

H.R. 910, SIKES ACT REAUTHORIZATION ACT OF 2013; AND H.R. 1080, TO AMEND THE SIKES ACT TO PROMOTE THE USE OF COOPERATIVE AGREEMENTS AND TO AMEND TITLE 10 U.S.C. TO FACILITATE INTER-AGENCY COOPERATION IN CONSERVATION PROGRAMS

LEGISLATIVE HEARING

BEFORE THE

SUBCOMMITTEE ON FISHERIES, WILDLIFE,
OCEANS AND INSULAR AFFAIRS

OF THE

COMMITTEE ON NATURAL RESOURCES
U.S. HOUSE OF REPRESENTATIVES

ONE HUNDRED THIRTEENTH CONGRESS

FIRST SESSION

Thursday, March 21, 2013

Serial No. 113-8

Printed for the use of the Committee on Natural Resources



Available via the World Wide Web: <http://www.fdsys.gov>

or

Committee address: <http://naturalresources.house.gov>

U.S. GOVERNMENT PRINTING OFFICE

80-078 PDF

WASHINGTON : 2014

For sale by the Superintendent of Documents, U.S. Government Printing Office
Internet: bookstore.gpo.gov Phone: toll free (866) 512-1800; DC area (202) 512-1800
Fax: (202) 512-2104 Mail: Stop IDCC, Washington, DC 20402-0001

COMMITTEE ON NATURAL RESOURCES

DOC HASTINGS, WA, *Chairman*
EDWARD J. MARKEY, MA, *Ranking Democratic Member*

Don Young, AK	Peter A. DeFazio, OR
Louie Gohmert, TX	Eni F. H. Faleomavaega, AS
Rob Bishop, UT	Frank Pallone, Jr., NJ
Doug Lamborn, CO	Grace F. Napolitano, CA
Robert J. Wittman, VA	Rush Holt, NJ
Paul C. Broun, GA	Raúl M. Grijalva, AZ
John Fleming, LA	Madeleine Z. Bordallo, GU
Tom McClintock, CA	Jim Costa, CA
Glenn Thompson, PA	Gregorio Kilili Camacho Sablan, CNMI
Cynthia Lummis, WY	Niki Tsongas, MA
Dan Benishek, MI	Pedro R. Pierluisi, PR
Jeff Duncan, SC	Colleen W. Hanabusa, HI
Scott R. Tipton, CO	Tony Cárdenas, CA
Paul A. Gosar, AZ	Steven A. Horsford, NV
Raúl R. Labrador, ID	Jared Huffman, CA
Steve Southerland, II, FL	Raul Ruiz, CA
Bill Flores, TX	Carol Shea-Porter, NH
Jon Runyan, NJ	Alan S. Lowenthal, CA
Mark E. Amodei, NV	Joe Garcia, FL
Markwayne Mullin, OK	Matt Cartwright, PA
Chris Stewart, UT	
Steve Daines, MT	
Kevin Cramer, ND	
Doug LaMalfa, CA	
<i>Vacancy</i>	

Todd Young, *Chief of Staff*
Lisa Pittman, *Chief Legislative Counsel*
Jeffrey Duncan, *Democratic Staff Director*
David Watkins, *Democratic Chief Counsel*

SUBCOMMITTEE ON FISHERIES, WILDLIFE, OCEANS
AND INSULAR AFFAIRS

JOHN FLEMING, LA, *Chairman*
GREGORIO KILILI CAMACHO SABLAN, CNMI, *Ranking Democratic Member*

Don Young, AK	Eni F. H. Faleomavaega, AS
Robert J. Wittman, VA	Frank Pallone, Jr., NJ
Glenn Thompson, PA	Madeleine Z. Bordallo, GU
Jeff Duncan, SC	Pedro R. Pierluisi, PR
Steve Southerland, II, FL	Carol Shea-Porter, NH
Bill Flores, TX	Alan S. Lowenthal, CA
Jon Runyan, NJ	Joe Garcia, FL
<i>Vacancy</i>	Edward J. Markey, MA, <i>ex officio</i>
Doc Hastings, WA, <i>ex officio</i>	

CONTENTS

	Page
Hearing held on Thursday, March 21, 2013	1
Statement of Members:	
Bordallo, Hon. Madeleine Z., a Delegate in Congress from the Territory of Guam, Statement of	6
Fleming, Hon. John, a Representative in Congress from the State of Louisiana	1
Prepared statement of	2
Sablan, Hon. Gregorio Kilili Camacho, a Delegate in Congress from the Commonwealth of the Northern Mariana Islands	3
Prepared statement of	5
Statement of Witnesses:	
Anthony, Jimmy, Assistant Secretary, Louisiana Department of Wildlife and Fisheries, Representing the Association of Fish and Wildlife Agencies	27
Prepared statement of	29
Barnes, General Joseph R. "Bob," Ret., Senior Policy Advisor, Govern- ment Relations, The Nature Conservancy	34
Prepared statement of	36
Conger, Hon. John, Acting Assistant Deputy Under Secretary of Defense, Installations and Environment, Department of Defense	6
Prepared statement of	8
Guertin, Stephen D., Deputy Director, U.S. Fish and Wildlife Service, Department of the Interior	10
Prepared statement of	11
Stamps, Tim, Head, Natural Resources Section, Marine Corps Base, Quantico, Virginia	38
Prepared statement of	39
Additional materials submitted for the record:	
National Association of Counties, March 2012, Resolution submitted for the record by Delegate Bordallo	19
National Conference of State Legislatures, "DOD Matching Funds- Federal Conservation Programs (Military Affairs)," statement submitted for the record by Delegate Bordallo	20

LEGISLATIVE HEARING ON H.R. 910, TO REAUTHORIZE THE SIKES ACT. "SIKES ACT REAUTHORIZATION ACT OF 2013"; AND H.R. 1080, TO AMEND THE SIKES ACT TO PROMOTE THE USE OF COOPERATIVE AGREEMENTS UNDER SUCH AN ACT FOR LAND MANAGEMENT RELATED TO DEPARTMENT OF DEFENSE READINESS ACTIVITIES AND TO AMEND TITLE 10, UNITED STATES CODE, TO FACILITATE INTER-AGENCY COOPERATION IN CONSERVATION PROGRAMS TO AVOID OR REDUCE ADVERSE IMPACTS ON MILITARY READINESS ACTIVITIES.

**Thursday, March 21, 2013
U.S. House of Representatives
Subcommittee on Fisheries, Wildlife Oceans, and Insular Affairs
Committee on Natural Resources
Washington, D.C.**

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

Present: Representatives Fleming, Wittman, Thompson, Flores, Sablan, Faleomavaega, Bordallo, and Garcia.

Dr. FLEMING. The Subcommittee will come to order. The Chairman notes the presence of a quorum.

STATEMENT OF THE HON. JOHN FLEMING, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF LOUISIANA

Dr. FLEMING. Good morning and welcome to the Subcommittee's first hearing of the 113th Congress. We are going to hear testimony today on the Sikes Act, a law first enacted in 1960 to conserve fish and wildlife species on our Nation's military installations.

This law has been revised and improved a number of times over the years, in cooperation with the House Armed Services Committee. It has now been 10 years since the last comprehensive review of the Sikes Act. And this hearing will offer Members an opportunity to evaluate its effectiveness in conserving habitat for the thousands of species that reside on the 30 million acres of land under the jurisdiction of the Department of Defense.

As we move forward to extend this landmark law, it is essential that we achieve the proper balance of not only conserving species, but also to provide the highest quality training to the young men and women who risk their lives for us by serving in the U.S. military.

In my invitation letter witnesses were asked to describe how the Sikes Act is working, whether the current authorization is sufficient, if State-owned National Guard facilities were able to complete an integrated natural resources management plan, and what additional changes the Congress should consider during the reauthorization process.

In addition, I am hoping to hear how and if the Department of Defense can better implement the provisions of the Disabled Sportsmen's Access Act. Under this 1998 modification to the Sikes Act, the Secretary of Defense was instructed to "ensure that outdoor recreational opportunities made available to the public also provide access to disabled veterans and other disabled Americans who wish to hunt and fish."

While I was pleased to learn that both Barksdale Air Force Base and Fort Polk in my congressional district have adaptive hunting equipment for disabled Americans, the news on a Nationwide basis is not nearly as encouraging. And, in fact, it is my understanding that only about 25 of the 358 military installations in the United States have adaptive equipment that can be used by disabled Americans.

As a member of the House Armed Services Committee, I understand that base commanders have an extremely tough job, and that allowing additional guns on a military base has become more difficult as a result of 9/11 and the terrorist attack at Fort Hood, Texas. Nevertheless, as a Nation, we owe a huge debt of gratitude to those Americans injured in combat. And every effort should be made to allow not only access, but accessibility to those wounded heroes whose lives may be enriched through hunting and fishing opportunities at our military bases. This is the least we can do for those who have sacrificed so much for this great Nation.

Finally, I would like to acknowledge Mr. Tim Stamps, the head of the natural resources section at Marine Corps Base Quantico and Retired Marine Colonel Lou Deal. These two outstanding Americans have been largely responsible for making Quantico our Nation's best facility for disabled Americans. Due to their efforts, there are now four hydraulic lifts, six accessible hunting stands, three wheelchair-accessible duck blinds, and docks modified to provide access for fishing for people in wheelchairs.

At this time I would like to recognize the distinguished Ranking Member. But before I recognize the gentleman I want to note that we are going to have our first vote around 10:25. So we will try to get as far as we can through things, and then we will return immediately after votes.

So next up I would like to recognize Congressman Sablan for any statement he would like to make.

[The prepared statement of Dr. Fleming follows:]

PREPARED STATEMENT OF THE HONORABLE JOHN FLEMING, CHAIRMAN,
SUBCOMMITTEE ON FISHERIES, WILDLIFE, OCEANS AND INSULAR AFFAIRS

Good morning and welcome to the Subcommittee's first hearing of the 113th Congress. We will hear testimony today on the Sikes Act, a law first enacted in 1960 to conserve fish and wildlife species on our Nation's military installations.

This law has been revised and improved a number of times over the years in cooperation with the House Armed Service Committee. It has now been 10 years since the last comprehensive review of the Sikes Act and this hearing will offer members an opportunity to evaluate its effectiveness in conserving habitat for the thousands

of species that reside on the 30 million acres of land under the jurisdiction of the Department of Defense.

As we move forward to extend this landmark law, it is essential that we achieve the proper balance of not only conserving species but also provide the highest quality training to the young men and women who risk their lives for us by serving in the U.S. military.

In my invitation letter, witnesses were asked to describe how the Sikes Act is working, whether the current authorization is sufficient, if State owned National Guard facilities were able to complete an Integrated Natural Resources Management Plan and what additional changes the Congress should consider during the reauthorization process.

In addition, I am hoping to hear how and if the Department of Defense can better implement the provisions of the Disabled Sportsmen's Access Act. Under this 1998 modification to the Sikes Act, the Secretary of Defense was instructed to "ensure that outdoor recreational opportunities made available to the public also provide access" to disabled veterans and other disabled Americans who wish to hunt and fish.

While I was pleased to learn that both Barksdale Air Force Base and Fort Polk in my Congressional District have adaptive hunting equipment for disabled Americans, the news on a nationwide basis is not nearly as encouraging. In fact, it is my understanding that only about 25 of the 388 military installations in the United States have adaptive equipment that can be used by disabled Americans.

As a member of the House Armed Services Committee, I understand that base commanders have an extremely tough job and that allowing additional guns on a military base has become more difficult as a result of 9/11 and the terrorist attack at Fort Hood, Texas. Nevertheless, as a nation we owe a huge debt of gratitude to those Americans injured in combat and every effort should be made to allow not only access but accessibility to those wounded heroes who lives may be enriched through hunting and fishing opportunities at our military bases. This is the least we can do for those who have sacrificed so much for this great country.

Finally, I would like to acknowledge Mr. Tim Stamps, the head of the Natural Resources Section at Marine Corps Base Quantico and retired Marine Colonel Lew Deal. These two outstanding Americans have been largely responsible for making Quantico our Nation's best facility for disabled Americans. Due to their efforts, there are now four hydraulic lifts, six accessible hunting stands, three wheelchair accessible duck blinds and docks modified to provide access for fishing for people in wheelchairs.

At this time, I would like to recognize the distinguished ranking member, Congressman Gregorio Sablan for any statement he would like to make.

**STATEMENT OF THE HON. GREGORIO KILILI CAMACHO
SABLAN, A DELEGATE IN CONGRESS FROM THE COMMON-
WEALTH OF THE NORTHERN MARIANA ISLANDS**

Mr. SABLAN. Well, thank you very much, Mr. Chairman, and good morning, everyone. And thank you for joining us this morning.

The U.S. military controls 30 million acres of land on approximately 400 military installations nationwide. Military lands often restrict human access and development for security and safety reasons. As a result, they contain large tracts of naturally preserved land. Today these diverse landscapes enable troops to train in a wide array of realistic combat conditions. Military lands also protect valuable natural resources, including the ecologically valuable fish and wildlife habitat, more than 420 federally listed endangered species, and 70 species that are found nowhere else.

Congress passed the Sikes Act in 1960 in recognition of the importance of protecting these lands and the plants and animals contained within them. The Act has been reauthorized many times since then, and new provisions have been added to include other public safety recreation programs, habitat management, and range rehabilitation, the consideration of threatened and endangered species, and access for sportsmen with disabilities.

The core of the conservation mission of the Sikes Act is the development and implementation of integrated natural resources management plans. These plans are prepared in cooperation with the U.S. Fish and Wildlife Service, as well as State fish and wildlife agencies. They integrate natural resource programs with military operations and training, and ensure that conservation activities do not compromise the capacity of the Department of Defense lands to support the military mission.

Ever since the Northern Mariana Islands played a critical role in victory during World War II, we have had a close relationship with the U.S. military. Thanks to the Sikes Act, we know our partnership with the military benefits not only our safety and our economy, but our environment, as well.

As the military increases its use of training grounds on the islands of Tinian and Farallon de Medinilla, they will be great partners in helping us preserve the natural beauty of our islands and waters.

The past successes of the Sikes Act demonstrate that military mission support and natural resources stewardship are both compatible and complementary. This has been demonstrated on many occasions around the United States, where the military has been able to maintain readiness while protecting threatened and endangered species and their habitat.

For example, the Marine Corps Base Camp Lejeune in North Carolina restored longleaf pine habitat on 521 acres and enhanced endangered red-cockaded woodpecker habitat on 2,170 acres of upland pine. This decreased military training restrictions and simultaneously restored the dwindling red woodpecker population. Naval Base Coronado in southern California increased the populations of the federally endangered San Clement loggerhead shrike, the federally endangered California least tern, and the federally threatened western snowy plover. This prevented additional critical habitat designation and had a minimal impact on training requirements.

And in my home, in the Northern Mariana Islands, the Navy promoted conservation on the island of Tinian by restoring native cycad trees and conducting surveys for important and threatened species such as native birds, coconut crabs, and nesting sea turtles.

Over 50 years after President Eisenhower signed the Sikes Act, the Department of Defense, the U.S. Fish and Wildlife Service, the States, and other partners continued to find new ways that this landmark legislation can enable the military to protect both our Nation and its invaluable natural resources.

This process of innovation continues here today, as my distinguished colleague from Guam, Ms. Bordallo, presents an important amendment that will make the Sikes Act even more effective. Ms. Bordallo has worked tirelessly to improve and adapt the Sikes Act to changing modern conditions, and I applaud her efforts on this critical issue.

I also look forward to hearing suggestions from our witnesses that will further improve the Sikes Act to improve both military readiness and habitat conservation. And I thank you very much, Mr. Chairman.

[The prepared statement of Mr. Sablan follows:]

PREPARED STATEMENT OF THE HONORABLE GREGORIO KILILI CAMACHO SABLAN,
RANKING MEMBER, SUBCOMMITTEE ON FISHERIES, WILDLIFE, OCEANS, AND
INSULAR AFFAIRS

Thank you, Chairman Fleming.

The United States military controls 30 million acres of land on approximately 400 military installations nationwide. Military lands often restrict human access and development for security and safety reasons. As a result they contain large tracts of naturally-preserved land. Today, these diverse landscapes enable troops to train in a wide array of realistic combat conditions. Military lands also protect valuable natural resources, including ecologically valuable fish and wildlife habitat, more than 420 federally-listed endangered species, and 70 species that are found nowhere else.

Congress passed the Sikes Act in 1960 in recognition of the importance of protecting these lands and the plants and animals contained within them. The Act has been reauthorized many times since then, and new provisions have been added to include public outdoor recreation programs, habitat management and range rehabilitation, the consideration of threatened and endangered species, and access for sportsmen with disabilities.

The core of the conservation mission of the Sikes Act is the development and implementation of Integrated Natural Resources Management Plans. These plans are prepared in cooperation with the U.S. Fish and Wildlife Service, as well as State fish and wildlife agencies. They integrate natural resource programs with military operations and training, and ensure that conservation activities do not compromise the capacity of Department of Defense lands to support the military mission.

Ever since the Northern Mariana Islands played a critical role in victory during World War II, we have had a close relationship to the U.S. military. Thanks to the Sikes Act, we know that our partnership with the military benefits not only our safety and our economy, but our environment as well. As the military increases its use of training grounds on the islands of Tinian and Farallon de Medinilla, they will be great partners in helping us preserve the natural beauty of our islands and waters.

The past successes of the Sikes Act demonstrate that military mission support and natural resource stewardship are both compatible and complementary. This has been demonstrated in many locations around the United States, where the military has been able to maintain readiness while protecting threatened and endangered species and their habitat. For example, Marine Corps Base Camp Lejeune in North Carolina restored longleaf pine habitat on 521 acres, and enhanced endangered red-cockaded woodpecker habitat on 2,170 acres of upland pine. This decreased military training restrictions and simultaneously restored the dwindling red-cockaded woodpecker population.

