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WHY DOES THE U.S. FISH AND WILDLIFE SERVICE WANT TO EXPAND THE BOUNDARIES OF THE CHICKASAW AND LOWER HATCHIE NATIONAL WILDLIFE REFUGES IN TENNESSEE AND AT WHAT COST?

OVERSIGHT 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, June 20, 2013

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OVERSIGHT HEARING ON WHY DOES THE U.S. FISH AND WILDLIFE SERVICE WANT TO EXPAND THE BOUNDARIES OF THE CHICKASAW AND LOWER HATCHIE NATIONAL WILDLIFE REFUGES IN TENNESSEE AND AT WHAT COST?

Thursday, June 20, 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 9:30 a.m., in room 1324, Longworth House Office Building, Hon. John Fleming [Chairman of the Subcommittee] presiding.

Present: Representatives Fleming, Duncan, and Sablan.

Also present: Representative Fincher.

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

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

Dr. FLEMING. Today at the Subcommittee, we'll examine the Fish and Wildlife Service's proposal to dramatically increase the size of the Chickasaw and Lower Hatchie National Wildlife Refuges in the State of Tennessee. This hearing is in response to a request from the distinguished gentleman from Frog Jump, Tennessee whose congressional district contains the two wildlife refuges and the four counties that will be directly impacted by the Federal Government's proposed acquisition of 120,000 acres of private property.

There are currently seven national wildlife refuges in the State of Tennessee. Together they comprise 120,959 acres of land. Unlike many States, each of these refuges is open to the public, and thousands of Tennesseans enjoy the opportunity to hunt, fish, and observe wildlife.

However, just like the rest of the refuge system, these refuges have not been properly maintained. In fact, based on the Service's own records, there are 437 deferred operations and maintenance projects that will cost $98 million to fix. Forty-nine of these projects are listed in the highest priority category of "mission critical" projects.

Despite this existing backlog, the southeast region of the Fish and Wildlife Service has decided that it wants to buy 70,116 acres of agricultural lands; 27,060 acres of bottomland hardwood forest; 9,307 acres of wooded swamp in Dyer, Haywood, Lauderdale, and Tipton Counties.

While this acquisition process may take years to complete, we do know that the service wants to buy this land using its fee title authority. These acquisitions will cost taxpayers tens of millions of dollars. Locally affected counties will not be justly compensated for the loss of their tax base. The number of backlog projects will increase, and when the process is completed, there will be a huge publicly owned land unit made up of three wildlife refuges, two State wildlife management areas, a State park, and a State forest.

What we also know is that regardless of our national debt, the Obama Administration will not stop its insatiable obsession to acquire more and more private property coupled with a lack of a comprehensive strategy to maintain those lands into the future. I reject the argument that only the Federal Government can ensure that these lands in Tennessee or anywhere else in the United States will be protected in the future.

During the course of this hearing, I want to find out whether the local communities have embraced this refuge expansion, what it will cost the taxpayers to buy 120,078 acres of private property, how long the acquisition process will take, why fee title and not conservation easements are being used, and how this will affect the economies of the four effected counties in Tennessee.

I am now pleased to recognize the Ranking Minority Member, 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, Today the Subcommittee will examine the Fish and Wildlife Service's proposal to dramatically increase the size of the Chickasaw and Lower Hatchie National Wildlife Refuges in the State of Tennessee.

This hearing is in response to a request from the distinguished gentleman from Frog Jump, Tennessee, whose Congressional District contains the two wildlife refuges and the four counties that will be directly impacted by the Federal Government's proposed acquisition of 120,000 acres of private property.

There are currently seven national wildlife refuges in the State of Tennessee. Together, they comprise 120,959 acres of land. Unlike many States, each of these refuges is open to the public and thousands of Tennesseans enjoy the opportunity to hunt, fish and observe wildlife.

However, just like the rest of the refuge system, these refuges have not been properly maintained. In fact, based on the Service's own records, there are 437 deferred operations and maintenance projects that will cost $98 million to fix. Forty-nine of these projects are listed in the highest priority category of "mission critical" projects.

