for these groups; from once per year to once every three years. Currently groups with more than \$250,000 in annual gross revenues must contract with an accountant to conduct a thorough, financial audit. At an average cost of \$6,000, audits cost the not-for-profit Friends groups a considerable amount of money that could otherwise go to support important refuge programs.

The Association agrees that group finances should be well documented, however, and thus recommend that audits be conducted every three years. This will make certain that Friends groups are taking their accounting practices seriously, while also ensuring that refuges receive the support they need for their programs. We would be pleased to work with the Committee to develop appropriate amendment language.

Conclusion

While the NWRA supports the intent of H.R. 1204, we believe changes can be made to ensure that this legislation addresses maintenance needs relating to concession activities—while also preserving the mission and purposes of refuges. Further, an exemption in this legislation for agreements with Friends groups to operate bookstores on refuges will allow Friends to use that revenue generating activity to continue to make significant contributions to refuges.

NWRA strongly supports H.R. 2408 which would reauthorize the National Wildlife Refuge System Volunteer and Community Partnership Enhancement, and we look forward to working with the Committee to strengthen the legislation as it moves forward. Thank you, Mr. Chairman, this concludes my testimony.

Mr. GILCHREST. Thank you, Mr. Hirsche.

I guess I would say at the outset that, to some extent, we as Members of Congress—and most members have refuges in their District—have taken for granted the number of volunteers on these refuges and the extraordinary things that they do. We don't underestimate the value. I guess we don't say it in public enough at the refuges, so to some extent over the next few years I would like to make that correction, especially in my District, Mr. Hook, for the kinds of things that you do, and also the other refuges throughout the State of Maryland. But they are magnificent places, and they really couldn't function if we didn't have volunteers.

Mr. Hirsche, could you just make a comment on friends of refuges and how they operate bookstores? I was unaware that—all are all bookstores on all refuges run by the friends of that refuge?

Mr. HIRSCHER. I don't know that all are. It is my impression that the vast majority are operated by refuge friends or cooperating associations.

Mr. GILCHREST. So it would be your opinion that bookstores that are now operated by the friends of that particular refuge, which seems to be the norm for refuges, there is some language that might be useful in this legislation to ensure that that remains, the refuge keeps that practice, as opposed to bidding that out to some concessionaire?

Mr. HIRSCHER. Yeah. Yes, sir. I think that what we are talking about is exempting friends from having to undergo the bidding process, reporting process. And frankly I think there is real disincentive for friends to bid on a bookstores as a concession if in fact those funds are going, rather than back to the friends group for their projects and efforts to support the refuge, instead that those funds go to something else, either to the refuge, under this act, for

other activities, or to the Federal coffers. So it is effectively removing—it is a disincentive for friends groups to bid for a contract.

Mr. GILCHREST. I see. Thank you. And I apologize for the continued mispronunciation of your name.

Mr. HIRSCH. Oh, that is quite all right.

Mr. GILCHREST. I won't make that same mistake again.

Mr. Campbell, do you have any comment on bookstores and volunteers and concessionaires?

Mr. CAMPBELL. We have a bookstore operating in our visitors center katty-corner across the boat basin from us. The question of whether there was an inherently competitive relationship, being right there on top of each other, was one that was raised early on, when we arrived at Okefenokee. We have made a decision not to put books in our own operation, and our friends group, the Okefenokee Wildlife League, has in fact made us lifetime members of that organization. We are very supportive of our friends group and are part of it.

I would tend to concur with Mr. Hirsche's request that friends groups not have to go through a concession process in order to operate bookstores. Now, whether there are some sideboards that need to go into place there preventing the friends group from expanding its operations into those areas that are part of the business of the concession is another point. Our friends group has brought in some additional inventory items that go beyond books. It hasn't been an issue for us. I mean, we do just fine with what we have. But I don't—it is workable, but I think everyone, particularly if you have a concessionaire and a friends group, you need to make sure you have a real good relationship there.

Mr. GILCHREST. I see. Thank you very much.

I will ask Mr. Hook and Dr. Bristow this question specifically, but Mr. Campbell or Mr. Hirsche, if you want to answer it as well, I would appreciate it.

I guess the question is what is the volunteer's role—and to some extent you have answered this in a general way in your testimony—a volunteer and a volunteer organization at a refuge have a diverse range of activities, as you have described. Could you tell me, maybe specific to the refuge that you represent, what do you think the role of the volunteer organization, or the goals of your volunteers are in relationship to the maintenance of the refuge, the ecology of the refuge, the educational activity in reference to that ecology to the surrounding community, in that the surrounding community enhance their understanding as to how that system, the ecosystem works? And then what do you see as the role of the volunteers to maintaining the ecological integrity of that refuge when they see things occurring that are not compatible with the ecology? And that could be anything from a concessionaire that might not be operating appropriately to the mismanagement of an oil and gas operation on the refuge.