Naval Base Coronado in southern California increased the populations of the federally endangered San Clemente loggerhead shrike, the federally endangered California least tern, and the federally threatened western snowy plover. This prevented additional critical habitat designation and had a minimal impact on training requirements.

And in my home of the Northern Mariana Islands, the Navy promoted conservation on the island of Tinian by restoring native cycad trees and conducting surveys for important and threatened species such as native birds, coconut crabs, and nesting sea turtles.

Over 50 years after President Eisenhower signed the Sikes Act, the Department of Defense, the United States Fish and Wildlife Service, the States, and other partners continue to find new ways that this landmark legislation can enable the military to protect both our Nation and its invaluable natural resources. This process of innovation continues here today, as my colleague from Guam, Ms. Bordallo, presents important amendments that will make the Sikes Act even more effective. Ms. Bordallo has worked tirelessly to improve and adapt the Sikes Act to changing modern conditions, and I applaud her efforts on this critical issue. I also look forward to hearing suggestions from our witnesses that will further improve the Sikes Act to improve both military readiness and habitat conservation.

Thank you Mr. Chairman.

Dr. FLEMING. The gentleman yields back.

In keeping with the traditions of this Subcommittee, I would now like to recognize the former Chairwoman of this Subcommittee, the gentlelady from Guam, Congresswoman Madeleine Bordallo, for

any opening statement she would like to make on her bill, H.R. 1080.

**STATEMENT OF THE HON. MADELEINE Z. BORDALLO, A
DELEGATE IN CONGRESS FROM THE TERRITORY OF GUAM**

Ms. BORDALLO. Well, I take this opportunity to thank you, Mr. Chairman and Ranking Member, for holding a hearing on this bill. And in the interest of time, since I know there will be votes, I will leave it at that. And I do have some questions for the witnesses. Thank you, Mr. Chairman.

Dr. FLEMING. And the gentlelady yields back. Thank you. We will now hear from our first panel of witnesses, which includes The Honorable John Conger, Acting Deputy Under Secretary of Defense for Environment and Installations at the Department of Defense, and Mr. Stephen D. Guertin—do I have that correct?

Mr. GUERTIN. Yes, Mr. Chairman.

Dr. FLEMING. Deputy Director, U.S. Fish and Wildlife Service.

Your written testimony will appear in full in the hearing record, so I ask that you keep your oral statements to 5 minutes, as outlined in our invitation letter to you, and under the Committee Rule 4(a). Our microphones are not automatic, so you will have to push the button when the time comes.

Of course, you notice the clock. It begins at 5 minutes. You are on the green light until you have 1 minute left, then yellow. Then, when it turns red, you need to go ahead and wrap up, of course, as soon as possible.

Secretary Conger, you are now recognized for 5 minutes to present the testimony of the Department of Defense.

**STATEMENT OF THE HON. JOHN CONGER, ACTING ASSISTANT
DEPUTY UNDER SECRETARY OF DEFENSE, INSTALLATIONS
AND ENVIRONMENT, DEPARTMENT OF DEFENSE**

Mr. CONGER. Thank you very much. Mr. Chairman, distinguished members of the Subcommittee, I appreciate the opportunity to discuss with you the Sikes Act and its importance to the military.

As you know, the Sikes Act supports the warfighter by preserving our ability to effectively use our lands to support the needed testing and training of the Department. It protects the quality of life for our military men and women and their families and our veterans by facilitating a host of outdoor recreation opportunities. And it promotes efficiencies by encouraging partnerships with many different national, regional, and local agencies and organizations.

Military lands are often protected from human access and disturbance. As a consequence, they contain some of our Nation's most significant remaining large tracts of valuable natural resources. The DOD manages over 28 million acres containing some 420 federally listed threatened or endangered species, more than 520 species-at-risk, and many high-quality habitats. A surprising number of these species are endemic to military lands. That is that they are found nowhere else in the world, including more than 10 listed species and 75 species-at-risk.

The Sikes Act is the fundamental lynchpin for the success of the Department's natural resources program. And, for more than 50 years, the Act has proven an invaluable tool in our ability to manage our vast test and training ranges, while at the same time successfully managing the rich inventory of natural resources on our lands. The true beauty of the processes established based on the Sikes Act is that they give us certainty on what we are required to do to protect species and habitat, while at the same time giving us the flexibility to use our lands to meet mission needs.

And my staff has put together a much longer opening statement, but I have 3 minutes and I would like to go off-script here for a second, just for opening framing.

This is an invaluable tool for us. Let me just put that out at the beginning. The ability to manage endangered species, to protect endangered species on our installations while protecting our missions, and giving us the flexibility to do that through these integrated natural resources management plans has been invaluable across the Department. It has protected our mission in a myriad of different ways, and I applaud the Committee bringing forward not only this reauthorization bill so that we retain this authority, but the history that this Committee has had of revising and looking at different issues and adapting the Act to suit the needs of the country, the Department, and the natural resource habitat in general.

The evolving benefit of the bill is clear. I think that when we look at the desire of the Department of Defense to prioritize mission—because that has to come first and foremost to us—but also to protect the species that we are trusted with, those are not mutually exclusive things. And so, when we have a tool like this that we can adapt to meet both goals in an efficient and an effective manner, and to plan ahead, that flexibility is extremely valuable to us.

I did want to make one last point. One of the key successes of the Sikes Act is that it supports and strengthens our partnership with the U.S. Fish and Wildlife Service and State fish and game agencies. I want to thank Mr. Guertin from Fish and Wildlife and Jimmy Anthony from the Association of Fish and Wildlife Agencies for their partnership. The partnership of their organizations has helped ensure that the military departments continue to be able to test and train efficiently and effectively.

The installation natural resources professionals within the Department must continue to demonstrate that the two goals of supporting mission and protecting natural resources are compatible, and with up-front planning will continue to make effective and cost-efficient management decisions.

In closing, Mr. Chairman, I sincerely thank you for the opportunity to discuss the Sikes Act, its applications, and its importance to the military. We appreciate your strong support for the troops. And I would be happy to answer any questions.

[The prepared statement of Mr. Conger follows:]

PREPARED STATEMENT OF THE HONORABLE JOHN CONGER, ACTING ASSISTANT
DEPUTY UNDER SECRETARY OF DEFENSE, INSTALLATIONS AND ENVIRONMENT,
DEPARTMENT OF DEFENSE

Introduction

Mr. Chairman and distinguished members of the Subcommittee, I appreciate the opportunity to discuss with you the Sikes Act and its importance to the military. As you know, the Sikes Act **supports the warfighter** by preserving our ability to effectively use our lands to support needed testing and training; it **protects quality of life** for our military men and women and their families by facilitating a host of outdoor recreation opportunities; and, it **promotes efficiencies** by encouraging partnerships with many different national, regional, and local agencies and organizations.

Background

Military lands are often protected from human access and disturbance; as a consequence, they contain some of our Nation's most significant remaining large tracts of valuable natural resources. DOD manages over 28 million acres containing some 420 federally-listed threatened or endangered species, more than 520 species-at-risk, and many high-quality habitats. A surprising number of these species are endemic to military lands—that is, they are found nowhere else in the world—including more than 10 listed species and at least 75 species-at-risk.

The Sikes Act is the fundamental linchpin for the success of the Department of Defense's (DOD) Natural Resources Conservation Program. For more than 50 years, the Act has proven instrumental in helping our installations coordinate with the U.S. Fish and Wildlife Service (USFWS) and State fish and game agencies to develop many cooperative plans and projects that have benefited fish, game, and other natural resources on DOD lands. This has helped ensure that the Military Departments continue to be able to test and train efficiently and effectively. The true beauty of the Sikes Act is that it enables our natural resources professionals to successfully manage our Nation's natural resources for both military mission and long-term stewardship objectives.

DOD Implementation of the Sikes Act

Integrated natural resource management plans—or INRMPs—are highly effective planning and implementation tools that benefit training and testing missions and long-term natural resources sustainability. INRMPs both direct daily natural resources management activities and serve as a strategic planning tool to enable us to make better informed investment decisions. These multiple benefits are possible because INRMPs provide a holistic view of an installation's natural resources at an ecosystem or broad landscape basis.

Our INRMPs have proven themselves to be highly successful planning and implementation documents. This is due, in part, because our installations develop their INRMPs in collaboration with Federal and State resource management agencies and with the military operators responsible for both test and training. Thus, our INRMPs support mission requirements while satisfying our natural resources responsibilities. INRMPs are also living documents, subject to regular review by the parties. It is DOD policy to review and, if needed, to update our INRMPs on an annual basis. Reviewing these documents annually allows us to respond to changing military mission needs, as well as the needs of both the plant and animal species under our stewardship.

The Department has over 340 installations with significant natural resources, which means they must have an INRMP. Since 1998, the Department has invested over \$1.62 billion implementing the management practices and projects identified in our INRMPs, with \$165.6 million invested in fiscal year 2012 alone.

Examples of projects funded based on priorities established in these INRMPs include natural resource assessments; species and habitat monitoring programs; forestry and rangeland management; noxious and invasive weed control; adaptive management to address changing resources conditions; native habitat restoration; threatened and endangered species management; wildlife education; and recreational hunting and fishing programs, including increased access for disabled sportsmen.

INRMPs allow DOD to:

- Provide for comprehensive and up-to-date resource planning that facilitates real-time adaptive management practices;
- Enhance the installation commander's ability to ensure that mission requirements are met while better managing installation natural resources; and

- Take full advantage of the expertise of USFWS and State resource agency personnel; and
- Preserve the installation commander's discretion to ensure military preparedness, without compromising the USFWS's or a State agency's ability to exercise the legal authorities they each possess independent of the Sikes Act.

Important Supplemental Amendments

Since passage of the landmark 1997 amendments to the Sikes Act that first required installation commanders to prepare and implement INRMPs for all bases with significant natural resources, DOD's natural resources management has benefited from several important subsequent amendments to the Act.

In the National Defense Authorization Act for Fiscal Year 1999, the Disabled Sportsmen's Access Act required DOD to ensure that outdoor recreational opportunities be made more readily available to disabled persons. Over the past 14 years, DOD has taken significant strides to fulfill the goals of this law. It is DOD policy to ensure that persons with disabilities have access to the same outdoor recreation opportunities as the general public, when consistent with the military mission and where safe or otherwise practicable. Our INRMPs address the appropriate level of public access to ensure consistency with installation security, military mission, and sustainable natural resources management. The Department has also made available handicapped accessible nature trails; bird/wildlife viewing platforms; pier access; wheel chair ramps for improved access; and some specialized equipment and facilities for disabled sportsmen and Wounded Warrior programs to facilitate additional hunting and fishing opportunities.

In the National Defense Authorization Act for Fiscal Year 2004, Congress amended the Endangered Species Act to recognize the significant contributions INRMPs make to promote the recovery of threatened and endangered species. The amendment provides that where the USFWS or the National Marine Fisheries Service (NMFS) of the National Oceanographic and Atmospheric Administration determines, in writing, that the management benefits provided by INRMPs outweigh the benefits of designating critical habitat on the military lands encompassed by that INRMP, such as critical habitat. This provision recognizes the value, scientific rigor, and flexibility of INRMPs as an alternative to critical habitat designation in promoting the conservation of imperiled species. This alternative procedure has been used to obviate the need to designate critical habitat on 71 different installations—including proposed designations for multiple species on 20 installations—since its enactment. In each of these cases, the USFWS or NMFS determined that the INRMP provides comparable or better protection for the given species and its habitat than critical habitat designation would have provided.

In the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009, Congress amended Section 103A of the Sikes Act to authorize cooperative agreements to maintain and improve natural resources located *off* military installations where doing so may relieve or eliminate current or anticipated restrictions on military activities. This provision gives installation commanders the flexibility to address some portion of their conservation responsibilities—especially those related to ESA-listed and candidate species—by supporting natural resources projects off of their installations, preserving their discretion to use installation lands to support critical military training and testing.

In the National Defense Authorization Act for Fiscal Year 2010, Congress expanded the scope of the Sikes Act to include State-owned Army National Guard installations. These installations are used to train both Guard and Active Duty soldiers to the same military standards. With this amendment, State-owned National Guard installations that receive Federal funding for Guard training are now covered by the Sikes Act and required to develop and implement INRMPs. This means funding may now be provided for specific natural resources projects, such as wetlands protection, habitat management for sensitive species, and soil erosion control, on Army Guard facilities. This will encourage strategic investment decisions based on holistic management in the same manner as on active Army installations, and improve our ability to manage natural resources on 47 installations totaling 469,054 acres across 30 States and territories. It also means that the 20 State-operated, State-owned, federally supported Army Guard installations with federally listed species, and the four installations with candidate species proposed for listing, may be able to avoid critical habitat designation.

DOD and its Military Departments appreciate the efforts of this Committee, the USFWS, and the Association of Fish and Wildlife Agencies, in developing these and other amendments to strengthen and improve the Sikes Act.

Conclusion

Installation natural resources professionals within the Military Departments must continue to demonstrate that the two goals of supporting the military mission and protecting natural resources are compatible. With upfront planning, we will continue to make effective and cost-efficient management decisions. As we have for more than 50 years, we will look for new ways in which this landmark legislation can continue to protect our Nation's safety and its priceless natural resources.

In closing, Mr. Chairman, I sincerely thank you for this opportunity to discuss the Sikes Act, its applications, and its importance to the military. We appreciate your strong support of our mission and our troops. I will be happy to answer any questions.

Dr. FLEMING. Thank you, Mr. Conger. The Chair will note that we are 5 minutes into a 15-minute vote. So we are going to take Mr. Guertin's testimony and then we will temporarily adjourn and return immediately after votes.

Therefore, Mr. Guertin, I now recognize you for 5 minutes to present your testimony.

STATEMENT OF STEPHEN D. GUERTIN, DEPUTY DIRECTOR, U.S. FISH AND WILDLIFE SERVICE, DEPARTMENT OF THE INTERIOR

Mr. GUERTIN. Good morning, Chairman Fleming and members of the Subcommittee. My name is Steve Guertin, Deputy Director of the U.S. Fish and Wildlife Service. Thank you for the opportunity to present the Service's views on H.R. 910, the Sikes Act Reauthorization Act. We appreciate your interest in conserving fish and wildlife resources on military installations, and the Subcommittee's leadership in reauthorizing this important legislation.

H.R. 910 recommends an amendment—we recommend an amendment to extend the timeline for review of these INRMPs from 5 years to 10 years. And we talk about more of that in our written testimony. But we think it will relieve some of the administrative burden on DOD, as well as the Fish and Wildlife Service.

The Service, Department of Defense, and the States have long recognized the importance and value of conserving fish and wildlife resources on military lands. Limits on access to security and safety concerns have allowed many of these lands—or protected them from development and other adverse impacts. Military lands contain rare and unique plant and animal species and native habitats, such as old-growth forests, tall-grass prairies, and vernal pool wetlands. Over 400 threatened and endangered species live on these DOD-managed lands. And these lands and the species they support are an essential component of our Nation's biodiversity.

In an effort to capitalize upon the individual expertise of the three statutory partners, Congress mandated development of INRMPs for military installations with significant natural resources. Over the decades, the Sikes Act has proven to be a conservation success story, playing an important role to ensure that fish, wildlife, and other natural resources on military installations are conserved in ways that are compatible with and actually support the mission of the various institutions involved.

My written testimony highlights some of these successes brought about by the partnership, and I would like to relate one here. Working in partnership, the Fish and Wildlife Service, the State, and Eglin Air Force Base located in Okaloosa, Florida, accom-

plished a significant number of recovery efforts for the once-endangered Okaloosa Darter. In 2010 the Service reclassified the darter as threatened, thanks to resource management on Eglin Air Force Base, which worked to reduce the threats to the darter.

Mr. Chairman, I have gained a personal understanding and appreciation of this unique and successful collaboration based on my work with the Fish and Wildlife Service, and having been an active duty Marine at one point, utilizing DOD training facilities at Marine Corps Base Quantico and Marine Corps Base Hawaii and the Mountain Warfare Training Center in California, as well as numerous facilities overseas.

On the Service side of my career, most recently I served as the Regional Director for the Service's Mountain Prairie Region, and worked with DOD on natural resource partnerships regionwide. These projects were predominantly located in the State of Colorado, including Fort Carson, Buckley Air Force Base, and the U.S. Air Force Academy. In fact, last year we recognized the Air Force Academy as our preeminent military partner.

As I have mentioned, we support the reauthorization and recommend an amendment to improve implementation. The current law requires the DOD, the States, and the Service to review and revise an installation's INRMP every 5 years. This represents a substantial and often unnecessary planning burden. Other laws provide a longer period of review for similar plans. For example, conservation plans for our own national wildlife refuge system are reviewed every 10 years. The Service therefore recommends modifying the requirement under the Sikes Act to re-evaluate INRMPs from 5 years to 10 years.

We look forward to continuing this important partnership with the military and the States through the Sikes Act, and Mr. Chairman and members of the Committee, we thank you for the opportunity to testify, and we would be happy to answer any questions you or members of the Subcommittee may have. Thank you.

[The prepared statement of Mr. Guertin follows:]

PREPARED STATEMENT OF STEVE D. GUERTIN, DEPUTY DIRECTOR, U.S. FISH AND WILDLIFE SERVICE, DEPARTMENT OF THE INTERIOR

Good morning Chairman Fleming, and members of the Subcommittee. I am Steve Guertin, Deputy Director of the U.S. Fish and Wildlife Service.

Thank you for the opportunity to present the Department's statement on H.R. 910, the Sikes Act Reauthorization Act which would reauthorize the Sikes Act through fiscal year 2019. The Fish and Wildlife Service appreciates your interest in conserving fish and wildlife resources on military installations, and the Subcommittee's leadership in reauthorizing this important legislation. The Administration supports H.R. 910, with one important amendment that would extend the timeframe for review of Integrated Natural Resource Management Plans from a period of every 5 years to 10 years. My testimony will also address the Fish and Wildlife Service's role in the implementation of the Disabled Veterans Sportsmen Act.