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While this acquisition process may take years to complete, we do know that the Service wants to buy this land using its fee title authority. These acquisitions will cost taxpayers tens of millions of dollars. Locally affected counties will not be justly compensated for the loss of their tax base, the number of backlog projects will increase, and when the process is completed, there will be a huge publicly owned land unit made up of three wildlife refuges, two State wildlife management areas, a State park and a State forest.

What we also know is that regardless of our national debt, the Obama Administration will not stop its insatiable obsession to acquire more and more private property, coupled with a lack of a comprehensive strategy to maintain those lands in the future. I reject the argument that only the Federal Government can ensure that these lands in Tennessee or anywhere else in the United States will be protected in the future.

During the course of this hearing, I want to find out whether the local communities have embraced this refuge expansion, what it will cost the taxpayers to buy

120,078 acres of private property, how long the acquisition process will take, why fee title and not conservation easements are being used, and how this will affect the economies of the four affected counties in Tennessee.

I am now pleased to recognize the Ranking Minority Member, Congressman Sablan, for any statement he would like to make.

Mr. SABLAN. Thank you very much, Mr. Chairman. And good morning, everyone.

Mr. Chairman, before I begin, I'd like to ask for unanimous consent to enter into the record testimony from the Mississippi River Corridor Tennessee 501(c)3 nonprofit organization and a summary of the Lauderdale County environmental and economic plan, please.

Dr. FLEMING. Hearing no objection, so ordered.

Mr. SABLAN. And thank you, Mr. Chairman.

[The information follows:]

LETTER SUBMITTED FOR THE RECORD FROM DIANA THREADGILL, PRESIDENT AND EXECUTIVE DIRECTOR

MISSISSIPPI RIVER CORRIDOR,
MEMPHIS, TN 38112,
JUNE 17, 2013.

The Honorable JOHN FLEMING, *Chairman,*
The Honorable GREGORIO KILILI CAMACHO SABLAN, *Ranking Member,*
U.S. House of Representatives,
Subcommittee on Fisheries, Wildlife, Oceans, and Insular Affairs,
Washington, DC, 20515.

DEAR SIRS: I am writing today to comment on the proposed Land Protection Plan and Environmental Assessment for the Expansion of the Chickasaw and Lower Hatchie National Wildlife Refuges by the U.S. Fish and Wildlife Service. We understand that a hearing about the plan will be convened this week in Washington, DC and wanted to send a few positive comments prior to your discussions.

The *Mississippi River Corridor—Tennessee* (MRCT) is a 501(C)(3) nonprofit organization that works primarily on behalf of the six counties located on the Mississippi River along our western coast.

Our mission is to identify, conserve and enhance the region's natural, cultural and scenic resources to improve the quality of life and prosperity in west Tennessee.

For the past 2 years, the MRCT has been involved in developing a Lauderdale County Environmental and Economic Plan. Funding for this important plan has been provided by a grant from The McKnight Foundation based in Minneapolis, MN. Through the production of this plan and eventual implementation, the MRCT hopes to create a unique eco-tourism destination for visitors from around the United States . . . and the world.

The concept and development of the Lauderdale County plan has been based on the fact that almost one-third of the county is owned and managed by our partner agencies, the U.S. Fish and Wildlife Service, the Tennessee Department of Environment and Conservation (TDEC) and the Tennessee Wildlife Resources Agency (TWRA). As Lauderdale County contains the most extensive bottomland in the Corridor, has no levy and floods on an annual basis, it is a perfect location for outdoor enthusiasts, birders, hikers, nature lovers and travelers seeking rare locations from around the world.