Dr. BRISTOW. I think that the place of volunteers on the refuge, first of all, has to be determined by discussion with the staff as to what they feel their needs are and where the volunteers can be of the most service to the refuge in performing their mission. Fortunately, we have had an excellent working relationship with the

staff at Forsythe over the years, more than 20 now. We have picked up things—the refuge lost its biologist a few years back; Audubon group took over a weekly survey of birds. And even though we now have a biologist again, the biologist is very happy to have us doing it and he can focus his attention on other things that are needed more than doing the bird counts.

We provide some services, particularly on weekends, when there is no staff present normally, through our store. We provide information. We provide change for people who need to pay the \$4 fee. We provide annual passes, which they could not otherwise get; they would have to get there during the week. For many people, that is a real problem. So they are very happy to have us there to provide that service. Obviously, we have things for sale there. We have also been able to provide funding for many things that are not in the refuge's budget. We have a wildflower gardening group that is putting in a native wildflower garden around the refuge headquarters. We provided the materials for them. This is something that the refuge certainly isn't going to be able to squeeze out of its budget.

A number of repairs have been done. We are working on providing real educational experiences for the classrooms that come through. If it wasn't for the friends group and the Audubon group working really hand-in-glove, most of these groups would simply be taking a day off from class and riding around and looking at the birds maybe, or busy talking among themselves. Frankly, I have been impressed even with teenagers, who like to be real cool and don't necessarily want to look like they were approving something like this, to see them very individually step up to the telescope and look at a snowy owl sitting out in the marsh, as big as their eyes can get, and hear very, very quietly things like, "Wow," "Oooh." And then they step back and they become that cool teenager again with their friends. No price can be put on something like that, obviously.

Mr. GILCHREST. I think you provide them with life-changing experiences.

Dr. BRISTOW. We certainly hope so.

The other thing that we have done, and particularly with the help of our volunteer coordinator, is reaching out to the rest of the community. And again, through our little store facility, on weekends we can tell people, hey, there is a nice little restaurant where you can get a good sandwich and something to drink, or there is a place you can go get dinner. So we are helping the local business people as well. People occasionally ask us if there is someplace they can launch their canoe, so we refer them to the launching areas and the marinas that have such facilities. We have a kayaking operation that one of the local business people runs, so we have been putting them on. And all that kind of thing that I think not only helps the refuge, but it also helps the local business. About \$10 million comes into the area, as of last survey, just for tourism related to the refuge. So it is a big thing.

Mr. GILCHREST. Thank you very much, Dr. Bristow.

We are checking to see if that is a vote. I know not everybody has answered the questions I asked, but if you could hold that

thought, I am going to yield to the gentlelady from Guam because I am going a little over my time.

Ms. BORDALLO. Thank you very much, Mr. Chairman. I have a couple of questions. First, I think, for Mr. Jones, could you describe how the revenues generated thus far by the service from annual franchise fees and a percentage of gross receipts from concessionaires to date have been used by the service? The fees that you receive from the concessionaires, how are they used by Wildlife?

Mr. GILCHREST. Was that question directed to Mr. Jones?

Ms. BORDALLO. Mr. Jones, yes.

Mr. GILCHREST. Well, Mr. Jones, unfortunately, has had to leave as a result of the last vote.

Ms. BORDALLO. Oh, I see. So anyone else could answer. I guess no one, then.

Mr. GILCHREST. I am not sure if anybody on the panel right now could answer that question. There is a lady in the back of the room that you could probably talk to later. Raised her hand.

Ms. BORDALLO. How are the fees used that you collect now?

Mr. GILCHREST. Could you come up and speak into the mike, and then identify yourself?

Ms. ROWELL. I am Allyson Rowell. I am chief of visitors services for National Wildlife Refuge System. The way those concessions funds are used now is we have \$187,000 in funds that came from those concessionaires last year. And those funds go into the refuge revenue-sharing fund. They do not go back to the refuge. And that is why this bill is so important, so it can go back to the refuge and maintain these buildings.

Ms. BORDALLO. I see, all right. And then the second one, perhaps—I think they were all directed to Mr. Jones. I am sorry I didn't—

Has the service generated any numbers as to what this legislation may bring about if enacted, and if we are to treat capitalization costs incurred by concessionaires, how is the compensation for using the facility—what does this mean to the revenues the service currently collects?