Sikes Act History

The U.S. Fish and Wildlife Service, the Department of Defense (DOD) and the States have long recognized the importance and value of conserving fish and wildlife resources on military lands. Prior to the enactment of the Sikes Act in 1960, the Fish and Wildlife Service worked with DOD on fisheries management programs to develop recreational fishing opportunities on DOD installations. Passage of the Sikes Act formalized these cooperative efforts and, most importantly, gave Congressional recognition to the significant potential for fish and wildlife management and recreation on DOD lands. Subsequent amendments have expanded the authority of the Sikes Act to include improving fish and wildlife habitats, protecting threatened

and endangered species, providing for invasive species management on military installations, and developing multi-use natural resource management plans.

The Sikes Act Improvement Act of 1997 broadened the scope of DOD natural resources programs. It integrated natural resources programs with operations and training, embraced the tenets of conservation biology, invited public review, and strengthened funding for conservation activities on military lands. Underlying this commitment to conserve natural resources is the concurrent commitment that the military mission cannot be compromised. The Sikes Act Improvement Act required the development and implementation of Integrated Natural Resource Management Plans (INRMPs) for relevant installations by November 18, 2001. The Act emphasizes that the plans are to be prepared in cooperation with the Fish and Wildlife Service and the State fish and wildlife agencies and anticipated a collaborative process with full involvement of natural resource agencies. INRMPs also provide for public access to installations for enjoyment of natural resources, and when practicable DOD seeks public comments on these plans.

Over the decades, the Sikes Act has proven to be a conservation success story, playing an important role to ensure that fish, wildlife, and other natural resources on military installations are conserved in ways that are compatible with the missions of these installations.

The Fish and Wildlife Service's Role and Responsibility Under the Sikes Act

When implementing its responsibilities under the Sikes Act, the U.S. Fish and Wildlife Service focuses on: (1) evaluating the impacts of installation mission and activities on fish and wildlife; (2) ensuring that habitat important to fish and wildlife is taken into consideration in the development of INRMPs; and (3) identifying opportunities to enhance fish and wildlife resources for public benefits while accomplishing the missions of military installations. Several statutes guide our involvement in conservation planning, including the Fish and Wildlife Coordination Act, the Endangered Species Act, the Migratory Bird Treaty Act, and the National Environmental Policy Act.

The Fish and Wildlife Service's work on INRMPs is conducted primarily at the field and regional office levels. Ideally, the Fish and Wildlife Service becomes involved in the INRMP process when a draft INRMP is sent to a field office by a military installation for review and comment. Ultimately, a plan is agreed to by the Fish and Wildlife Service after the regional office reviews and the Regional Director concurs with the elements of the plan that address conservation, protection, and management of fish and wildlife resources.

Cooperation and coordination between the Fish and Wildlife Service and States on INRMPs continue beyond agency review and approval of a plan. INRMPs are reviewed by military installations on a yearly basis and our feedback is requested during annual reviews concerning the ongoing implementation and effectiveness of the plans. Additionally, every 5 years INRMPs go through a formal review and re-approval process that involves a public comment period and coordination with the Fish and Wildlife Service and State fish and wildlife agencies. The Service has also been receiving INRMPs from State-owned National Guard installations, and to date, is not aware of any difficulties implementing those plans on the installations.

Success and Benefits of the Sikes Act and INRMPs

DOD manages approximately 30 million acres of land on its major military installations in the United States, of which 19 million acres are dedicated to fish and wildlife conservation. Limits on access due to security and safety concerns have sheltered many of these lands from development and other adverse impacts. Military lands contain rare and unique plant and animal species and native habitats such as old-growth forests, tall-grass prairies, and vernal pool wetlands. Over 400 threatened and endangered species live on DOD-managed lands. These lands and the species they support are an essential component of our Nation's biodiversity. Recognizing this, the Fish and Wildlife Service has worked extensively with the State fish and wildlife agencies and military installations to develop plans that will effectively conserve fish and wildlife resources and promote compatible outdoor recreation, while ensuring military preparedness and continued stewardship of the land.

The technical expertise of Service employees combined with State fish and wildlife agencies' expertise and responsibilities for resident species and DOD's knowledge of training requirements and their installation's natural resources, creates valuable opportunities for cooperative management of substantial natural resources. Two illustrative examples follow.

Working in partnership, the Fish and Wildlife Service and Eglin Air Force Base (AFB), located in Okaloosa, Florida, have accomplished a significant number of recovery efforts for the threatened Okaloosa darter. In 2010, the Fish and Wildlife Service reclassified the darter as threatened, thanks to the resource management on Eglin AFB, which worked to reduce the threats to the darter. In 2009, Eglin's natural resource managers estimated that 98 percent of the erosion occurring in darter watersheds had been eliminated. In addition, a crucial project outlined in the Fish and Wildlife Service's Okaloosa Darter Recovery Plan, the Mill Creek stream restoration project, is finished. The Mill Creek project is located on the Eglin Golf Course. During initial construction of the golf course, the stream was substantially altered by culverts and other man-made impoundments. With the help of partners, such as the Florida Fish and Wildlife Conservation Commission and students from the Young Women's Leadership School of Harlem NYC, approximately 2,500 feet of Mill Creek were restored. As a result, darters were found swimming in the stream within weeks of the project's completion.

In 2005, State environmental and natural resource officials from across the Southeast partnered with the Department of Defense and other Federal agencies to form the Southeast Regional Partnership for Planning and Sustainability (SERPPAS). The region covered by SERPPAS includes the States of North Carolina, South Carolina, Georgia, Alabama, Florida, and Mississippi. The conversion of land into developed communities has resulted in the loss of agricultural land, important wildlife habitats, working landscapes such as farms, forests, and fisheries, and increased encroachment on military installations. The SERPPAS group has been considering ways to use the INRMP process in the Southeast to preclude potential listings under the Endangered Species Act as well as expanding incentives for voluntary conservation actions.

Improving Sikes Act Coordination

To improve coordination between and among Sikes Act partners, the Fish and Wildlife Service has developed numerous memoranda of understanding with military installations around the country as well as agreements with branches of the military. Most recently, under the authorities of the Sikes Act, the Fish and Wildlife Service has worked with the U.S. Air Force to establish an Air Force Liaison position. As a result, a knowledgeable Service employee will be placed at the Air Force Civil Engineer Center in San Antonio, Texas. This individual will facilitate improved coordination between the Fish and Wildlife Service and the Air Force resulting in improved fish and wildlife conservation on over 90 installations nationwide. Reimbursable and cooperative agreements with military installations and partnerships with branches of the military, such as the Liaison position with the Air Force, allow the Fish and Wildlife Service to provide better customer service and improved coordination with DOD on these important plans.

H.R. 910

As introduced, H.R. 910 would reauthorize the Sikes Act for fiscal years 2015 through 2019. We note that the requirement in current law to revisit an installation's INRMP every 5 years represents a substantial and likely unnecessary planning burden on the military services and the Fish and Wildlife Service. Similar comprehensive land management plans required of other agencies do not require so short of a time line. For example, Comprehensive Conservation Plans for National Wildlife Refuges need to be revisited only every 10 years. As such, the Fish and Wildlife Service suggests modifying the requirement in the Sikes Act to reevaluate INRMPs from 5 years to 10 years to facilitate implementation and bring this requirement in line with similar requirements associated with other comprehensive land management plans.

The Fish and Wildlife Service believes that the Sikes Act provides an important process for affording meaningful conservation benefits to fish and wildlife on military lands. The current authorization for the Department of the Interior to carry out provisions of the Sikes Act through fiscal year 2014 is \$3 million. The Service believes the current authorization levels in H.R. 910 are sufficient.

Implementation of Disabled Veterans Sportsmen Act

The Fish and Wildlife Service strongly supports providing accessible outdoor recreation opportunities to our Nation's wounded veterans. The Disabled Veterans Sportsmen Act applies to military lands, and although we are not responsible for its implementation, the Fish and Wildlife Service does coordinate with our Sikes Act partners in DOD to incorporate activities that fall under this amendment to the Sikes Act during the development of INRMPs.

The Fish and Wildlife Service, in conjunction with many different partners, has offered special opportunities at a number of national wildlife refuges. The National

Wildlife Refuge System has 97 refuges with Universal Access Hunts. Universal Access Hunts have provided, among other benefits: hunting areas and blinds reserved and available for hunters with disabilities; access to trails; wheelchair accessible hunting areas; special permits to allow hunting from refuge roads; special hunts held for hunters with disabilities; and other special arrangements. For example, Bombay Hook National Wildlife Refuge has hosted the National Wild Turkey Federation's Wheelin' Sportsmen for a 1-day waterfowl hunt event. The event was created for wheelchair-bound hunters. It is free of charge, and many of the best waterfowl guides in the area volunteer each year to make the hunt a success.

For 13 years, Horicon National Wildlife Refuge has participated in a special gun hunt for deer hunters with disabilities. Nine days in early October are set aside by the Wisconsin Department of Natural Resources for an extra opportunity for hunters with disabilities to be able to harvest a deer when the weather is warmer. The Refuge has an 880-acre area with 10 blinds. The hunters are not restricted to the blind; they can set up their own portable blind or hunt from their vehicle. This past year, 20 hunters with disabilities participated in the hunt, harvesting one doe and one nine-point buck.

Military Conservation Partner Award

The U.S. Fish and Wildlife Service values our many partnerships with the military and appreciates the role of military lands in conserving the nature of America. To recognize the hard work that our Nation's military installations do for conservation, the Fish and Wildlife Service created the Military Conservation Partner Award. This annual award acknowledges a military installation whose efforts represent significant conservation accomplishments often achieved in partnership with the Fish and Wildlife Service and other conservation agencies.

The 2013 winner of the Military Conservation Partner Award is Naval Base Coronado (NBC). NBC is comprised of eight units that encompass 60,000 acres of land and water in southern California. This installation provides unique training facilities for the Navy's elite SEAL teams while actively working to conserve the federally-listed California least tern and the western snowy plover, among many other rare and endangered species. Natural resources employees have taken a landscape-scale approach to conservation, which has produced quantifiable accomplishments while supporting the operational requirements of the base.

Conclusion

Mr. Chairman, we appreciate the opportunity to share with the Subcommittee this information on the significant opportunities provided under the authority of the Sikes Act. Again, we appreciate and support your efforts to reauthorize the Sikes Act, and look forward to working with you and our partners to identify and enact any amendments that would improve this important law.

Dr. FLEMING. Thank you, Mr. Guertin. And this Committee is hereby recessed. We will return immediately after votes.

[Recess.]

Dr. FLEMING. The Chairman brings the Committee back to order. At this point we will begin Member questioning of the witnesses to allow all Members to participate, and to ensure we can hear from all of our witnesses today. Members are limited to 5 minutes for their questions. However, if Members have additional questions, we can have more than one round of questioning. I now recognize myself for 5 minutes.

All right. Given budget constraints, would there be advantages to delaying the revision of INRMPs from 5 years to 10 years? How much time and money do these less-frequent revisions take, as opposed to an annual review? I would love to get the response from the panel today. Either one.

Mr. CONGER. I will take it from the Defense perspective. I am not sure that it is going to save us that much money to move it from 5 to 10 years. And part of that is in order to keep the reports current, fresh, we do annual reviews anyway. And we want to make

sure that they are going to be sufficiently protective of the species on our property.

I think a lot of where we spend the money anyway is driven to the execution. And we are going to execute, anyway. It is not as much in the preparation as it is in the execution. So I am not sure that money would be the driver, from our perspective. Not saying that we have a formal position on that yet. I first read about the idea a couple of days ago and it hasn't yet gone through our sort of review process in the Department.

Dr. FLEMING. Well, I bring it up because it is rare that we do things where we actually extend periods for doing that. We usually do them even more frequently.

I would like to hear from you, Mr. Guertin.

Mr. GUERTIN. Thank you, Mr. Chairman. We are trying to approach it from the idea of good government. And we have similar best practices that we currently employ where, as for the management of our National Wildlife Refuge System, we are on a 10-year cycle to update our CCPs, conservation plans. We are also on a 10 to 12-year cycle for similar planning documents for the U.S. Forest Service and their forest plans.

We envision, if this was to move forward with our partnership with DOD, moving it from a 5-year update of the planning documentation to a 10-year. The reason we are comfortable with this—and, obviously, we need concurrence from the Committee and DOD and other partners—is that one of our most robust and strong partnerships is, in fact, with DOD. And it is not like we write a plan and check in with them 5 or 10 years later. In fact, we are partners with them on a daily basis on many of these installations, work with them day in and day out.

And so, it is an intriguing idea to us. The cost savings for us—we only obligate about a million dollars a year in total. Updating all these plans supporting the partnership, it would be a modest cost savings of probably a couple hundred thousand dollars a year. But for us, it is putting this onto a more similar timeline, as we do with similar land management practices for the other big Federal land owners.

Dr. FLEMING. Right. OK. Thank you, gentlemen. Now, on H.R. 1080, Section 2 of H.R. 1080 would allow funds under the Sikes Act and the Readiness Environmental Protection Initiative to be used as matching funds for certain conservation programs. What current problem is this legislation trying to solve? Either.

Mr. CONGER. Well, let me answer that in a couple different ways. First of all, the legislation as—we didn't submit or draft the legislation, so I will set that aside for a second. But let me answer it more pointedly.

We already accept funds from other Federal agencies as matching the INRMP program, for example. We think that makes sense. If our funds were able to be used as matching in other Federal agencies' programs, I think that, from the Defense Department perspective, the result that would come from that would be that more of our priorities would end up making the priority list from the other Federal agencies' funding programs. In other words, you would get more defense-oriented projects funded.

Dr. FLEMING. Would it give private land owners more skin in the game? Is that a factor?

Mr. CONGER. Not for that particular authority. I mean that particular authority is designed to allow DOD funds to be used as matching for the—if I am getting the particular—

Dr. FLEMING. The conservation projects that—there is kind of a matching effect, where the private land owner would contribute a certain percent, and the idea being that they have some investment in the success of that?

Mr. CONGER. Well, and things that are designed like that are obviously optimal.

REPI, for example, is able to leverage Federal funds against those of NGO's, conservation agencies, et cetera, and to get more bang for our buck. They get the land conserved, we get buffer around our defense installations, and we both pay half price. That kind of a situation is ideal.

Dr. FLEMING. OK. Any follow-up, Mr. Guertin, any—

Mr. GUERTIN. Thank you, Mr. Chairman. Yes, we also concur with the general themes of this. We are very interested in these larger landscape partnership efforts, where you have the mix or checkerboard of Federal land, DOD land, private land owner involvement as well. Any type of flexibility we can have to achieve larger landscape scale objectives is what we are all about, partnership-building.

Dr. FLEMING. Right, OK. My time is up. The Chair recognizes Mr. Sablan for 5 minutes.

Mr. SABLAN. Well, thank you very much, Mr. Chairman. Mr. Secretary, in your testimony you describe how the Sikes Act benefits wildlife conservation and military readiness. So will the flexibility provided by H.R. 1080 to conserve more wildlife habitat off base help you reach both goals? And if they do, how?

Mr. CONGER. So, I guess I would answer that this way. The flexibility and the additional authority that it provides in H.R. 1080 would be—would help both goals. It will help us do more in order to conserve lands around our bases. That is an inherently good thing. It helps natural—conservation projects, obviously, are going to help natural resource conservation. And having buffer around our installations and having that land managed is going to help around our military installations.

Moreover, having private land owners who will improve the condition of the habitat is going to help us, too, by creating, on a landscape scale, a healthier population. That is inherently going to take pressure off the base. We don't want to be the only place where these species live. We would love the species to thrive across a larger region. That will allow us more flexibility on base. And by offering us more flexibility, we are able to accomplish more of our mission.

Mr. SABLAN. And, Mr. Guertin? Mr. Guertin, both you and the Secretary have testified that proactive, collaborative work under the Sikes Act has been important in avoiding endangered species listings, and minimizing the impacts of currently listed species on military operations.

So, what lessons have we learned? Can we learn about how to approach biodiversity conservation in general, and the Endangered Species Act protections in particular?

Mr. GUERTIN. Thank you, Congressman. Our working partnership with military I would characterize as a gold-star example of collaboration and partnership-building at the Federal level. And we have been able to accomplish great things for conservation. We have also learned some lessons that we can apply to other conservation benefits and programs nationwide.

The first lesson is that we understand and have appreciated more from our partnership with the military that large, intact, relatively undisturbed habitat for species is a key to successful conservation for those species. So being able to work with other Federal land owners, DOD, State fish and game agencies, and other entities such as private land owners and Tribes, we can really put in place wildlife corridors that benefit all of these species.

The second lesson we have learned is that working with partnerships with others, particularly the military, we can allow them to further their own mission accomplishments. For DOD, that is all about honing warfighting skills. And by entering into these partnerships, working proactively in planning and implementing conservation measures, we can allow DOD to pursue its mission objectives, while at the same time contributing to these large landscape species conservation goals. It is a great example of collaboration and cooperation, Congressman.

Mr. SABLON. Yes, and I am very happy to learn that you guys work well together, the Departments, two Departments, because you guys are going to be busy. And I am sure my distinguished colleague from Guam is more informed on this, but you are going to be very busy with the—whether it is the Guam buildup, or the divert air field, or the training ranges in the Mariana Islands chain.

I am from the Northern Marianas, so our sovereign territory is Guam. But it is one chain of islands that actually the military has decided is truly important in the buildup in the Pacific. That was in jest. Guam is truly important to our defense. And there, where the bases are, whether it is the Navy, the Air Force, or the Marines, is going to be where the training ranges are. And some of those islands have never been looked at before, but we are happy that this can work out. For now, Mr. Chairman, I yield.