The only amenities currently missing in the County are eco-tourism lodging facilities, outfitters, and hospitality professionals. However, when the plan is completed this fall, we will have identified those missing links and the funding needed to create a significant economic development venture. (Please see article attached)

The MRCT considers the recent (draft) plan that has been developed by U.S. Fish and Wildlife Service to be a positive step forward as the expansion of their land acquisition boundary would be extended to include parts of the Hatchie River—the only unchannelized river in west Tennessee and a designated Scenic River. The Nature Conservancy has rated the Hatchie River as one of the top 10 natural wonders in the country. Our organization plans to create a unique water trail on the river and apply for a new National Water Trail designation from the National Park Service next year. However, we need additional land to the river for access and more

ramps. The area is an undiscovered wonderland and has the potential to bring thousands (possibly millions) of dollars into the economies of Lauderdale and Tipton Counties.

We certainly understand the expressed concerns by large land owners and farmers about the proposed plan by the U.S. Fish and Wildlife Service. However, the MRCT believes that the conservation of this targeted area is critical for future development as an eco-tourism visitor destination and will also provide additional wildlife habitat for one of the largest migrating bird fly-a ways in the world.

It is also our understanding that the proposed land would only be purchased from *willing landowners* for the fair market land value. And we have also heard of complaints that current properties owned by the U.S. Fish and Wildlife Service are not being managed properly, but we haven't found that to be the case at all. In regard to the land being taken off the tax rolls, we have learned that Lauderdale County is paid a significant amount of money for this shortfall in revenue.

When the MRCT plan moves forward toward implementation, we assure you that the County will make up any lost revenue by collecting large amounts of money from visitors to the area. The table has been set in Lauderdale County with a beautiful new Town Square in Ripley and the only amenities needed are some additional restaurants and shops. Those business ventures will come in if we can create a unique outdoor destination. It's all there in Lauderdale County—just waiting for a visionary plan and the right partners to pull all the assets together into a realistic financial opportunity for investors.

We believe in the Mississippi River Corridor in Tennessee and have dedicated many years and significant financial resources toward its economic success. Please rest assured that positive work is being accomplished for economic growth in Lauderdale County and the Corridor.

Our hope is that you will be open-minded and receptive to other (positive) opinions regarding the U.S. Fish and Wildlife Service plan. The huge economic opportunities and potential land conservation that could be accomplished by the U.S. Fish and Wildlife Service for "human and wildlife habitat" are unprecedented in scope and opportunity.

Agriculture may currently be Tennessee's number *one* economic driver. However, tourism to our unique visitor destinations is number *two* and is predicted to surpassagriculture in the next 10 years.

We need to provide for this coming industry growth by growing a sustainable foundation and outdoor playground for the next generation of Tennesseans, and most importantly, for our citizens nationwide.

Sincerely yours,

DIANA THREADGILL.
President and Executive Director.

LAUDERDALE COUNTY ENVIRONMENTAL & ECONOMIC PLAN

This Multi-Phase Phase Plan Will Create Greater Awareness of the County's Unique Features

ON THE TENNESSEE SIDE THE CHICKASAW BLUFFS run the length of the Mississippi River. At Memphis the Bluff butts up to the River (thus the city's nickname of Bluff City). However, as it progresses northward, the Bluff snakes back and forth from the river. Just north of the mouth of the Hatchic River the Bluff touches the Mississippi for the last time in Tennessee. It is here, in Lauderdale County, that a narrow strip of bottomland emerges that is bordered by the Mississippi River on the west and the Bluff on the east. From the Kentucky State line to the Mississippi line are some of the highest points around and afford commanding views of the Mississippi River alluvial forests, and large tracts of farmland that dot the landscape.

Lauderdale County is the center of the bordering counties, and the keystone. According to John Threadgill, a member of the Board of Directors for the Mississippi River Corridor-Tennessee (MRCT), Lauderdale County is "the diamond in the rough." This county possesses some of the most unique features of the six counties, including a very well-defined bluff and fertile bottom land. With Chickasaw Bluff No. 1 diverging from the river in Lauderdale County, close to 100,000 acres of alluvial bottom land is revealed (sparsely populated, heavily forested, and jointly private and publicly-owned). Tennessee Wildlife Resources Agency and U.S. Fish and Wildlife Service own vast tracts as well as large-scale farming operations owned by private citizens.