Ms. ROWELL. Well, right now, as Mr. Jones said earlier, we don't really have a concessions program. We hope that this bill will help us get there. We do all sorts of different things—special use permits, memorandums of understanding, concessions. And we are trying to actually define a concessionaire. Once we do that, we will be able to decide how much more revenue will be available for maintenance. We have a feeling that there is a great potential there to find maintenance money. And as Mr. Jones said, we have over a billion-dollar backlog in maintenance. And the concessionaires like Mr. Campbell surely would like to have their facilities maintained.

Ms. BORDALLO. Yes. Well, I think it is good legislation. And Mr. Chairman, we do have a Fish and Wildlife facility on Guam; however, we don't have any concessionaires. But I will tell you, the facility is falling apart.

Ms. ROWELL. I will tell Mr. Jones.

Ms. BORDALLO. I can see that, you know, this is needed.

Now, my other question is, if we are to treat capitalization costs as compensation for using the facilities, could you offer us some detail as to how this will be reconciled? Will the concessionaire have

to pay—will he be given, you know, recognition for everything that he puts into the maintenance and the repair?

Ms. ROWELL. I believe that the way the bill states right now that they are in-kind services. So if they do—you know, you calculate the value of that, and I think that is a very important factor of all of this.

Ms. BORDALLO. Thank you very much.

Ms. ROWELL. There is compensation.

Ms. BORDALLO. Thank you, Mr. Chairman.

Mr. GILCHREST. Thank you, Ms. Bordallo, very much.

Mr. Hook, if you wanted to respond to that question that I had earlier?

Mr. HOOK. Sure. I would also like to mention, Friends of Blackwater has members in Guam.

Mr. GILCHREST. Oh.

Mr. HOOK. Friends of Blackwater and the refuge is a tremendous partnership. We consider the refuge our 51 percent partner. We work with Glenn and his staff in the refuge to do what needs to be done down there. Our volunteers not only man the bookstores, serve as docents in the bookstores, there is just a tremendous biological research, wetlands, and forest restoration program, as Congressman Gilchrest knows, slogging in the marsh out there on Barren Island for 8 hours.

By the way, that project—I was out there about a month ago—the grasses are up to here.

Mr. GILCHREST. It is holding?

Mr. HOOK. Unbelievable what is happening.

Mr. GILCHREST. Wonderful.

Mr. HOOK. But the Friends of Blackwater not only contribute money to the refuge, all the money we make goes back to the refuge. We don't spend any money on ourselves. But a lot of our projects are educational in nature. For example, we are opening up 20 miles of paddling trails on Saturday. We are in the process now of building a little over four miles of brand-new hiking trails. And part of that will be an educational pavilion back in the woods. They are looking at something about 25 feet by 45 feet, screened-in educational pavilion that we can use to help people understand and provide the interpretive information on the refuge.

The trails have some very unique educational interpretive potential. The one trail is right in the path of where the tornado hit a year and a half ago, and it is really something to see what the tornado did in the way the forest comes back, Mother Nature comes back. There are several areas on the trail that are mature forest, select-cut forest, and replanted forest.

The question you asked about if we see something wrong on the refuge—and I assume that is something somebody is doing wrong on the refuge—of course, we are the biggest whistle-blowers going if anybody does anything wrong. But we also help organization and help put together the programs to maintain the refuge in many areas where it is just things that volunteers can do that would take staff time that would be better spent, the staff time, doing something else with their expertise and then having volunteers do the—I hate to say it, but the grunt work and the hands-on and some

of the dirty work to free the refuge staff to do other things. We do a lot of that.

The biggest thing, I think, is the cooperation we have from the refuge in this relationship, where the refuge is our 51 percent partner. And everything goes back to them. In my written testimony, I had a whole list of things we have accomplished. By the way, I hope that gets in.

Mr. GILCHREST. Your full statement will be submitted to the record.

Mr. HOOK. OK, thank you. I hope that helped answer the question.

Mr. GILCHREST. Yes, it did very much. Thank you.

Mr. HOOK. Thank you.

Mr. GILCHREST. One last—oh, Ms. Bordallo, do you have a question?

Ms. BORDALLO. Go ahead.

Mr. GILCHREST. I was just going to ask—unless you wanted to comment, Mr. Hirsche, on that.

Mr. HIRSCHE. If I could.

Mr. GILCHREST. Yes.

Mr. HIRSCHE. Thank you, Mr. Chairman. I wanted to raise a— or clarify something, a distinction of friends and volunteers. If I am not mistaken, certainly Friends of Blackwater—I don't know about Dr. Bristow's group—they run the volunteer programs. But in many cases, the volunteer program is separate from the friends group and the volunteer program is actually operated by the refuge. And depending where you go in the country and which refuge and which group, that relationship can be different. So I think it is important to help clarify that.