Dr. FLEMING. OK. The gentleman yields his time. Next is Mr. Wittman. You have 5 minutes, sir.

Dr. WITTMAN. Thank you, Mr. Chairman. I want to thank you for holding this hearing to address the importance of the Sikes Act, and to ensure that the ongoing efforts to conserve wildlife and to protect habitat while we maintain the strength and readiness of our military is critically important.

And as we look at this total effort, I appreciate what you are doing here, and I support both the legislative efforts before us today, H.R. 910, which reauthorizes the Sikes Act and extends critical conservation and disabled sportsmen's access programs. And the Sikes Act has been a great framework that benefits our natural resources, while also helping to ensure that the DOD can continue to train, test, and operate in our Nation's defense. Great efforts there in continuity with each other.

And I am very pleased that Ms. Bordallo has introduced H.R. 1080. And this legislation would also improve the Sikes Act by extending the DOD's ability to use matching funds and to foster collaborative conservation efforts. And I look forward to continuing to work with Ms. Bordallo here and during this year's National Defense Authorization Act as we look to strengthen the Sikes Act.

And I will go to Mr. Conger, who has been up on the Hill quite a bit recently. So we are glad to have you before the other of the Committees that have interest in your testimony. We welcome you today, as well as Mr. Guertin. We appreciate that.

I wanted to ask you. Can you give me your perspective on H.R. 1080? Is DOD in favor of it? Are they not? And if so, why on both sides? And give me this. If you would, give me your perspective if H.R. 1080 did not pass and the re-authorization didn't include that collaborative element that H.R. 1080 provides.

Mr. CONGER. All right. So, formally, we haven't had the opportunity to develop a coordinated position across the Department. So I am going to give you some thoughts about the bill and about what it is trying to accomplish, rather than giving you a formal DOD yea or nay on it.

I think there are a lot of intriguing things in this bill, and a lot to be said for the flexibilities. This Committee and the Armed Services Committee have a long history of augmenting the Sikes Act over time. And a lot of important improvements have been made.

The flexibility that this particular bill provides, first, in allowing different funding mechanisms for conducting off-base improvements, I think that intuitively will help us do our job. And second, with regard to allowing DOD funds to be used as matching for some of the other Departments' programs, I am reluctant to espouse a particular position with regard to somebody else's budget, but I will say that it works really well the other way. We allow their funds to be used as matching in our programs. And it helps that collaboration.

And I am intrigued by the idea that as we all prioritize our programs, and as we all prioritize what limited funds we have, if DOD comes to the table with dollars, it is more likely that the project that we have an interest in will make it to the top of their priority list. So I obviously have an interest in that.

Dr. WITTMAN. OK. Very good, thank you. I wanted to point out, too, I know just here, locally, if you look at Quantico Marine Base, a great example about how conservation programs there have done a lot to enhance the resources on the base to make sure that the impact of the base on the surrounding areas is absolutely minimized.

Another great opportunity there for disabled veterans to be able to enjoy those natural resources. And I have been there a number of times, our wounded warriors enjoying the outdoors. I helped with a project there that actually built some duck blinds, so that our wounded warriors could actually get out there and enjoy the waterfowl in the area.

So, it has shown that these efforts work. And then, where there is collaboration, whether it is with the U.S. Fish and Wildlife Service, or whether it is with private interest groups like Ducks Unlimited and others, it has shown that these things have been extraor-

dinarily successful. So I want to make sure that these efforts here with both of these bills show that there is an encouragement to be able to do even more of that.

Now, let me ask this. Let me close with one question. As we look at the sequester—and obviously, today, the continuing resolution just passed, which provides much more certainty for DOD and a number of other elements of the Government. But that being said, there is still the sequester that is out there. Can you tell me what impact might the sequester have on these collaborative approaches to managing resources on base in relation to the resources that the base has to pursue those efforts?

Mr. CONGER. Obviously, sequestration is going to have an impact across the Department. It is serious, and it has been reiterated by our leadership that it is going to be a problem. Whenever you take a cut out of these programs, you can't help but have an impact. And O&M, in particular, is going to be scarce, as the way that we are budgeted, there are lots of different activities inside an O&M account. And so, some of the must-pay bills pull that money to make sure that they are fully funded. Utility bills on an installation are in the same facility operations account as some of these environmental programs.

So they may very well take a larger hit, but we are committed to ensure that all of our legal obligations are met with the budget that we are going to be provided.

Dr. WITTMAN. Very good. Thank you, Mr. Chairman. I yield back.

Dr. FLEMING. The gentleman yields back. Next is the gentlelady from Guam, Ms. Bordallo. Five minutes.

Ms. BORDALLO. Thank you. Thank you, Mr. Chairman. Before I begin my questioning, I would like to enter into the record two statements here. The first is a resolution adopted by the National Association of Counties in March of 2012, and the other is from the National Conference of State Legislatures.

Dr. FLEMING. Without objection, so ordered.

[The information submitted for the record by Ms. Bordallo follows:]

RESOLUTION ADOPTED BY THE NATIONAL ASSOCIATION OF COUNTIES, MARCH 2012

AGRICULTURE AND RURAL AFFAIRS STEERING COMMITTEE RESOLUTION ON DOD
MATCHING FUNDS FOR CONSERVATION EASEMENT PROGRAMS

Issue: Restoring the ability of Federal conservation easement programs to accept Department of Defense (DOD) matching funds.

Proposed Policy: NACo supports reauthorization of a 2012 Farm Bill that specifically authorizes the use of Department of Defense funds as match or cost share for all Federal conservation easement programs and restores the ability of the Natural Resources Conservation Service (NRCS), to accept DOD matching funds.

Background: The sustainability and long-term viability of many Department of Defense (DOD) installations and ranges continue to be threatened by incompatible development and loss of habitat in areas around military installations and ranges—most of which are located in rural communities. DOD's Sustainable Ranges Initiative (SRI) and in particular the Readiness and Environmental Protection Initiative (REPI), has been highly effective, within the limits of available resources, in protecting DOD bases and other testing and training areas. However, truly effective steps to protect those bases requires much better integration of other Federal conservation programs with the efforts of DOD and its SRI/REPI partners. A critical step in enhancing collaboration between DOD and other Federal agencies would be to enact legislation allowing DOD funds designated for the protection to qualify as match or cost share in the conservation programs of the Department of Agriculture and other Federal agencies.

One example is the Farmland Protection Program (FPP) of the U.S. Department of Agriculture. The FPP provides funds to local, tribal and State governments, as well as non-governmental organizations (NGOs) to assist in the purchase of development rights to farm and ranchlands with the purpose of maintaining the agricultural uses of those lands.

Prior to the 2008 Farm Bill, The FPP (formerly the FRPP—Farm and Ranchland Protection Program) provided additional benefits as well. DOD was able to use its funds to assist local and State governments, and NGOs in meeting the matching funds requirements of the FRPP for a number of easements on lands abutting military installations in North Carolina, South Carolina, Kansas and Oklahoma. By preserving these agricultural and rural working lands, and limiting the residential and commercial development, the DOD was able to achieve the mutual objectives of land conservation and preventing development of critical open areas adjacent to military installations, and other so-called “away areas” where the military tests and trains, thereby preserving DOD’s ability to test and train without acquiring any new DOD owned land.

However, with the passage of the 2008 Farm Bill, the FPP was reauthorized and modified to become a grant program similar to other Federal land conservation easement programs. According to the NRCS the changes made to the program in the 2008 Farm Bill had the unintended result of terminating NRCS’s authority to accept matching funds from the DOD.

The FPP had been successful in maintaining farm and ranchlands for agricultural uses while simultaneously offering a great benefit to the communities surrounding military installations and other “away areas” where the military also tests and trains.

Fiscal/Urban/Rural Impact: The impact to county governments and rural and urban communities is a beneficial one. These programs ensure the long-term sustainability of military installations and those economic and employment benefits that the installations provide the surrounding—mostly urban and rural—communities.

Sponsors: C. Munroe “Jack” Best, Jr., County Commissioner, Wayne County, NC; Tim McNeill, Chairman, Harnett County, NC; Ed Melvin, Commissioner, Cumberland County, NC; Jean Powell, Commissioner, Hoke County, NC

NATION CONFERENCE OF STATE LEGISLATURES—THE FORUM FOR AMERICA’S IDEAS

DOD MATCHING FUNDS—FEDERAL CONSERVATION PROGRAMS (MILITARY AFFAIRS)

The sustainability and long-term viability of many Department of Defense installations and ranges continue to be threatened by incompatible development and loss of habitat in areas in the vicinity of or ecologically related to those installations and ranges. DOD’s Sustainable Ranges Initiative (SRI) and in particular the Readiness and Environmental Protection Initiative (REPI), has been highly effective, within the limits of available resources, in protecting DOD bases. However, truly effective steps to protect those bases requires much better integration of the conservation programs of other Federal agencies with the efforts of DOD and its SRI/REPI partners. A critical step in enhancing the collaboration between DOD and other Federal agencies would be to enact legislation allowing funds provided by DOD to protect bases from encroachment to qualify as match or cost share in the conservation programs of the Department of Agriculture and other Federal agencies.

One example is the Farmland Protection Program (FPP) of the U.S. Department of Agriculture. The FPP provides funds to State, tribal and local governments, as well as non-governmental organizations to assist in the purchase of development rights to farm and ranchlands with the purpose of maintaining the agricultural uses of those lands.

Prior to the 2008 Farm Bill, the FPP (formerly the FRPP—Farm and Ranchland Protection Program) provided additional benefits as well. DOD was able to use its funds to assist States, local governments, and non-governmental organizations in meeting the matching funds requirements of the FRPP for a number of easements on lands that abut military installations in States such as South Carolina, Kansas and Oklahoma. By preserving these agricultural lands and limiting the residential and commercial development on these properties, the DOD was able to achieve mutual objectives of land conservation and preventing development of critical open areas adjacent to military installations and thereby preserving DOD’s ability to test and train on those installations without acquiring any new land for DOD ownership.

However, with the passage of the 2008 Farm Bill, the Farmland Protection Program was reauthorized and modified to become a grant program similar to other

Federal land conservation easement programs. According to the Natural Resources Conservation Service (NRCS)—which administers the FPP—the changes made to the program in the 2008 Farm Bill had the unintended result of terminating NRCS's authority to accept matching funds from the DOD.

The Farmland Protection Program had been successful in maintaining farm and ranchlands for agricultural uses while simultaneously offering a great benefit to the communities surrounding military installations.

NCSL believes that the mutual benefits to landowners, conservation, and the military experienced under the former FRPP by the ability to use DOD funds as matching funds should be restored to that program, Department of Agriculture conservation programs in the 2012 Farm Bill and all other Federal conservation programs. NCSL also believes that the mutual and reinforcing benefits to farmers, ranchers, local communities, outdoor recreation, and the military experienced under the FPP prior to the 2008 Farm Bill should also be extended to all other Federal conservation easement programs through the enactment of legislation specifically authorizing the use of DOD funds as match or cost share in any such programs.

*Adopted at the NCSL Annual Business Meeting, August 11, 2011,
Expires August 2012.*

Ms. BORDALLO. Secretary Conger, well, it is good to see you again. And I am glad this time we can talk about a less sensitive topic, other than BRAC. I very much appreciate your leadership over at OSD with a variety of issues regarding installations and environment, and I look forward to working with you over the coming years. And, Mr. Guertin, welcome to you, as well.

My first question is for Secretary Conger. Does my bill, H.R. 1080, particularly Section 2 of the bill, provide the Department of Defense with flexibility to meet and sustain military readiness requirements with other Federal partners?

Mr. CONGER. Ma'am, the answer is it would provide flexibility and would provide additional capability. And as I alluded to earlier, I don't want to speak for other people's—

Ms. BORDALLO. I understand.

Mr. CONGER. And other people's budgets. But it is certainly an intriguing flexibility that works really well the other way around, because we allow their funds to be used as matching for our funding programs. And so it does have a certain amount of appeal.

Like I said, the Department is going to put together a consolidated view on your bill. So my words now are a little less formal than they will be in the future.

Ms. BORDALLO. Thank you. Mr. Guertin, my second question is for you, and I think we have covered it in some ways with previous questions. Has the partnership between DOD, State, local, and non-governmental entities been strengthened by recent amendments to the Sikes Act?

Mr. GUERTIN. Yes, it certainly has. As a matter of fact, we hold up the successful partnerships under the Sikes Act as a model as we try to work stronger and develop better relationships with other Federal agencies and private land owners and others, and we cite the flexibilities, the commitment, and the on-the-ground operational results that have been delivered under this type of partnership as great examples for others to emulate. So these new flexibilities have only made it a stronger-working and effective partnership, from our perspective.

Ms. BORDALLO. Well, that is good to know. Thank you, Mr. Chairman, and I yield back the rest of my time.

Dr. FLEMING. The gentlelady yields back. Next is Mr. Flores for 5 minutes.

Mr. FLORES. Thank you, Mr. Chairman. I thank the panel for being here with us today. This is for Stephen Guertin. Thank you for joining us. As you know, several Members of Congress, including myself, are deeply concerned about the Department of the Interior's 2011 court settlement with a number of groups that are forcing hundreds of Endangered Species Act decisions upon the entire Nation, affecting the economic livelihoods of millions of hard-working American families.

According to the Fish and Wildlife Service's own Web site, during this year alone this settlement sets deadlines for the Fish and Wildlife Service to decide whether to list and designate critical habitat for more than 125 new species of mammals, snakes, gophers, frogs, moths, bats, mice, beetles, plants, and other species in almost every State. I and other colleagues will soon introduce legislation similar to that recently put forth in the Senate, that would require the Federal Government to be more transparent on ESA decisions and to allow input from States and other affected parties on these heretofore closed—or settlements.

My question is this. In the context of this discussion that involves activities for our armed services and our military installations, how many of these court settlement set deadlines involve lands managed by the Department of Defense, if you know? Do you have a feel for that?

Mr. GUERTIN. In general terms, I believe it is less than a dozen, Congressman. But I can confirm that for the record for you.

Mr. FLORES. OK, yes. That would be great, if you can.

And for instance, I understand that Fort Hood in my home State of Texas, which is in the district neighboring my own, is awaiting approval from the Fish and Wildlife Service on a biological assessment to ensure that it can finalize its plan so that military operations won't unduly impact species. But if you can follow up, that would be great.

My follow-up question is this. Will any of these new listings or critical habitat designations rising from the 2011 settlement impact military lands or require military commanders to revise current approved management plans? I mean I know you said there are about a dozen installations.

Mr. GUERTIN. Yes, Congressman. Under the policy framework we have developed with DOD on these INRMPs, they, in effect, take a lot of the regulatory burden off of military commanders, once we have entered into these agreements. And in many cases we actually count them toward meeting the requirements of ESA for critical habitat or other designations. So, in effect, the military is given credit for these conservation agreements that are intended to remove a lot of the regulatory burden from post commanders to allow them to continue to move forward with military operations.

Mr. FLORES. OK. That is good to hear.

Mr. GUERTIN. We are trying to work with them to give them the coverage they need.

Mr. FLORES. OK. Has the Interior Department and/or the Defense Department estimated the cost and the time impacts on the

military facilities? And that could be for you, Mr. Conger, as well, too.

Mr. CONGER. Well, let me address the overall theme briefly. And I think the answer is don't have a cost estimate. But I want to give you a little bit more layer of detail.

In anticipation of these listings coming forward, I have gathered up the environmental leadership of the Department and asked that they all review their bases to find out which of these species, if listed, would impact operations. The answer that came back was a relatively small number would have a significant impact.

I have asked now the military departments to update their INRMPs in advance proactively at those installations to assume that they will be listed, in order to ensure that the least amount of disruption is made to our bases, so that if they are listed, that the Fish and Wildlife Service will be able to turn to us with an approved INRMP already covering those species, so that there isn't really any sort of a hiccup or disruption. We want this to be done—if you react to something in the short term, you are less likely to get a really good result than if you are able to plan it out a couple years, and that is what we are doing.

Mr. FLORES. OK. Well, I am certainly glad to hear you are being proactive. That is a change from what I have seen in Washington in some cases. That is good.

Do you see any—I mean do you foresee any—and you may have to follow up in writing later on—do you see any impact on our defense readiness or national security from those?

Mr. CONGER. I don't think so, in large part because the INRMPs have been such a useful tool. I think that the impact will, frankly, be that we are going to need to update some of our INRMPs, adapt to what we need to deal with for these species, and we should be able to move forward. I can get you, for the record, what actual impacts would be for defense readiness. But I think we—by being proactive, we are going to avoid that.

Mr. FLORES. OK, thank you. And I yield back the balance of my time.

Dr. FLEMING. The gentleman yields back. Next is Mr. Thompson from Pennsylvania.

Mr. THOMPSON. Chairman, thank you. I apologize for my tardiness, and I apologize to the panel, but I have had your testimony in advance, so I have done my homework. And I want to thank you for being here and being a part of this hearing. I want to start out—and I do apologize if some of this, my questions, may re-plow ground that has already been addressed. I am not sure it has or has not.

Deputy Director, you mentioned in your testimony opportunities the technical expertise of Service employs helps to create. Now, I am a strong supporter of making sure we have enough what I call boots on the ground, which is, you know when it comes to technical assistance in conservation. Do you believe that we have the adequate technical support at this time?

Mr. GUERTIN. Within the Fish and Wildlife Service, Congressman?

Mr. THOMPSON. Yes, sir.

Mr. GUERTIN. Yes. We have prioritized a number of our people at field stations throughout the country to continue to work in partnership with DOD on the INRMPs program. And we have adequate personnel right now to do that, sir.