Each of the six counties under the purview of MRCT is unique with its own characteristics, whether topographic, geographic, cultural, or historical. Lauderdale County is no exception as there is no levee system so the soil is constantly renewed

and recharged through flooding and silt washed downriver. It is fertile, yet unpredictable, as we learned with the late historic spring flooding of the Mississippi in 2011. Numerous lakes make up the area as well and provide water, sustenance, and recreation for local wildlife, hunters, and anglers.

The area seems idyllic, and it is. Part of the problem, though, says Threadgill, is that "You have this bluff system, some great vistas, but there is not one designated overlook anywhere; there is no trail system that allows someone to experience that opportunity. There is no signage, nothing there that would tell someone what's right up the road that you can go look for."

As part of the Lauderdale County Plan, and with a grant from longtime partner The McKnight Foundation, the MRCT is conducting a three-phase plan. At its simplest, it's making people aware of what the county possesses. This will include, over time, new signage, road improvements, well-defined trails and overlooks, additional boat access, interpretive centers, and the enhancement and uniformity of current assets.

As part of the study, MRCT is working closely with TWRA, US–FWS, Tennessee State Parks, Tennessee State Forests, the National Park Service, the Nature Conservancy and private landowners. The area, as it stands, is a blank slate and the challenge, says Threadgill, is to "come up with a master plan that tries to utilize what's down there and try to figure out a way to put it all together so that we actually have a product."

The project began 10 months ago, and the first phase has included meetings with focus groups made up of local citizens to help define exactly what it is that Lauderdale County has, and to map out where the assets are. "What's interesting is that no one person really seems to have the complete knowledge of what's there," says Threadgill, and the meetings and expertise of those involved have led to a much larger picture of the area's characteristics.

Threadgill says Phase Two will include a more detailed conceptual outline of what can be done to make the area more attractive for visitors and result in a cohesive plan that can be used as a blueprint. Phase Three is implementation, though Threadgill is quick to point out that this is a far-reaching, almost timeless plan. "The plan will be a living plan, it will be ongoing. What we want to do is get the ball in motion, to create the blueprint that can be used for every year going forward. It can be altered, it can be amended based on the changes of the political and economic landscapes; a plan that can work in perpetuity."

Part of that plan will include purchasing land to connect the upper reaches of the county with the lower. "We're trying to connect them in corridors, so that it's not just one little piece here and one little piece there," says Ed Carter, director of the TWRA and an MRCT Board Director. "When we buy tracts of land, we try to buy those that are contiguous to another piece that we have, so that, for the most part, we have a wildlife corridor." The loss of forestation within the lower Mississippi River, the main flyway for North America, and the resulting impact on habitat for migratory water fowl has been the impetus to the Lauderdale County plan. While adjoining States have as much at stake in the loss of such an ecosystem, Tennessee—and Lauderdale County in Particular—is looked upon as a focal point.

STATEMENT OF THE HON. GREGORIO KILILI CAMACHO SABLAN, A DELEGATE IN CONGRESS FROM THE TERRITORY OF THE NORTHERN MARIANA ISLANDS

Mr. SABLAN. The National Wildlife Refuge System protects representative pieces of many life sustaining ecosystems throughout the States and territories. This network of refuges provides essential habitats for protecting the biological diversity that is the property and common heritage of all Americans, and it is the only Federal land designated exclusively for the conservation of wildlife. Refuges also support hunting, fishing, and other recreational activities helping to preserve our cultural heritage and support local economies. Every single dollar invested in the refuge system returns an average of $4 to surrounding communities.

In the Northern Mariana Islands, we value the Marianas Trench and the Mariana Arc of Fire National Wildlife Refuge. They are home to species ranging from reef-building corals to threatened sea

turtles to unique deep sea animals. Protecting these and other special places from destruction is critical to scientific discovery and natural resource management.

Today we will hear from witnesses about the proposed expansion of the Chickasaw and Lower Hatchie National Wildlife Refuge in Tennessee. This refuge protects some of the most pristine, seasonally flooded bottomland hardwood forest in the world along some of the few stretches of the Mississippi River and over the Mississippi River and its tributaries that have not been channelized or dammed.