But I think you would—and I think Mr. Hook raises this point—the relationship between a friends group and the refuge is what makes a partnership successful. It is a partnership, and it is not a subservient relationship. And the most successful groups out there working jointly with the refuges are doing so because they have tremendously strong relationships with the refuge managers and understand their respective roles.

You had asked about biological integrity and monitoring to some extent what is occurring on refuges and ensuring that those things occurring on refuges are in fact compatible. I think more often than not you will find that friends groups can serve as a valuable voice and outreach tools to communities, particularly when we are talking about activities that may be popular in the community but potentially a challenge as far as ensuring compatibility. And so a friends group can play an incredibly important role in educating the community, involving them. And so I think friends, yes, they are involved in a whole range of activities, but one of the most important activities from our perspective is reaching out to local communities and educating and involving them.

Mr. GILCHREST. Just a quick comment. It seems that every decade or so, individuals continue to expand their responsibilities. There always seems more and more to do. This is a preface to this question I am about to ask. And the more humans there are, the more activities there are, the more things need to be done to react to that activity. And one of the things humans have done perva-

sively over the last century, I guess, is to spread invasive species. So I know you are looking out for education, you are selling books, you are paddling down, you are getting connected with the community, you are doing all those things—is there any thought about volunteers that observe or then actually react to invasive species that they see in their refuge?

Mr. HIRSCH. Mr. Chairman, if I could respond. There in fact is a considerable amount of effort by volunteers on the ground to—

Mr. GILCHREST. And concessionaires as well.

Mr. HIRSCH. And concessionaires, to monitor the advance of invasives and address invasives. More specifically, in the 2003 Interior appropriations bill, there is a million dollars and language allocated to Fish and Wildlife Service to implement volunteer programs around invasives. And they are in fact in the process of implementing pilot projects around the country to get volunteers out there monitoring and, where appropriate, taking action.

In my testimony, I cite Neal Smith National Wildlife Refuge in Iowa in particular, which is a native prairie restoration project, and they report that they have volunteers putting in thousands of hours, both stopping the advancement of invasives, but planting native grasses.

Mr. GILCHREST. I think the Friends of Blackwater are considering a concession where they will sell nutria burgers.

Mr. HOOK. We have some terrific recipes, yes, sir.

Mr. GILCHREST. Thank you very much. I yield to the gentlelady from Guam.

Ms. BORDALLO. Thank you very much, Mr. Chairman. I just have one question. And I think perhaps the representative from the Fish and Wildlife Service may have to be the one to answer this. And I was very happy to hear that we do have the Friends of Blackwater on Guam. Isn't that what you state?

Mr. HOOK. Yes, there are members of Friends of Blackwater from Guam.

Ms. BORDALLO. Very good.

I am curious. If we do not have a concessionaire in our facility on Guam, and it is near the ocean coastline— and that is why I say it needs maintenance, it needs repair—would there be funds in the department, then, to take care of something like that? I mean, this bill has to do with the concessionaires taking care of repairs and maintenance, but we do not have a concessionaire in Guam. So how is that going to be handled?

Ms. ROWELL. If you really want a concessionaire, I think that we can explore the possibility of what the economic value is. And we have a concessionaire national program person here. We can look into that. And another option, a lot of these friends groups, many of the people at Ding Darling and the friends group, they have gone off and started friends groups at Midway and all over the world where there aren't people.

Ms. BORDALLO. We would love to have you on Guam. So, please—

Ms. ROWELL. Well, let's look into it.

Ms. BORDALLO. Very good. All right. And so, for that reason, if we are not successful, then there wouldn't be any funds, then, to maintain the facility, is that what I am hearing?

Ms. ROWELL. That is probably what you are hearing, because then it goes on the backlog.

Ms. BORDALLO. All right, then, we will extend an invitation to concessionaires to Guam.

Ms. ROWELL. I will go.

Ms. BORDALLO. Thank you. Thank you, Mr. Chairman.

Mr. GILCHREST. Thank you. And Mr. Hook, Mr. Bristow, Mr. Campbell, Mr. Hirsche, thank you all very much for your fine testimony. We will take it to heart and become relentless to ensure that both these pieces of legislation, with your help, will be guided through the process and signed into law.

Thank you all very much, and thank you for coming. Have a great, cool day.

The hearing is adjourned.

[Whereupon, at 12:02 p.m., the Subcommittee was adjourned.]