Mr. THOMPSON. Excellent, excellent. What impacts, if any, has—and again, I apologize if this has been asked already, because I am not sure—what impacts, if any, has sequestration had on Fish and Wildlife’s ability to administer the Sikes Act?

Mr. GUERTIN. At this point we don’t believe there will be hardly any impacts to our ability to implement the Sikes Act, Congressman. This is normally a additional duty assigned at our field station level. If there are any impacts associated with the sequester, they are going to be probably more long-term in nature. And we are currently working to evaluate what the real world impacts are going to be, if there are going to be any.

Mr. THOMPSON. OK, thank you. Mr. Conger, in your opinion, what are the—and you just were talking about the bases and those types of impacts. In your opinion, what are the greatest challenges the Department of Defense faces with regards to the Sikes Act and managing resources and species?

Mr. CONGER. It is a fair question. But I think, in all honesty, we are doing a pretty fair job, as it stands. And nothing strikes me as an earth-shattering problem that we need to address. There are obviously things that need to be done over time to—and this Committee and the Armed Services Committee have both been very good about updating and modernizing the Sikes Act over time. But I think we have a pretty good product, as we stand.

Mr. THOMPSON. I want to revisit some of the issues with hunting on some of the bases. And, in particular, it seems like because of a lot of the incidents, the tragic incident at Fort Hood, and even since 9/11 there has been kind of a restricting on a lot of bases. Commanders have made some tough decisions, I understand.

At a few bases we have hunting programs for disabled individuals. That is kind of near and dear to my heart. I worked rehabilitation services, and part of what we did, actually, was making sure that people were able to continue with those quality life interests that they have. So I work a lot with individuals that were experiencing disability in the outdoor sports.

Are those participants required to complete a hunter education program before engaging, do you know?

Mr. CONGER. I will take the question formally for the record, but my answer will be I think so, because I think they are required by most States. And that would apply to a hunting license—

Mr. THOMPSON. To have that hunting license, yes.

Mr. CONGER. Yes.

Mr. THOMPSON. Which is usually a requirement. Due to the efforts of Marines like Colonel Louis Deal, Marine Corps Base Quantico in Virginia, has been at the forefront in offering hunting and fishing opportunities for disabled Americans. It is my understanding that the base has hydraulic lifts, accessible hunting stands, wheelchair-accessible duck blinds. Did the Department of Defense pay for that equipment?

Mr. CONGER. I will take that for the record, but I think you are going to have a better witness to answer that question here shortly.

Mr. THOMPSON. OK.

Mr. CONGER. So, actually, let me defer to him.

Mr. THOMPSON. All right, we will do that, come back. And my understanding is, quite frankly, the vast majority of equipment now utilized by individuals who happen to be disabled who are sportsmen and hunt at military bases, that equipment was paid for actually by organizations like Ducks Unlimited, Paralyzed Veterans of America, Safari Club International, a lot of groups like that.

Once again, I want to thank both of you for being here and being a part of this panel. And, Mr. Chairman, I yield back what little time I have.

Dr. FLEMING. The gentleman yields back. We have just been joined by Mr. Garcia of Florida. Are you—would you like to ask—

Mr. GARCIA. Apparently I do have one question.

Dr. FLEMING. I am sorry. What was your response?

Mr. GARCIA. I have one question.

Dr. FLEMING. You have a question? OK.

Mr. GARCIA. Can you describe—Mr. Conger, can you describe how the conservation agreements under the Sikes Act for land surrounding military installations can factor into the base realignment and closure process? All other things equal, a well-buffered base is more useful in the long term than bases subject to encroachment.

Mr. CONGER. That is a great question. Thank you for asking it. The Department does not have a BRAC request pending before Congress right now. I just need to make that absolutely clear. But in the abstract, let me answer the question.

Military value is the preeminent criteria by which we evaluate military installations in BRAC. Anything you can do to increase the military value of an installation is going to have an impact. So, if you have a well-buffered installation, it is going to have an inherent benefit in military value when we do that evaluation. There are lots of things that can have an impact on military value. So, it is—all other things being equal, sure. But frankly, there are so many variables that this certainly is not the only one that we would consider, by any stretch of the imagination.

Mr. GARCIA. Thank you, that is all.

Dr. FLEMING. OK. The gentleman yields back. If the panel would like, I will open up the panel for questions, instead of going through a full process, because I doubt that we would fill the queue with 5-minute questions. So I will just—I will start off. I have one more question, and then I will just open up to the panel anybody else who may have a question.

The goal of H.R. 1080 is to allow DOD to conduct off-installation natural resource projects, and we have alluded to this credit issue already today. Would the Service grant such credit under this arrangement? And what is the nature of this credit that we have been discussing?

Mr. GUERTIN. Thank you, Mr. Chairman. Again, this is not something officially commented by the Department. But in general, we think this is the direction we would like to move with this kind of opportunity. And what we are talking about is credit for conservation measures that are put on the ground.

Whether we would extend the weight or geography of the INRMP in and of itself might be one tool to do that to, as these partner

conservation agreements are put in place, attach them to the larger conservation measures that are called for in the INRMP, and then down the future, if there was a listing that we were looking at, would we then consider that as part of the overall footprint of land that is already protected under critical habitat or the INRMP plan, or something like that? That is probably the direction we would head with that kind of opportunity, Mr. Chairman, and, in effect, use the INRMP as the base document and source to then add some of this additional acreage if it is enrolled in some type of off-base protection measures.

Dr. FLEMING. OK. All right, thank you. Other Members have questions? Mr. Flores?

Mr. FLORES. Mr. Chairman, I have a follow-up, if that is OK. This question can be for either of you. How many military installations have been exempted from critical habitat designations since the time of the 2003 amendments?

Mr. CONGER. You know, I have that figure in my notes. But, as you can see, I have a big, thick book, and I am not going to be able to find it in time to answer your question.

Mr. FLORES. That is OK. It is 71.

Mr. CONGER. It is 71—

Mr. FLORES. And it wasn't—I am sorry. I didn't mean—it wasn't a trick question.

Mr. CONGER. Yes, I know.

Mr. FLORES. Most of the time we always know the answer before you answer. But this leads me up to where I am trying to go, though. You all have provided this chart that shows your levels of concern. You have 8 military installations that are in the red level of concern, and you have 29 in the orange level of concern.

And just for those that are listening from the outside world as to what that means, if a area is listed red, in this critical listing, critical habitat designation, it means that some mission areas are not mission-capable. It means that the training area or range is unable to support required training tasks for a given mission area to prescribe doctrinal standards and conditions. Orange also is defined as it would make at least some mission areas only partially mission-capable.

And so, my question is this. If we have 8 military installations in the red area of concern and we have 29 in the orange area of concern, are there any changes we can make to the Sikes Act to help you mitigate that potential impact on our military operations in those 37 areas?

Mr. CONGER. So I think that the chart you are looking at has the candidate species draw that we did? Yes.

Mr. FLORES. Right.

Mr. CONGER. So that was the initial look that I had tasked the services to do, and those were the results that we had come up with. Our solution was to actually use the Sikes Act proactively and preemptively on those installations in order to avoid having an impact.

Mr. FLORES. OK.

Mr. CONGER. So it is not a change to the Sikes Act; it is the Sikes Act, in and of itself, that provides the benefit.

Mr. FLORES. That provided the help for you to be able to do this.

Mr. CONGER. Yes. So in other words—

Mr. FLORES. That provided the mitigation.

Mr. CONGER. In other words, while there are eight bases where, if critical habitat listing was to be imposed, it would have an impact on operations, by using the INRMPs we are not going to need to have that. And so that impact will be mitigated.

Moreover, if I could make one last point, there was a comment made earlier about avoiding critical habitat listing. I would like to characterize it in such a way that it is just a different way to deal with the endangered species. Critical habitat or an INRMP are both routes to get to the same goal, which is to make sure that the endangered species is protected. The INRMPs simply give us more flexibility so we are able to protect the mission while we are protecting the species.

Mr. FLORES. OK. Thank you very much. I yield back.

Dr. FLEMING. The gentleman yields back. Any other questions for the first panel?

[No response.]

Dr. FLEMING. OK. If not, I would like to thank the panel today for your valuable testimony and your answers. Members of the Subcommittee may have additional questions for the witnesses, and we ask you to respond to these in writing. The hearing record will be open for 10 days to receive these responses.

We are now ready for panel two, which includes Mr. Jimmy Anthony, Assistant Secretary for the Office of Wildlife, Louisiana Department of Wildlife and Fisheries; General Joseph Bob Barnes, Retired, who now serves as a Senior Policy Advisor for the Nature Conservancy; and Mr. Tim Stamps, the head of the natural resources section of Marine Corps Base Quantico.

Well, thank you, panel, for coming today. And welcome to the very, very warm, moderate weather of spring time in Washington, D.C., and the blooming trees that apparently don't know it is time to bloom yet. So thank you.

As I am sure you have heard earlier, your testimony will appear in full in the hearing record. So I ask that you keep your oral statements to 5 minutes, as outlined in our invitation letter to you, and under Committee Rule 4(a).

Our microphones are not automatic, so you will need to press the little button when you get ready to speak. You have a 5-minute clock. You are under green for the first 4 minutes, then yellow for the last minute. When it turns red, I want you to go ahead and wrap up your presentation.

Mr. Anthony, welcome back to the Subcommittee. And I am pleased to recognize you for 5 minutes to present your testimony on behalf of the Association of Fish and Wildlife Agencies.

**STATEMENT OF JIMMY ANTHONY, ASSISTANT SECRETARY
FOR THE OFFICE OF WILDLIFE, LOUISIANA DEPARTMENT
OF WILDLIFE AND FISHERIES**

Mr. ANTHONY. Thank you, Mr. Chairman. It is always nice to see you. Thank you, Subcommittee members, for having me. I am Jimmy Anthony, Assistant Secretary of Louisiana Department of Wildlife and Fisheries. I am representing the Association of Fish

and Wildlife Agencies today. That Agency represents all State fish and wildlife agencies across the Nation.

I am here to express strong support for the Sikes Act. Subchapter 1 of the Sikes Act articulates the close relationship between State fish and wildlife agencies, conservation on DOD facilities, and maintaining the readiness of our military forces. It is a powerful relationship that confers both emphasis on conservation and latitude for the training and preparation mission of the DOD.

Subchapter 1 mandates that fish and wildlife resources be managed for the benefit of the public, the natural resources on the installation, and in cooperation with those responsible for management of our Nation's fish and wildlife resources. This is achieved primarily through the development and implementation of the INRMPs.

The two principal tenants of the INRMPs require that they be prepared in cooperation with the Secretary of the Interior through the Fish and Wildlife Service, and the head of each appropriate State agency where that military installation is located. And the resulting INRMP shall reflect the mutual agreement of the parties concerning conservation, protection, and management of fish and wildlife resources.

The Association appreciates our relationship with DOD and U.S. Fish and Wildlife Service and our collective work through Subchapter 1 of the Sikes Act. However, there are a few areas we believe would greatly benefit DOD's training readiness while improving the condition of some State trust species.

First, the vast majority of our conservation success stories under Subchapter 1 are derived from the required concurrence of the State fish and wildlife agency along with U.S. Fish and Wildlife Service and DOD for full implementation of the INRMPs.

Where we miss wildlife conservation opportunities and fall short of reaching our collective potential is in activities under Subchapter 2 of the Act. Subchapter 2 defines the relationship as consultation between State fish and wildlife agency and the Departments of the Interior and Agriculture instead of continuing the tri-party concurrence for decisionmaking found in Subchapter 1. This difference reduces State fish and wildlife agencies' ability to manage species on neighboring public lands and weakens the relationship between DOD and other Federal land managers and the State fish and wildlife agencies.

In a recent survey of directors of fish and wildlife agencies across the Nation, Federal land policies and management were identified as one of the highest levels of concern because of insufficient management coordination. This is particularly problematic because public lands decisionmaking is sometimes left to local managers who may implement implementations that encroach on State authorities. These interpretations drive Federal agency decisions that can be contrary to sound, scientific principles.

Consequently, without the strong statutory tri-party relationship in Subchapter 2, habitats are being deferred from other public lands to DOD lands. Insufficient or uncoordinated wildlife conservation actions on the part of neighboring public managers can result in deferral of those responsibilities to DOD.

One example is evident in Louisiana, with the Louisiana pine snake. It is a candidate species with a listing decision scheduled for next year. The primary habitat for this snake exists on a military installation. Unfortunately, managers of the surrounding public lands are, in my agency's opinion, not doing enough to actively manage habitat. Consequently, if the species is listed, and critical habitat designated, the conservation responsibilities and burden will be transferred from these Federal public land managers to DOD and the private sector, an undesired consequence. It is our firm belief that the power of Subchapter 1 should be extended to Subchapter 2. State wildlife agencies should be in a position to concur.

Third is the Association supports H.R. 1080, which would allow DOD to enter into agreements for conservation with—and planning actions. Fortunately, in Louisiana we have a close working relationship with the DOD and National Guard installations. Other States are not so fortunate. This would result in them being able to better coordinate their activities with other States.

In summary, the Association strongly supports the Sikes Act, H.R. 910, and H.R. 1080. Thank you very much.

[The prepared statement of Mr. Anthony follows:]

PREPARED STATEMENT OF JIMMY ANTHONY, ASSISTANT SECRETARY, LOUISIANA DEPARTMENT OF WILDLIFE AND FISHERIES, REPRESENTING THE ASSOCIATION OF FISH AND WILDLIFE AGENCIES

Thank you, Mr. Chairman and members of the Subcommittee, for the opportunity to testify before you today I am Jimmy Anthony, Assistant Secretary for the Louisiana Department of Wildlife and Fisheries, representing the Association of Fish and Wildlife Agencies. We commend the Subcommittee and the Natural Resources Committee for your leadership in providing a timely reauthorization of the Sikes Act. I am here today to share with you the strong support of the Association for the Sikes Act Reauthorization Act of 2013 (H.R. 910) as it applies to military installations. The Association applauds the significant progress for fish and wildlife conservation that has been made through the cooperation of the Department of Defense (DOD) installations, U.S. Fish and Wildlife Service (USFWS) and State fish and wildlife agencies. While improvements can and should be made, and we will suggest some areas for attention, I believe we can all be proud of the conservation benefits achieved from this often unheralded success story of public lands management on approximately 29 million acres. Our successes have certainly substantiated that achievement of the military mission and sound stewardship of the land and its fish and wildlife resources are not mutually exclusive, they are indeed mutually necessary and beneficial.

The Association of Fish and Wildlife Agencies was founded in 1902 as a quasi-governmental organization of public agencies charged with the protection and management of North America's fish and wildlife resources. The Association's governmental members include the fish and wildlife agencies of the States, provinces, and federal governments of the U.S., Canada, and Mexico. All 50 States are members. The Association has been a key organization in promoting sound resource management and strengthening Federal, State, and private cooperation in protecting and managing fish and wildlife and their habitats in the public interest.

State fish and wildlife agencies and the Department of Defense are closely allied in our purposes under Resources Management Plans for DOD facilities that have assured both conservation of fish and wildlife resources and maintaining our Nation's readiness to defend our citizens and our interests around the world. The Association of Fish and Wildlife Agencies and the State and territorial wildlife agencies that constitute our membership stand squarely behind reauthorization of the Sikes Act. We understand and support the need for military readiness, but only by working hand-in-hand can we simultaneously maintain and increase our Nation's military readiness and conservation our Nation's fish, wildlife, and their habitats.

The Sikes Act, which provides for management of fish, wildlife and recreational resources on military installations, remains of great importance to state fish and wildlife agencies. States, as you know, have primary management responsibility and

authority for fish and wildlife resources found within State borders, including on most public lands. Consequently, it is crucial that we work closely with our Federal agency partners and land managers to coordinate our collective management and conservation actions to benefit the many species that States manage in the public's interest and to provide much needed flexibility for military installations to meet their readiness targets and missions.

Although the opportunity for management of fish and wildlife resources on military installations has always existed, Title 1 of the Sikes Act Improvement Act speaks specifically to the close relationship between State fish and wildlife agencies, conservation on DOD facilities, and maintaining the readiness of our military forces. It is a powerful relationship that confers both emphasis on conservation and latitude for the training and preparedness mission of the Department of Defense. Title 1 mandates that fish and wildlife resources be managed for the benefit of the public, the natural resources of the installation, and in cooperation with those responsible for management of the our Nation's fish and wildlife resources. The principal means of doing this is through the development and implementation of the Integrated Natural Resource Management Plans (INRMPs) through the cooperation of the DOD installation, USFWS and respective State fish and wildlife agency.

With respect to the fish and wildlife conservation provisions of INRMPs, the Act compels mutual agreement of the 3 statutory partners. The Sikes Act was intended to assure continued and active participation and cooperation with State fish and wildlife agencies for all phases of fish and wildlife management on military installations, from planning and design to implementation and monitoring of the plans. This strong relationship and decision construct is fundamental to achieving meaningful cooperative conservation on the ground that facilitates military readiness on the installation, and it is the backbone of our collective successes. Installations that seek cooperation among the 3 statutory partners at the earliest stages of INRMP conception and design, as Congress originally intended, tend to be the most successful in proactively addressing fish and wildlife resource concerns while advancing the military mission.

The many exemplary installations on which INRMPs embody the Congressional intent are most often the result of early and excellent cooperation between the 3 statutory parties, adequate funding to the respective agencies, and the availability of professional staff in the 3 agencies with the time and dedication to devote to fulfilling the INRMP objectives. While all of the 3 statutory partners will acknowledge that some problems and issues remain unresolved at some individual installations, I believe that all of the partners are committed to finding solutions to those problems. I can firmly assure you of the commitment of the State fish and wildlife agencies to cooperating with DOD and the USFWS to advance fish, wildlife and habitat conservation on military installations. Furthermore, this strong tripartite relationship drives some of our greatest fish and wildlife conservation successes that directly benefit our Nation's military installations and their readiness needs.