We have previously discussed a National Wildlife Refuge System in this Committee, most recently just 2 months ago, and the same three misconceptions seem to come up again and again.

The first misconception is that there is too much land in the National Wildlife Refuge System. In truth, less than 1 percent of the land area of the contiguous United States is in a refuge. Twice as much of our Federal land is leased for exploitation of oil and gas reserves, and nearly nine times as much is leased for livestock grazing. Despite this relatively small investment, these refuges provide world class recreation opportunities to fish, hunt, and observe wildlife to 44 million visitors a year and generate $1.7 billion in sales annually for local businesses.

The second misconception is that expanding existing refuges or creating new ones is bad public policy. Yes, due to years of underfunding the refuge system, there is a maintenance backlog. But we must continue to invest in the future health of our country's iconic landscapes. The habitat conserved in the refuge system is one of the best tools we have to recover endangered species, and more importantly, to prevent more species from becoming endangered in the first place.

Just 2 weeks ago in this Committee's hearing on the Endangered Species Act, my friends across the aisle were wondering why more species had not recovered and been delisted. The answer is: Species must have a place to live in order to recover. The 3 federally listed species in at least 29 State-listed species would benefit from expanding the Chickasaw and Lower Hatchie refuge preventing further declines and hopefully leading to eventual delisting.

And the final, the third misconception is that the refuges are a waste of taxpayers' dollars. This is the issue that puzzles me most in this hearing since the refuges provide enormous benefits to taxpayers. In 2012, the entire refuge system cost $3.24 per acre while yielding $26.8 billion in ecosystem services.

I hope just as the Chairman does that in today's hearing we can finally put these misconceptions about the refuge system to rest and move toward a more efficient and just distribution of Federal money, one that recognizes the true value, monetary and otherwise, of our natural resources and wildlife. I would like to listen to what the witnesses have to share with us this morning, and I would also like to welcome our colleague, Mr. Fincher, for joining us this morning.

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, Mr. Chairman.

The National Wildlife Refuge System protects representative pieces of many life-sustaining ecosystems throughout States and the territories. This network of Refuges provides essential habitat for protecting the biological diversity that is the property and common heritage of all Americans, and it is the only Federal land designated exclusively for the conservation of wildlife. Refuges also support hunting, fishing, and other recreational activities, helping to preserve our cultural heritage and support local economies. Every dollar invested in the Refuge System returns an average of $4 to surrounding communities.

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I hope that in today's hearing, we can finally put these misconceptions about the Refuge system to rest, and move toward a truly efficient and just distribution of Federal money—one that recognizes the true value, monetary and otherwise, of our natural resources and wildlife.

Dr. FLEMING. I thank the gentleman. I would now like to ask unanimous consent that the gentleman from beautiful downtown Frog Jump Tennessee, Mr. Fincher, be allowed to sit with the Committee and fully participate in the hearing.

[No response.]

Dr. FLEMING. Hearing no objections, so ordered. All right. Thank you.

We will now hear from our panel of witnesses, which includes The Honorable Daniel Ashe, Director, U.S. Fish and Wildlife Service; Mr. Steve Patrick, Assistant Executive Director, Tennessee Wildlife Resources Agency; Mr. Jeff Aiken, vice president, Ten-

nessee Farm Bureau Federation; Ms. Charlotte Kelley, Burlison Gin Company; and The Honorable Rod Schuh, Mayor of Lauderdale County.

The 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 Committee rule 4(a). Our microphones are not automatic, so please press the button when you are ready.

Also, just be aware that if the tip of the microphone is not close to you, we just can't year you. And you'll have to move it, unfortunately. We have a limited number of microphones. The light is very simple. You have 5 minutes to give your statement. You'll be under green light for 4 minutes. When it turns yellow, you have 1 minute, and if it turns red and you've not completed your statement, please wrap it up immediately because we do have limited time today. Remember that your statement will be in full in the record, so that should I think work for us today.