Allow me to compliment and thank DOD for reaching out to the Association to reaffirm and strengthen our relationship through the drafting of a new Memorandum of Understanding (MOU) between DOD, USFWS, and the State fish and wildlife agencies on INRMPs. The 3 parties are using the planned MOU reestablishment as an opportunity to address any important updates and changing needs among the parties. The MOU furthers the cooperative relationship among the parties in preparing, reviewing, revising, updating, and implementing INRMPs for military installations; coordinating revision timelines of INRMPs and State Wildlife Action Plans (SWAPs) to help foster better engagement of these plans; and to identify and/or implement shared goals or priorities among SWAPs and INRMPs in a given State. The latest iteration of the MOU is in the final review stages and is planned to be reestablished before the end of 2013. The Association looks forward to working closer with DOD at a national level to enhance local relationships and mutually beneficial wildlife conservation opportunities.

The Association appreciates our relationships with DOD and USFWS and our collective work through Title 1 of the Sikes Act. However, there are a few areas requiring attention that we believe would greatly benefit DOD's training readiness while improving the condition of State trust species.

It seems apparent to us that where mutual agreement on INRMPs has not been achieved, it is most often because the INRMP had been prepared essentially by the installation or its contractor, and then presented to the USFWS and State fish and wildlife agency for concurrence. The 2 principal statutory tenets of INRMPs require that they be prepared "in cooperation" with the Secretary of the Interior, acting through the Director of the USFWS, and with the head of each appropriate State fish and wildlife agency for the State in which the military installation is located. The law further provides that the resulting INRMP "shall reflect the mutual agree-

ment of the parties concerning conservation, protection and management of fish and wildlife resources". Obviously, cooperation of the statutory parties, begun at the earliest stages of conception and development of the INRMP, is the contemplation of the statute. Such cooperation should go far to reconcile potential differences, potentially reduce designating critical habitat on installations, and consensus building and problem solving throughout the process will most likely facilitate the "mutual agreement" required by the statute. The Association strongly encourages DOD to continue to remind the Armed Services of the need for and value of early consultation and cooperation by all 3 parties.

The vast majority of our conservation success stories that enhance military readiness fall under Title 1 of the Act and is derived from the required concurrence of the State fish and wildlife agency, USFWS, and DOD for fully implemented INRMPs. Where we miss wildlife conservation opportunities and fall short of reaching our collective potential is in activities under Title 2 of the Act. If you perceive that the preparedness of our military forces is in any way compromised by wildlife conservation on DOD lands, that is a reflection of the different relationship and level of conservation cooperation of other Federal land managers on neighboring lands (the Department of the Interior or the Department of Agriculture) as provided in Title 2. Instead of requiring concurrence between the 3 statutory parties, Title 2 defines the relationship as "consultation" between the State fish and wildlife agency and the Departments of the Interior or Agriculture as land managers instead of continuing the tripartite concurrence for decisionmaking found in Title 1. This different decision construct reduces State fish and wildlife agencies' ability to manage State trust species on neighboring public lands for the benefit of military readiness and installation needs, and weakens the conservation relationship between DOD, other Federal land managers, and the State fish and wildlife agency as required under Title 1.

In a recent survey of Directors of State fish and wildlife agencies, Federal land policies and management were identified as one of the highest levels of concern because of insufficient management coordination with State fish and wildlife agencies and varying interpretations of land management agency authority. This is particularly problematic because multiple-use public lands decisionmaking is sometimes left to local managers who may implement interpretations that encroach on State authorities to manage fish and wildlife in the public trust. These interpretations drive Federal agency decisions that can be contrary to sound, scientific principles of wildlife, fisheries, and habitat management that is critical for State management. Additional problems arise because many of these land management planning efforts are not sufficiently funded and worse, they fail to consider the impacts on State trust species that are vital to the public and the State fish and wildlife agency. Consequently, without the strong, statutory tripartite relationship in Title 2, responsibilities for conservation of candidate, threatened and endangered species and their habitats are being deferred from multiple-use lands to DOD lands. Insufficient or uncoordinated wildlife conservation actions on the part of neighboring multiple-use land managers can result in the deferral of those responsibilities to our Defense lands—an unanticipated and undesired consequence.

One example of this situation is evident in Louisiana with the Louisiana pine snake, a candidate species with a listing decision scheduled for April 2014. The primary habitat for this snake exists on a military installation. Unfortunately, managers of the surrounding multiple-use public land are, in my agency's opinion, not doing enough to actively manage their public lands and habitat to benefit this State trust species and to preclude the need to it under the Endangered Species Act (ESA). Consequently if the species is listed and critical habitat designated, the conservation responsibilities and burden will be transferred from these Federal public land managers to DOD and the private sector—an undesired consequence.

Sonoran pronghorn management in the deserts of southwestern Arizona is another excellent example of partnership for conservation through INRMP planning described by Title 1 of the Sikes Act. A critically endangered species, it was a key element of the plan for the Barry M. Goldwater Range managed by the U.S. Air Force and U.S. Marine Corps for aerial bombardment and gunnery training. By working through the concurrent, tripartite processes, the signed INRMP obviated the need to designate critical habitat under ESA on those critical training lands. The conservation partnership facilitated through the Sikes Act ensured that the needs of pronghorn on the range were met, and the population continued towards recovery. The plan and the partnership, in turn, facilitated efforts to establish a second population of pronghorn on the neighboring Kofa National Wildlife Refuge, reducing the burden on the range. Continued recovery of the Sonoran pronghorn is critical to the sustainability of the military range, but neither the Air Force nor the Marine Corps was able to fully partner in these conservation programs off of the

range. Restoring and preserving the ability to leverage conservation action on neighboring lands, while maintaining the unimpeded readiness of our military training facilities makes the proposed provisions of H.R. 1080 absolutely critical and supports reexamining the decisionmaking structure under Title 2.

But also consider the value of going a step further. Imagine the possibilities if Title 2 of the Sikes Act extended the leveraging power of conservation onto our multiple-use public lands managed by the Departments of the Interior and Agriculture. The establishment of cooperative plans, similar to INRMPs, that provide motivation to public land managers to actively and aggressively partner in wildlife conservation because it confers land-use latitude upon them as land managers would be a significant enhancement to the power of the Sikes Act model for conservation. This would directly augment DOD's wildlife conservation activities while increasing support for achieving installation missions. Consider how this aggressive conservation approach on our multiple-use lands could reduce further the burdens on neighboring Defense lands.

It is our firm belief that the power of Title 1 of the Act, which defines the relationship between the State fish and wildlife agencies, the USFWS, and the Department of Defense should be extended to Title 2 of the Act. State wildlife agencies should be in the position to concur with and approve multiple-use land management plans that affect State trust species, rather than serve as a "consulted party". Conserving sensitive wildlife and its habitat on our multiple-use public lands removes the burden from our Defense installations and may help obviate the need for critical habitat designations on DOD lands. Integrating State and Federal fish and wildlife agencies participation and cooperation on wildlife conservation planning and actions on DOI and USDA lands will strengthen public land management for fish and wildlife resources and can, in turn, maintain or increase military readiness by improving wildlife resource conditions on public lands surrounding those military installations. Therefore, we believe that continuing the statutory tripartite concurrence language from Title 1 in Title 2 will greatly benefit DOD by advancing wildlife management on public lands and thereby reduce the number of candidate, threatened, and endangered species and associated critical habitat designations that affect our Nation's military operations. We encourage the Subcommittee to adopt this change and look forward to working with you as you proceed with Sikes Act reauthorization.

Furthermore, the Association supports H.R. 1080, which would allow DOD to enter into agreements for conservation and planning actions. We believe this will open a critical dialogue among the State and Federal agencies and other organizations that will lead to better integrated and coordinated planning; improved management on surrounding, non-DOD lands, and directly benefits DOD's conservation needs by improving habitat on surrounding lands. It provides the opportunity for all of us to holistically evaluate the conservation picture and improve actions that benefit our Nation's fish, wildlife, and their habitats while supporting the needs and missions of our military forces.

As managers of State fish and wildlife resources, we also see a need for greater coordination on the development and implementation of management plans among military sites within the same landscape. These installations may have similar wildlife resource issues but may not be coordinating sufficiently for their actions to be mutually beneficial or additive. Additionally, as biodiversity inventories are completed, it would be helpful to the tripartite partners to share such inventories and any monitoring results. This data can help inform SWAP revisions, priorities, and foci, and collectively we are using these conservation plans to maximize our conservation efforts and optimize dollars spent. Reporting inventories and ongoing monitoring information could inform population trends, protection needs and species status as well as help guide off-site conservation actions necessary to maintain military installation missions and functions. Monitoring programs need to be put into place to insure that species are sustained and should be viewed as long-term efforts. To make monitoring more feasible, DOD might consider grouping areas with similar habitats and species composition into units or sections in such a way to control costs. Fortunately in Louisiana, we have a close working relationship between Louisiana Department of Wildlife and Fisheries and DOD where we actively share information to preserve military readiness while conserving the Red-cockaded woodpecker. While we realize the INRMP process should facilitate this type of information sharing, we believe DOD should remind installation of these duties and encourage data sharing with the States to achieve fully implemented INRMPs, especially in instances where coordination may be lacking.

To help the State fish and wildlife agencies coordinate and track INRMP activities, the Association requests a copy of all such reports submitted to Congress. By receiving this information, we believe the Association can help the States coordinate activities among each other as well as DOD and other Federal land managers; help

DOD integrate priorities identified in SWAPs, verify INRMP completions, needs and progress; enable cross-walking of inventories and any monitoring results with State-led activities to inform population and habitat status; and help identify where an increase in conservation actions may be needed to stabilize a declining population or possibly defer designation of critical habitat on military installations to maintain training regimes and readiness. We believe the Association can help provide this effective coordinating role on behalf of their State agency members to the benefit of DOD and the USFWS.

I will acknowledge that some of our State fish and wildlife agencies have not had the staff or budget to participate as fully in the development of INRMPs as the law contemplates. This leads me to another recommendation of the Association which is to encourage DOD to request, and Congress to appropriate, additional funds for Sikes Act INRMP development and implementation where such State participation challenges may occur. And, the Association would further suggest that some of these funds should be used by DOD to contract with the State fish and wildlife agency to develop the INRMP for the installation in cooperation with USFWS and the base. Mutual agreement would still be required, of course, and the State fish and wildlife agency would have to review the plan through its appropriate chain of command, but especially in circumstances where State fish and wildlife agency budgets are a limiting factor, this contracting by DOD to the State would greatly facilitate arriving at an INRMP that will engender mutual agreement.

We are aware of continuing concerns regarding the loss of civilian professional natural resource positions in favor of contracting or out-sourcing these functions. We strongly encourage DOD to re-examine the basis for doing this as opposed to retaining civilian staff in these capacities. We believe that the functions performed by DOD professional biologists on military installation are appropriate governmental functions. These are public lands, and the fish and wildlife resources found on them are held in trust by the State and Federal Government for the benefit of all citizens. While some "laborer" type skills in carrying out conservation programs can certainly be contracted out, we strongly support the retention of professionally trained civilian biologists in permanent career positions to oversee the fish and wildlife and natural resource conservation programs on installations. We see no difference between the need to retain these functions under permanent professional staff on a DOD installation and retaining these functions under similar type staff on a National Wildlife Refuge. To help meet the needs of our DOD partners, State fish and wildlife agencies are willing to assist DOD installations with this expertise, work and required assistance.

The Association strongly supports H.R. 1080 as an important step in the ongoing improvement of Title I of the Sikes Act. H.R. 1080 would expand and strengthen the tools available to the DOD in ensuring their ability to test, train and to sustain their installations while also meeting their natural resource management responsibilities; and facilitate stronger collaboration among DOD, other Federal agencies, State, local, and tribal governments, nongovernmental organizations, and private landowners. We believe enhancing such partnerships will provide direct benefits to DOD's natural resource conservation efforts and mission readiness.

Regarding the Disabled Sportsmen's Act of 1998, the law encourages the DOD to provide improved access for disabled individuals, when appropriate and within the military mission, especially as it relates to hunting, fishing, and other outdoor recreation activities. The Association supports implementation of the Disabled Sportsmen's Act and looks forward to working with DOD should there be opportunities where States can enhance benefits delivered to our disabled sportsmen and women across the country.

The Association will be conducting a survey of State fish and wildlife agencies to determine if current appropriations are sufficient for INRMP activities and functions, and the results will be provided to the Subcommittee to inform further deliberations.

Finally, it seems that there are varying degrees of cooperation among State-owned National Guard installations and State fish and wildlife agencies. While we work closely together and are well coordinated in Louisiana, other States may not enjoy the same relationship and may have difficulties reaching concurrence on INRMPs. To remedy this, we recommend DOD remind the Armed Forces and such installations of the benefits resulting from working with the State fish and wildlife agencies early and often during the INRMP process as well as continuing INRMP training and guidance for installation staff.

In summary, the Association strongly supports the Sikes Act Reauthorization Act of 2013 (H.R. 910) and H.R. 1080 and reiterates our commitment to working closely with both DOD and USFWS in successful development and implementation of meaningful INRMPs on installations. The readiness of our Nation's military forces

as well as the security of our Nation and its fish and wildlife resources are well-served by the application of the Sikes Act to military installations.

Thank you, Mr. Chairman, for the opportunity to share the Association's perspectives with you and members of the Subcommittee. We look forward to working with you on reauthorization, and I would be pleased to answer any questions.

Dr. FLEMING. Thank you, Mr. Anthony. I granted you an extra 30 seconds, being from Louisiana. I think we deserve an extra 30 seconds.

Mr. ANTHONY. Absolutely, thank you.

Dr. FLEMING. At the very least, because of our rate of speech, of course. And because we have more important things to say. But I am sure that is something only you and I will agree on. Well, thank you.

Next, Mr. Stamps. Five minutes, sir.

Excuse me. I skipped over General Barnes. Go ahead, General Barnes. Five minutes.

**STATEMENT OF GENERAL JOSEPH R. "BOB" BARNES, RET.,
SENIOR POLICY ADVISOR, GOVERNMENT RELATIONS, THE
NATURE CONSERVANCY**

General BARNES. Thank you, Mr. Chairman. I am not from Louisiana, but I love the State, and I don't know if that gets me extra time. And I apologize for my voice; I am fighting a little bit of laryngitis. I will try to get through this.

Chairman Fleming and members of the Subcommittee, I appreciate the opportunity to present the views of The Nature Conservancy on H.R. 910 and 1080. I am Bob Barnes, Brigadier General, United States Army, Retired, and I am a Senior Policy Advisor at The Nature Conservancy.

The Nature Conservancy is an international nonprofit conservation organization with a mission of conserving the lands and waters on which all life depends. We view the Department of Defense as one of the Conservancy's most important partners, and we have enjoyed an extensive and mutually beneficial working relationship with DOD for more than 30 years.

The Conservancy strongly supports H.R. 910 and commends the Subcommittee and the Natural Resources Committee as a whole for your leadership in ensuring the timely reauthorization of the provisions of Title I of the Sikes Act.

During my 32 years of active duty in the Army and my 10 years with the Conservancy, I have experienced personally how the Sikes Act and the close working partnership under that Act involving DOD, the Fish and Wildlife Service, and State fish and game and wildlife agencies have been vital tools in protecting both military readiness and our natural resources.

Let me just add that the Sikes Act is actually a preventative tool as much as it is a curative tool. It gets ahead of problems, rather than responding to problems, and that is one of its strengths.

The Conservancy also commends the Committee for its work in reviewing, amending, and updating the act as lessons are learned and requirements change. The actions of the Committee to implement what is, in effect, legislative adaptive management to meet changing conditions has been highly commendable. The Conservancy supports H.R. 1080 as an important additional step in that

ongoing evolutionary improvement of Title 1 of the Sikes Act, and we commend Representative Bordallo for her actions in submitting the bill.

Let me address Section 1 of H.R. 1080 in a little more detail. Recently the authorizing statute of the DOD's Readiness and Environmental Protection Initiative, or REPI, was amended to strengthen DOD's ability to avoid or reduce restrictions on military activities by funding activities off the installation to manage habitat and broaden the base in which the protection of a species is considered. Section 1 of H.R. 1080 would provide DOD similar authority with regard to the management of natural resources on State or local land or on private lands whose owners elect not to participate in the REPI program, but who do enter into a cooperative agreement with DOD under the Sikes Act, giving DOD the authority over the full range of land around their bases.

DOD's ability to assure long-term management funding on both REPI-protected lands and on other lands under Section 1 of H.R. 1080 will further enhance DOD's ability to obtain needed flexibility in conducting military activities. I believe this will be especially important in light of the potential lifting of candidate species, some of which, if listed, could make the Sikes Act and REPI even more important tools for DOD.

I would like to turn now to Section 2 of H.R. 1080. Under current law, DOD partners, under a REPI agreement, may use funds received from the program of other Federal agencies to help them meet their partner contribution requirements under the REPI agreement with DOD. Section 2 of H.R. 1080 would create the mirror image of that existing authority by allowing recipients of funds from DOD under a Sikes Act or REPI agreement to use those funds to assist in meeting matching funds or cost requirement of other Federal conservation programs where doing so would help military readiness. I believe this would greatly strengthen the ongoing collaboration between the Departments of Defense, Interior, and Agriculture, to work together when their respective agency missions overlap on particular lands.

Finally, I was invited to comment on any additional changes to the Sikes Act that might warrant the Committee's consideration. As I noted earlier, the Committee's act in continually revising and updating Title 1 of the Sikes Act has been highly commendable. However, that same evolutionary approach and partnership framework of Title 1 has not been extended to Title 2 of the Sikes Act, which addresses management of lands under the jurisdiction of the Department of the Interior and Department of Agriculture. The collaborative planning and management approach as contained in Title 1 could be instructive in any review and future revision by the Committee of Title 2 of the Sikes Act.