Director Ashe, you are now recognized for 5 minutes, sir, to present the testimony of the U.S. Fish and Wildlife Service.

STATEMENT OF THE HON. DANIEL M. ASHE, DIRECTOR, U.S. FISH AND WILDLIFE SERVICE, DEPARTMENT OF THE INTERIOR

Mr. ASHE. Good morning, Chairman Fleming, Ranking Member Sablan, Subcommittee members, Representative Fincher. I am Dan Ashe, the Director of the United States Fish and Wildlife Service, and I want to thank you for the opportunity to be here today.

Chickasaw Hatchie and Lower Hatchie are part of the West Tennessee National Wildlife Refuge Complex, and it's an important part of the local economy. They welcomed over a half million visitors last year, and these visitors came to the refuge to hunt and fish and observe and photograph wildlife and simply to spend time in the great outdoors. The refuges help conserve wildlife for future generations of Americans. They protect important bottomland hardwood forests and other habitats for migratory waterfowl, as many as 300,000 ducks per year.

The forest serves as important habitat for breeding land birds and migratory birds in the spring and the fall. And the service is proud to manage these areas on behalf of the American public and Tennesseans and to provide opportunities for people to continue to enjoy robust wildlife populations in the future. We've built this outstanding refuge complex over more than 50 years in partnership with the State of Tennessee and the local communities in the area. We built an excellent relationship with the State and local communities and the citizens of Tennessee, I believe.

When it passed in 1997 and Harry Burroughs and I worked together on that legislation, Congress directed the service to grow the refuge system. The words of the act bear repeating. "The Secretary shall plan and direct the continued growth of the system in a manner that is best designed to accomplish the mission of the system to contribute to the conservation of the ecosystems of the United States, to complement the efforts of States and other Federal agencies to conserve fish and wildlife and their habitats and to increase

support for the system and participation from conservation partners and the public."

In the case of the Tennessee refuges, we are doing exactly what Congress asked us to do. Congress specifically provided this service with the tools to do this, the authority to create and expand refuges, and I believe we've used this authority judiciously and appropriately. Congress also has the authority to create refuges and has also done so from time to time.

When a refuge's acquisition boundary is expanded, it is after a thorough period of study and public engagement. We reach out to State agencies, local communities, congressional offices, conservation, recreation, and environmental groups to help shape the plan. The draft plan is provided to the public for review and comment. The final plan undergoes thorough review in our regional office and is approved ultimately by the Director of the Fish and Wildlife Service.

It's important to be clear about the effect of an authorized acquisition boundary. It simply authorizes the Fish and Wildlife Service to purchase fee title or conservation easements from willing sellers. These purchases are subject to available funds, and a boundary does not result in new restrictions or regulations on landowners within or adjacent to the boundary.

An expanded boundary does not lead to condemnation of private property or any form of coercive purchases. We only purchase from willing sellers, and usually the result is happy sellers and happy adjacent landowners whose property values tend to rise when they are next to national wildlife refuges. Land purchases occur very gradually, taking decades to even start to acquire significant portions of land within a boundary.

In Chickasaw and Hatchie example, I'm sure we'll talk about this more. I think the important point that I would like to make is we have worked hand in glove with our State partner, the Tennessee Wildlife Resources Agency, who you will hear from today. Over 1,000 landowners were directly contacted by the service via mail to make sure that they knew of this proposal. Meetings were noticed in local papers, and we had good attendance at local public hearings and meetings and good opportunity for the public to participate. And that is an ongoing process.

I believe we have used our congressional-granted authority properly and appropriately over the years and decades to create a vibrant National Wildlife Refuge System, one that is of great benefit to the American public, to State and local economies, and I look forward to hearing the other testimony here today and answering any questions that the Subcommittee may have.