To conclude, The Nature Conservancy supports both H.R. 910 and H.R. 1080 as valuable additional steps in the successful evolution of Title 1 of the Sikes Act.

Thank you for the opportunity to present our views, and I would be glad to respond to any questions.

[The prepared statement of General Barnes follows:]

PREPARED STATEMENT OF GENERAL JOSEPH R. "BOB" BARNES, RET., SENIOR POLICY ADVISOR, GOVERNMENT RELATIONS, THE NATURE CONSERVANCY

Chairman Fleming and members of the Subcommittee, I appreciate this opportunity to present the views of The Nature Conservancy on H.R. 910 and H.R. 1080. I am Joseph R. "Bob" Barnes, Brigadier General, U.S. Army (retired) and I am the Senior Policy Advisor (Department of Defense) at The Nature Conservancy.

Introduction

The Nature Conservancy is an international, non-profit conservation organization working around the world to protect ecologically important lands and waters for nature and people. Our mission is to conserve the lands and waters on which all life depends. We are best known for our science-based, collaborative approach to developing creative solutions to conservation challenges. Our on-the-ground conservation work is carried out in all 50 States and more than 30 foreign countries and is supported by approximately 1 million individual members.

We view the Department of Defense (DOD) as one of The Conservancy's most important partners, and we have enjoyed an extensive and mutually beneficial working relationship with DOD for more than 30 years. The more than 25 million acres of lands and waters managed by the Department, as well as being essential to the DOD mission, represent some of the most ecologically important and well-managed areas within the Federal land inventory.

We commend the Subcommittee and the Natural Resource Committee as a whole for your leadership in ensuring the timely reauthorization of the provisions of Title I of the Sikes Act. Accordingly, The Conservancy strongly supports H.R. 910.

We also commend the Committee for continuously reviewing, amending and updating the Act as lessons are learned and requirements change. This process has helped to ensure that the Act will continue to create and support the most effective framework possible for the Sikes Act partners—the U.S. Fish and Wildlife Service, the State wildlife agencies, and the Department of Defense—in managing and protecting our natural resources while ensuring that the military can also meet its vital readiness and other mission requirements. The actions of the Committee to implement what is in effect continual legislative "adaptive management" to meet changing conditions has been highly commendable.

For example, in recent years, the Sikes Act has been amended to broaden the authority of DOD to enter into cooperative agreements with States, local governments, nongovernmental organizations, and individuals in order to address the maintenance and improvement of natural resources "outside the DOD fence line" where doing so would avoid or reduce restrictions on current or anticipated military missions. Most recently, the Sikes Act was amended to bring military installations consisting in whole or in part of lands owned by the States within that highly successful, tri-party framework for the management of natural resources on military installations.

Those recent amendments recognized the reality that military installations do not function in isolation, and that conditions outside the "DOD fence line" of military installations impact both the ecological health of and the mission capacities of such installations. Those amendments also addressed the reality that successful management of those installations cannot be done in isolation but rather must be accomplished as part of a much larger, collaborative effort involving private landowners, NGOs, State and local governments, tribal nations, and other Federal agencies.

Most importantly, those amendments not only addressed those realities, but assisted the Department of Defense in dealing with those realities by providing DOD some of the practical, workable tools and fiscal and other authorities necessary to work collaboratively with and pool resources with private, State, tribal, and other federal entities.

H.R. 1080

The Conservancy supports H.R. 1080 as an important additional step in that ongoing, evolutionary improvement of Title I of the Sikes Act. H.R. 1080 would:

(a) Expand and strengthen the tools available to the Department of Defense in ensuring their ability to realistically test and train and to sustain their installations while also meeting their natural resource management responsibilities; and

(b) Facilitate stronger and ongoing collaboration among DOD, other Federal agencies, State and local governments, nongovernmental organizations, and private landowners.

Section 1 of H.R. 1080

Section 1 of H.R. 1080 would amend section 103A(b) of the Sikes Act (section 670c-1(b) of title 16, United States Code) to authorize DOD, pursuant to a coopera-

tive agreement under section 103A(a)(2), to provide “lump sum” funding for the long-term maintenance and improvement of natural resource located on State and local government lands and on private lands to assist in avoiding or reducing restrictions on military activities. Where those lands contain habitat for species listed as threatened or endangered that are also found on the DOD installation, DOD’s ability to assure this long term management funding is critical to DOD’s ability to obtain additional flexibility in conducting military activities on its installations and to strengthen DOD’s ability to support measures designed to avoid the need to list additional candidate species.

In the FY 2012 National Defense Authorization Act, section 2684a of title 10, United States Code, the authorizing statute for DOD’s “Readiness and Environmental Protection Initiative” (REPI) program, was amended to provide DOD similar authority with regard to lands protected under the REPI program. Section 1 of H.R. 1080 would provide similar authority for State and local government lands and for private landowners who elect not to participate in the REPI program, but who are willing to enter a cooperative agreement with DOD under the Sikes Act.

Enhancing DOD’s authorities in this regard is especially important in light of the potential listing of over 250 candidate species, many of which, if listed, would create challenges for DOD. Enactment of section 1 of H.R. 1080 would assist DOD in meeting both its current challenges and in addressing any future challenges that may result from any listing of additional species in the future.

Section 2 of H.R. 1080

Section 2 of H.R. 1080 would amend section 2684a of title 10, United States Code, the authorizing statute for the DOD “Readiness and Environmental Protection Initiative”, or REPI, to allow recipient of funds from DOD under a Sikes Act or REPI agreement to use those funds in meeting matching funds or cost share requirements of conservation programs of the Department of the Interior or the Department of Agriculture with regard the lands within the scope of the Sikes Act or REPI agreement.

The REPI program authorizes DOD to enter into agreements with State and local governments and with conservation organizations like The Conservancy to work with willing landowners to protect lands “outside the fence line” in order to prevent or reduce restrictions on military activities that could result from incompatible development or loss of habitat on those lands.

Under section 2684a(d)(4)(E) of title 10, United States Code, DOD partners under a REPI agreement may use funds received from the programs of other Federal agencies to support conservation actions on land within the scope of a REPI agreement to meet their partner contribution requirements under that agreement.

Section 2 of H.R. 1080 would create the “mirror image” of that existing authority, and would strengthen the collaboration among the Department of Defense, the Department of the Interior, and the Department of Agriculture in meeting their respective agency missions on lands where those mission interests overlap.

The Sikes Act as a Potential Framework for the Management of Lands Under the Jurisdiction of the Department of the Interior and the Department of Agriculture

As noted above, the evolutionary, adaptive management approach to continually updating and revising Title I of the Sikes Act over time has been highly important to ensuring the successful management of the natural resources on military lands. The multi-party framework for planning and implementing natural resource management, and the addition of new authorities and tools to allow that management to be implemented across jurisdictional lines under formal agreements with multiple partners within and beyond the Federal Government has been key to that success.

However, that same evolutionary approach has not been applied to Title II of the Sikes Act, addressing management of lands under the jurisdiction of the Department of the Interior and the Department of Agriculture.

Protecting and restoring our natural resources will require action at landscape scales, and will require successful and innovative partnerships and collaboration between government and private landowners and organizations, between and among Federal, State, local, and tribal governments, and finally between and among Federal agencies.

The Conservancy strongly supports the many ongoing initiatives and programs designed to advance science-based, multi-party collaboration in protecting and restoring our natural resources. We also strongly support action by Congress to identify and put in place the additional tools and authorities needed to facilitate such collaboration, to reduce existing barriers to effective partnerships, and to gain the maximum ecological benefits possible for the resources expended.

The collaborative planning and management authorized and empowered for the Department of Defense by the provisions of Title I of the Sikes Act to implement management actions in cooperation with other State and Federal agencies and with private landowners across jurisdictional lines and to combine resources from multiple sources represents in many ways a model that could be instructive in any review and future revision of Title II of the Sikes Act with regard to the management of lands under the jurisdiction of the Department of the Interior and the Department of Agriculture.

Conclusion

The Nature Conservancy encourages the adoption of H.R. 910 and H.R. 1080 as additional steps in the successful evolution of Title I of the Sikes Act in providing the collaborative inter-agency and State-Federal management framework and the tools needed for the successful maintenance and improvement of natural resources both on military lands and on non-military lands as needed to ensure that the military can meet both its environmental stewardship responsibilities and its military mission.

The Conservancy encourages the Committee to continue its evolutionary, adaptive management approach to Title I of the Sikes Act. Finally, we encourage consideration of an equally evolutionary approach to Title II of the Sikes Act in the context of landscape scale conservation and ensuring in today's challenging fiscal environment that we gain the maximum ecological benefits from the resources we expend.

Thank you for the opportunity to present The Nature Conservancy's recommendations regarding H.R. 910 and H.R. 1080.

Dr. FLEMING. Well, General, first of all I want to congratulate you for how precisely you hit the clock there, within 2 seconds of the end. That is just like a good general.

General BARNES. Strategic planning, sir.

Dr. FLEMING. Yes, sir. Finally, Mr. Stamps, you are recognized for 5 minutes, sir.

STATEMENT OF TIM STAMPS, HEAD, NATURAL RESOURCES SECTION, MARINE CORPS BASE QUANTICO

Mr. STAMPS. Thank you, and I want to thank you and the other Members for the nice things you said about Quantico and the program there. I was invited to speak specifically about the Disabled Sportsmen's Act provisions of the Sikes Act.

Just a little background. I have been at Quantico for 30 years. I have worked for the Marine Corps for 31. But I have been on the ground as an on-the-ground wildlife program manager, volunteer program manager. So a lot of days I go home covered with grease, blood, or mud, but that is part of my job, as well as the administrative part. Anyway, it is a tremendous pleasure to be here to talk about my opportunities to be part of the team to improve access for our citizens.

As I mentioned in the written testimony, in 1995 a lieutenant colonel Marine on base came by my office and said, "Do you have any special provisions for paralyzed veterans?" My answer was, "No, but we should have." So we started a relationship to start correcting that problem. And I am really proud of the progress we have made, and it has been very gratifying for me. I have had many opportunities to take paralyzed individuals out for hunts, as well as wounded warriors who have other injuries. And it has been a great part of my career.

I just want to say we have hosted over 500,000 hunting trips during my career at Quantico. It is certainly a small percentage that involve the wounded warriors, but it has been a great part of the job. It has taken team work including a lot of volunteers, dona-

tions from individuals and private organizations. And that is where the Disabled Sportsmen's Act has been extremely beneficial. It has established the legal framework to allow installation commanders to accept donations and volunteer services from private organizations.

I know the question was brought up about our work with Ducks Unlimited, so I will go right to that project. In 2008 a colonel on base told me that the Pentagon Chapter of Ducks Unlimited would like to do a project with us. And I said that, well, we have solved some of our problems with handicapped access for deer hunting, but we haven't done that yet for waterfowl hunting. And I had planned to build ramp-accessible waterfowl hunting blinds.

So we started working with Ducks Unlimited. There was some immediate problem with legal work, trying to look for business agreements for Ducks Unlimited, a private organization to work on base. And we brought up the fact that the Sikes Act already has provisions for that, and immediately went to—Ducks Unlimited had a fundraiser, they raised \$14,000. They bought the building supplies, had them delivered to the base. I already had a conservation volunteer program that follows all the DOD guidelines, so we enrolled the Ducks Unlimited members in our volunteer program, and we went out and built the blinds.

So, the materials were acquired by a Ducks Unlimited fundraiser, and the labor was voluntary support. And we already own a lot of the tools and equipment at Quantico. And we had some second lieutenants available and other citizens available to come out and help with the project. In the Marine Corps there is always a source of help.

We also work with the Quantico Injured Military Sportsmen's Association. It is a group of Marines, mostly retired, that wanted to help the veterans coming back from Iraq and Afghanistan, and give them outdoor recreational opportunities. They were able to do a lot of private fundraising, they were able to donate goods and services to the base so that we can host wounded warrior events.

So I am very proud of what we have accomplished. We have always had command support, we have had range management support. I have never heard a negative word toward any of our work to build and provide wheelchair-accessible facilities.

So with that I will wrap it up. I think the Disabled Sportsmen's Act has been great. If there is ever a legal question, I say, "Read the Act," and we go forward with the project. Thank you.

[The prepared statement of Mr. Stamps follows:]

PREPARED STATEMENT OF TIM STAMPS, HEAD, NATURAL RESOURCES SECTION, NREA
BRANCH, MARINE CORPS BASE, QUANTICO, VIRGINIA

H.R. 910—SIKES ACT REAUTHORIZATION ACT—THURSDAY, MARCH 21, 2013

Mr. Chairman:

Thank you for the invitation to provide testimony concerning the implementation of the Disabled Sportsman Access Act of 1998. At Marine Corps Base Quantico (MCBQ), Virginia, I have witnessed a variety of projects intended to improve outdoor recreation accessibility for veterans and other citizens. The Sikes Act, Sec 670c, has been very important and beneficial with regard to providing better access for the persons described in paragraph (2). The most helpful part has been paragraph (c) that allows the Secretary of Defense to accept: (1) the "voluntary services of individuals and organizations; and (2) the donations of property, whether real or personal." Per your request, I will describe some of the projects I have witnessed.

1. *Hunting*

a. *Getting Started.* My first experience concerning hunting access for paralyzed veterans occurred about 1995. Lieutenant Colonel Lew Deal, an active duty Marine at MCBQ, stopped by my office and asked if we had special provisions to take paralyzed veterans hunting. We did not but I realized that it was something we should do.

The MCBQ Natural Resources and Environmental Affairs (NREA) Branch office already had a well established volunteer program. We knew two retired Marines who used wheelchairs and they helped discuss and test ideas for improving access. Lt.Col. Deal arranged for a local building supplier to donate lumber and hardware to the Base. The donation of supplies was reviewed by Base legal offices to ensure the Commander could accept the donation. Our volunteers constructed several ramp accessible hunting stands. The wooden platforms were designed with low railings and ADA approved ramp angles so that they were fully accessible by wheelchair. Making the access trails fully accessible was more challenging due to terrain features. That required some support from the facilities maintenance office for rock and heavy equipment work. The end product did provide suitable hunting stands that provided a somewhat elevated view of woodland areas with known deer trails. Wheelchair hunters were able to access the stands but we did find that some of the access trails were too steep or uneven and that some hunters would require an occasional push to navigate the trails by wheelchairs.

That was our first project. It was a first step and the hunting success from these stands was average for Quantico, which is only one deer per 10–12 hunting trips. Some of our patrons lost interest if they hunted a location several times without seeing game.

b. *Step 2-Elevation.* The next step was the purchase of a hydraulic lift stand that was wheelchair accessible. I used hunter fee collection funds to procure a Huntmaster lift that could elevate a wheelchair hunter above 15 feet. By placing this hunting stand overlooking planted fields in areas seldom hunted, we were able to increase the opportunity for these hunters to see game animals. We obtained permission to place the Huntmaster lift in areas normally off-limits to hunting due to the proximity of firing ranges or other sensitive areas. The ability to use more selective hunting locations improved hunting success. This micromanagement of military training areas was made possible by the cooperative relationship between natural resources managers, conservation law enforcement officers, various Commanders, Range Management personnel, and volunteers. It required a teamwork approach to provide successful hunting experiences.

c. *Dedicated Wheelchair Accessible Hunting Area.* A former closed landfill on Base and the adjacent woodland was off-limits to public hunting access. We made arrangements with landfill managers so that hunting from the elevated lift stand could be implemented within the landfill area. This area was designated on the Base hunting map for wheelchair hunting access only.

d. *Directives.* Paragraphs have been incorporated into the MCBQ Integrated Natural Resources Management Plan and hunting directives concerning needs to support hunting and fishing by wounded warriors, paralyzed veterans, and other citizens who need assistance for outdoor recreation.

e. *Support Equipment.* MCBQ now owns four hydraulic lift stands and two tracked wheelchairs as specialized devices to support accessible hunting. We try to make access to at least some of these facilities available every day of the hunting season. We provide volunteers who can help track and recover wounded game and who can provide assistance to park the disabled hunter's vehicle away from the hunting location and return at the end of the day to pick up the hunter.

2. *Shoreline Fishing Access.* Volunteers built a wooden platform along the Chopawamsic Creek trout fishing area for wheelchair access to the stream. The terrain and stream banks in the area made it difficult for an individual to cast a lure into the stream otherwise. Volunteers also built two accessible fishing/boating piers at Smith Lake, bordering the installation. The platforms all provided good access to cast a lure or bait into fishable waters. In the case of the stocked trout waters, patrons complained that the trout were never located near the platform. Lesson learned: patrons need to have success if they are to continue to use these facilities. Trout were stocked by the platform but even hatchery trout will disperse. There was a need to develop shoreline access for fishing in an area guaranteed to have fish.

3. *Work with Private Organizations*

a. MCBQ and the Marine Corps Air Facility (at Quantico) met with the Paralyzed Veterans Association (PVA) to work on a plan to improve fishing access in the Chopawamsic Creek channel near the Potomac River. This area had historically been the most productive shoreline fishing location on the installation due to the

migratory game fish moving in and out of the creek with the tides. This project would serve the need to give the wheelchair angler access to waters that would hold fish.

PVA provided some drawings and recommendations for improving access. They wanted a paralyzed veteran to be able to wheel down to the water's edge and fish alongside the able-bodied anglers. Suggestions were made to create platforms along the creek channel that were accessible along a paved or compacted gravel walkway. MCAF did implement a shoreline stabilization project to rip-rap the shoreline with large boulders. Incorporated into that project was a paved walkway and multiple fishing platforms along the channel. The bank in this area was about 8 feet above the water level. The project included handicapped parking and the fishing platforms were fully accessible by wheelchair. It was a significant attempt to provide a very special fishing area and was dedicated and named after a paralyzed Vietnam war veteran, Joe Foxx. The finished project was excellent but did not entirely meet the PVA objectives. The platforms were too high above the water line, the platforms were not made of a material comfortable to persons sitting in a wheelchair during hot weather, and the railings were too high. I had spoken out about some of the design problems during design review meetings but engineering methods and building codes over-ruled what the PVA wanted.

b. *Ducks Unlimited (DU)*. In 2008–2009, MCBQ worked with DU to construct wheelchair accessible waterfowl hunting blinds. At the outset of the project, MCBQ legal staff planned to prepare a Memorandum of Agreement for DU personnel to provide this service. I reminded the legal staff that the Sikes Act already allowed the Commander to accept the donation of property and voluntary services from organizations. Counsel soon realized they did not need to craft a custom agreement and a lot of time and effort was avoided. DU was allowed to donate building supplies to MCBQ and their members enrolled in the MCBQ Conservation Volunteer Program to work along with NREA staff members to construct the hunting blinds. DU personnel were covered for Tort Claims and workman's compensation per applicable volunteer regulations. Three ramp accessible hunting blinds were constructed.

c. *Quantico Injured Military Sportsman Association (QIMSA)*. QIMSA was formed by retired and active duty Marines and MCBQ employees who were concerned about providing rehabilitation and therapy for military personnel returning from the conflicts in Iraq and Afghanistan. This group obtained funds and donations to support hunting and fishing events for wounded military veterans. MCBQ accepts donations of material items and volunteer services from QIMSA to support about 6 hunting and fishing events per year for wounded warriors. QIMSA is able to provide for the costs of licenses, clothing, outdoor gear, food and lodging costs. Not all of these participating hunters require accessible facilities.

d. *Blue Star Mothers*. This group was trying to obtain a grant from a building supply company to make the primary camping/boating area at MCBQ, Lunga Reservoir, more accessible. I met with the group to help prepare a proposal to make wheelchair accessible paths that would better connect handicapped parking areas to boat launch and rental sites. The project did not receive funding that year. I feel certain in the future this project will be completed. I mention this project to document that we know additional work is needed to make additional recreation areas accessible by wheelchair.

Conclusions and Recommendations:

The authority in the Sikes Act to utilize donations of property and the voluntary services of organizations and individuals has been extremely helpful at MCBQ.

The Disabled Sportsman Act provision within the Sikes Act has provided strong argument for seeking funding to improve access to outdoor recreation areas.

Those provisions have made it relatively easy for MCBQ natural resources managers to work with private organizations to achieve some access improvements.

Teamwork is required at the installation level among the range managers, natural resources managers, volunteers, and private organizations to optimize hunting and fishing access opportunities.

Sound strategy in the initial placement of special use facilities is needed to ensure users will have some opportunities for success and will continue to utilize the facilities.

Much of the hunting/fishing infrastructure work to sustain accessible hunting/fishing areas requires the use of Quantico Sikes Act hunting and fishing license fee receipts. For example, maintaining hydraulic lift stands, planting wildlife fields, clearing trails, and setting up blinds all involves some maintenance expenses. Per Navy/Marine Corps guidelines, MCBQ deposits the funds into the U.S. Treasury. We have experienced some inconsistency receiving authorizations to spend the deposited funds and being able to carry unspent funds into the next fiscal year. In

the current budget climate, those Sikes Act funds become essential for carrying out the hunting and fishing programs.

I do not recommend any changes to the Disabled Sportsman Act provisions of the Sikes Act. We may need service level changes, particularly to ensure that the fees collected from fishing and hunting license sales are available for use at the installation until the funds are exhausted, as already stated in the Sikes Act.

Dr. FLEMING. Well, thank you, Mr. Stamps. And that is really fascinating, how this whole thing went from soup to nuts in a fairly short period of time, and how many of our veterans who are returning paralyzed and amputees and so forth have had the opportunity to enjoy our wildlife habitat and hunting and other natural resources. So that is really a very successful story, and we appreciate that.

At this point we will begin Member questioning of the witnesses. To allow all Members to participate, and to ensure we can hear from all the witnesses today, Members are limited to 5 minutes to their questions. However, if Members have additional questions, we may have more than one round, or an extra set of questions, again.

I now recognize myself for 5 minutes.

Mr. Anthony, thank you for your work for Louisiana. We appreciate what you are doing. And, as you probably know, I have some very important facilities in my own district, Barksdale Air Force Base, Fort Polk, Camp Minden. If you would, describe your relationship with the commanders of these installations and what role your Department plays in the implementation of their INRMPs.

Mr. ANTHONY. We have a very good relationship, Mr. Chairman. We work very closely with DOD staff. We have been involved in all the INRMPs and all the installations that you mentioned, some outside of your district, as a matter of fact. It really helps our mission, as managers of fish and wildlife, to be able to work with these bases. They take their job very seriously, and so do we. And I think it is a good relationship. I think without the Sikes Act it would not exist. I think this is the most important tool that we have in Louisiana to bring public managers to the table, Federal public managers to work with the States. We see this as a very, very positive endeavor.

And again, we want to make that available to other multi-use public agencies like the Kisatchie National Forest.

Dr. FLEMING. Yes. Well, yes. And I appreciate that. Because certainly Barksdale Air Force Base is a very large base and it has 225 acres that are under management and wildlife. Fort Polk is growing in acreage. We are actually acquiring acreage, so there is going to be even more responsibility there.

What role does the State of Louisiana have in the management of that acreage on Barksdale?

Mr. ANTHONY. We are involved with the INRMP, obviously. We don't normally go up there and participate in a lot of activities; they do a fine job on their own. They communicate with us regularly, though, and there is no need for us to go up there and get involved unless there is a problem. And they have a fine staff, and they are doing a good job.

Dr. FLEMING. Do you believe the role of States should be enhanced in the implementation of Integrated Natural Resources Management Plans?

Mr. ANTHONY. Absolutely. It brings us to the table and allows us access into the bases and to other public lands. Otherwise, we wouldn't know. And they do a good job of bringing us in at the very start.

Just recently, we had a call from DOD, said they wanted to update their plan. I don't know if the 10-year or the 5-year thing is driving this. I don't think so. I think it was established in 2008. But they called us and started the process of INRMP on Fort Polk. So we are at the beginning of all of it. We are not just a party that they consult and say, "Here it is."

Dr. FLEMING. Do you support doing this every 10 years, rather than 5? How is that—

Mr. ANTHONY. I would like to see the flexibility of a 10-year program. I don't want it written in stone. I think some of these plans probably can be updated a lot more frequently than that. But I think the flexibility to allow that in certain situations is appropriate.

Dr. FLEMING. All right. Thank you. Mr. Stamps, again you gave us a compelling discussion about the disabled veterans' access to Quantico. Who paid for this adaptive equipment?

Mr. STAMPS. The first project we built some wooden ramp accessible deer-hunting stands. It was a donation from a local lumber company. And again, we have our volunteer labor source, and some on-board tools. The first hydraulic lift I bought I used our Sikes Act's hunter fees. We have three additional lifts. One was bought with appropriated funds and two were donated through private funds via the Paralyzed Veterans Association. Then I mentioned the Ducks Unlimited blinds were predominantly private funds.

Dr. FLEMING. Right.

Mr. STAMPS. We do use annual funds for the maintenance and re-brushing of those blinds.

Dr. FLEMING. OK. Are there any downsides to providing access to hunting and fishing to the disabled veterans? Any problems with this program?

Mr. STAMPS. There are no problems. There is a lot of coordination. We work with our range management branch to try to—some days there is intense military training. We find nooks and crannies through the base where we can get folks in to hunt, in particular the wounded warriors bringing down, trying to up the odds a little bit that they can be successful in seeing game. So there is work, but it is all a positive return.

Dr. FLEMING. Great. My time is up. The Chairman now yields to the gentlelady from Guam.

Ms. BORDALLO. Thank you very much, Mr. Chairman. And the Chairman has talked about the importance of his State, so I guess I would be remiss if I didn't mention that I represent the U.S. Territory of Guam.

And, Mr. Stamp, we have the Marines. They are going to be relocating from Okinawa. We are looking forward to setting up a base in Guam. We have a very large Air Force Base, Andersen Air Force Base, and a naval base. And for the general—I understand you are an Army general—we have almost 2,000 Army National Guardsmen, Air Guard, and Reservists on Guam. And we have 600 of those Guardsmen that are, currently, as we speak, training in Mis-

issippi. And they will be transferred to Afghanistan. So I wanted to match your record, Mr. Chairman.

[Laughter.]

Ms. BORDALLO. Now, my first question is for General Barnes. In your opinion, does H.R. 1080 help the Department of Defense sustain military readiness while also being proactive in meeting environmental and conservation requirements? I think we did go over this with the first panel, but we like to get it on the record.

In your opinion, if DOD is provided tools to be a proactive and positive partner, what benefits are there with other Federal agencies, the State and the local agencies, and outside groups?

General BARNES. Thank you for the question. H.R. 1080 would strengthen the tools that DOD has to ensure that their responsibilities to sustain military readiness, their prime responsibility, can be met at the same time they are meeting their other responsibilities, including stewardship of their natural resources.

DOD only has so much land. And it needs what it has to train and to test realistically. And to the degree that they can work with others outside the installation, both private entities, groups like ours, State and local agencies, to address that responsibility on a larger landscape scale, the more flexibility DOD has to conduct its prime mission inside its fence line, which is testing realistically so our kids can come back safe when we have to send them off.

So, absolutely, H.R. 1080 would strengthen the Department of Defense's ability to do that. And, importantly, I think as Secretary Conger mentioned earlier, to get ahead of the problem where you see something coming down the line that you are going to have to react to. You can collaboratively work with these new authorities contained in H.R. 1080 in a way that the changed conditions for additional listings or whatever else can be managed without a detriment to the military readiness mission.

Ms. BORDALLO. Very good. Thank you. Mr. Anthony, would allowing the Department of Defense to help fund cost-share conservation projects in the vicinity of military installations as envisioned by H.R. 1080 help free up resources for States to fully participate in the Integrated Natural Resources Management Plan process?

Mr. ANTHONY. Yes, ma'am. I believe you are absolutely correct there. All State agencies are in budget situations, just like the Federal Government is. And we are looking at every possible funding avenue that we can. And if DOD was allowed to share some of that money and cost-share with us, I think you would see a big response from this Agency. Not that we don't respond now, but we have so many other responsibilities. Sometimes budget does get in the way of that.

Ms. BORDALLO. Thank you. And that is very good.

Again, General Barnes, can you discuss briefly the differences between conservation programs under the Sikes Act and the Readiness and Environmental Protection Initiative? Will H.R. 1080 help these programs work together, or better?

General BARNES. Yes, ma'am. The Readiness Environmental Protection Initiative was actually based on an experience I had when I was on active duty and was the Staff Judge Advocate of Forces Command, which kind of oversaw all the Army bases in the country. And we had a situation at Fort Bragg involving a particular

species that threatened to interfere with the training of the 82nd Airborne.

So, we were trying to figure that out, and the Nature Conservancy in North Carolina—that is actually why I work for them now—came up with the idea of working together under the Sikes Act to protect habitat so that the training of the 82nd could continue unabated. And that worked really well. But we kind of applied the Sikes Act outside the fence line. And it was thought that it would be better to have a specific statute to do that.

So, the Readiness Environmental Protection Initiative was enacted in 2002 or 2003, based on our experience at Fort Bragg. And that allows DOD to partner with groups like ours, with State and local governments, to work together to protect land outside the military installation. And also, under recent amendments, to manage habitat. That typically involves the acquisition of an easement from a willing landowner, a private landowner.

But you can't apply the REPI program to State or local government-owned lands or for land owners who choose not to participate. But you can apply the Sikes Act to those lands under amendments that this Committee wisely put in place several years ago. The difference is under the REPI statute you can fund the habitat management long-term. You can not do that under the Sikes Act. And the ability to fund it long-term is really central to getting regulatory relief or more flexibility from the Fish and Wildlife Service.

So, Section 1 of H.R. 1080 would really equate those two authorities in a way that lets DOD work in their entire perimeter and have the maximum flexibility. Section 2 brings more programs in together, where you have a Venn diagram of overlap with working lands under the Farm Bill, conservation lands under Interior programs, critical military lands under all their needs. And where those all overlap you get a nice Venn diagram. And Section 2 of H.R. 1080 would strengthen the partnership of all those agencies working together to address the protection and management of the land where their interests overlap.

Ms. BORDALLO. Well, thank you very much, General. And thank you, Mr. Chairman, for the minute and 43 seconds over that you gave me.

Dr. FLEMING. I thank the gentlelady. And now, Mr. Thompson for 5 minutes.

Mr. THOMPSON. Thank you, Chairman. Thank you, gentlemen, for being here. I greatly appreciate it. Mr. Stamp, I want to start with you. Thank you for your service of working with these—what you have been doing since 1982. And congratulations to you and the colonel that really developed these programs at Quantico. They really are a best practice, from what I can see, in terms of providing access.

Just real quickly, in your opinion, have these programs in any way—we are talking about those accessible sporting, hunting programs—have they in any way undermined the training, mission, or goals of the base?

Mr. STAMPS. We have always been able to do the work around the mission. Again, work with the range management branch, we have to definitely cultivate a working relationship there. Military training is number one.

Mr. THOMPSON. Yes.

Mr. STAMPS. But we learn how to work around it.

Mr. THOMPSON. Great. And to the best of your knowledge, with your interaction with the folks, have they increased any security concerns?

Mr. STAMPS. Yes, we had to start hunter background—we are open to the civilian public to hunt, and civilians do have to have a background check now before they can bring firearms on to the installation. But the installation is providing the background check.

Mr. THOMPSON. That process is being appropriately managed, it sounds like.

Mr. STAMPS. Yes.

Mr. THOMPSON. Very good. And why is it important to provide accessible hunting and fishing equipment and access to disabled veterans, in your opinion? What kind of enrichment or benefits do you see that provides to our wounded warriors and our disabled American heroes?

Mr. STAMPS. Well, it is always very gratifying when folks can get outdoors and learn that they can perform activities and enjoy the camaraderie of sitting in a duck blind with buddies, or going out on the deer hunt, coming back, and having a dinner, and seeing who saw what or who missed what.

Mr. THOMPSON. Yes.

Mr. STAMPS. So it is always gratifying.

Mr. THOMPSON. It is a great way to realize that life goes on, despite tragedy and injuries that they may have incurred in the service of the country.

And I saw a picture of the hydraulic blind that you all have. I would like to have one of those, tell you the truth. Though I am not sure my wife is going to let that happen.

General Barnes, thank you for your service and for being here. You talked about how important it is for there to be coordination among private land owners and organizations, the States, local government, Federal Government. I couldn't agree with you more. I appreciate that perspective. Can you elaborate more on how specifically H.R. 1080 will help with this collaborative process?

General BARNES. Yes, sir. And if I may, a point of, I guess, personal privilege, let me also extend my admiration to what they are doing at Quantico for disabled veterans. I think it is terrific.

All of these programs, REPI, Sikes Act, are based on pure voluntary cooperation under the authorities provided among the various parties involved: Department of Defense, Fish and Wildlife Service, the State agencies, private landowners, groups like ours. And H.R. 1080, by bringing in different programs more closely together, Department of Agriculture programs, Department of the Interior programs, Department of Defense programs, with the private land owners and groups like ours, just enhances that collaboration and makes it even more powerful, so everybody wins and you can really get things done with maximum effectiveness.

Section 1, again, benefits private land owners because, if they agree to do a cooperative agreement with the Department of Defense for the management or improvement of habitat, Section 1 would give DOD the ability to provide a reliable stream of funding for that future thing, so that the landowner knew that that money

would be there to do what they agreed to do under the cooperative agreement. So it is all willing, it is all beneficial to land owners. Nobody has to participate who doesn't want to. And many times the participation is what lets ranchers and farmers and foresters stay in business like they want to, because it provides a benefit to them, as well.

Mr. THOMPSON. Very good. And it looks like my time has expired. So, Mr. Chairman?

Dr. FLEMING. All right. The gentleman yields. Do we have any other questions from the panel? Yes, you are recognized.

Mr. THOMPSON. I appreciate the Chairman. Mr. Anthony, in your testimony you mentioned that, unfortunately—and I am quoting—“Unfortunately, managers of the surrounding multiple-use public lands are, in my agency's opinion, not doing enough to actively manage their public lands and habitat to benefit this State trust species, and to preclude the need to, under the Endangered Species Act.”

Why do you believe that is so? And what can we do about it to help encourage better land management activities?

Mr. ANTHONY. We believe that if the provisions in Subpart 1 were put into Subpart 2, that that would bring these public land managers to the table. It would allow DOD to basically form an allegiance with us and the National Forests and U.S. Fish and Wildlife Service that would be even a stronger—I guess you could call it a four-party agreement.

Right now we don't believe that they are doing enough. I am not saying they don't do anything. But the feeling of DOD that expressed to me from the Fort Polk mission itself is that they are afraid that they won't be doing enough. They have expressed—the land managers have expressed to me that they look forward to the critical habitat designation. That would impinge upon our military readiness. And I don't believe that would ever pass by the four-agency-party agreement.

So I believe if we do adopt both of these and you all do amend the provisions in Subpart 1 to Subpart 2, that this could be avoided.

Mr. THOMPSON. Thank you, sir. Thank you, Chairman.

Dr. FLEMING. The gentleman yields back. All questions have been asked. If there are any other additional questions that may come up of the witnesses, they can be submitted in writing, and we request that the record remain open for 10 days for such questions. And we would ask that you give us a written response.

I want to thank Members and staff for their contributions to this hearing. If there is no further business, without objection, the Subcommittee now stands adjourned.

[Whereupon, at 12:20 p.m., the Subcommittee was adjourned.]