[The prepared statement of Mr. Ashe follows:]

PREPARED STATEMENT OF THE HONORABLE DANIEL M. ASHE, DIRECTOR, U.S. FISH AND WILDLIFE SERVICE, DEPARTMENT OF THE INTERIOR

Good morning Chairman Fleming, Ranking Member Sablan, and members of the Subcommittee, I am Dan Ashe, Director of the U.S. Fish and Wildlife Service (Service) within the Department of the Interior. I appreciate the opportunity to testify before you today regarding the proposed expansion of Chickasaw and Lower Hatchie National Wildlife Refuges in the State of Tennessee.

NATIONAL WILDLIFE REFUGE SYSTEM

The mission of the National Wildlife Refuge System (Refuge System) is to administer a national network of lands and waters for the conservation, management and, where appropriate, restoration of the fish, wildlife and plant resources and their habitats within the United States for the benefit of present and future generations of Americans. Encompassing more than 150 million acres of land and water, the Refuge System is the world's premier network of public lands devoted solely to the conservation of wildlife and habitat. The Refuge System preserves a diverse array of land, wetland, and ocean ecosystems—from Guam, American Samoa, and other remote Pacific islands, north to the high arctic of northern Alaska, east to the rugged coastline of Maine and south to the tropical U.S. Virgin Islands. National wildlife refuges are found in every U.S. State. In total, the Refuge System now contains 561 refuges.

The Refuge System offers about 47 million visitors per year the opportunity to fish, hunt, observe and photograph wildlife, as well as learn about nature through environmental education and interpretation. With its widespread presence and history of working with partners, the Refuge System also plays a key role in supporting innovative, community-level efforts to conserve outdoor spaces and connect people with nature.

In addition to conserving America's great wildlife heritage, the Refuge System is an important part of local economies. The presence of a national wildlife refuge in a community often offers significant economic benefits in the form of jobs and visitor spending in local stores, hotels, and service stations. As noted in a resolution supporting National Wildlife Refuge Week passed by the Senate in September 2012, for each dollar appropriated to the Refuge System, national wildlife refuges generate about $4 in economic activity, totaling nearly $1.7 billion and helping sustain 27,000 jobs in local communities.

LAND PROTECTION PROCESS

The Service uses land protection planning to study opportunities to conserve land, including by adding it to the Refuge System. This process is mandated by the National Wildlife Refuge System Administration Act of 1966 (sect 4(4)(C)), which directs the Secretary of the Interior, acting through the Service, to "plan and direct the continued growth of the System in a manner that is best designed to accomplish the mission of the System, to contribute to the conservation of the ecosystems of the United States, to complement efforts of States and other Federal agencies to conserve fish and wildlife and their habitats, and to increase support for the System and participation from conservation partners and the public."

If a Land Protection Plan is approved, there is an authorized acquisition boundary for the refuge. This public process applies to newly authorized refuges as well as to expanded acquisition boundaries for existing refuges. It is important to be clear about the effect of an authorized acquisition boundary: it authorizes the Service to purchase fee title or conservation easements within that boundary. It is our policy and our practice to acquire land from willing sellers. Further, such purchases can be made only if funding is available through Congressional appropriations or through the Migratory Bird Conservation Commission, providing direct mechanisms for accountability and control. Inclusion within an approved refuge boundary confers no Federal authority or regulatory requirements on the landowner. It does provide landowners within the boundary another option for how they use their land (i.e., they can sell to the Government to have it become part of the Refuge System).

Conserving wildlife through land protection is a transparent, public, and participatory process, founded on scientific data, driven by our mission to conserve habitat and ecosystems. We use the best scientific processes and data to identify gaps in the conservation estate—which we define as lands that are protected at local or landscape scales by private, State, or Federal partners. Once a conservation need is identified, a preliminary proposal is submitted to the Service's Director for approval to develop a detailed Land Protection Plan. Development of a Land Protection Plan is a public planning process, during which we reach out to State agencies, local communities, Congressional offices, recreation, conservation and environmental groups to inform and help shape the plan. The Service uses the best available scientific information to analyze the effects of the Land Protection Plan and alternatives on the physical, biological, social and economic environment. After a rigorous review process, the completed Land Protection Plan is submitted to the Director, who approves, requests modification, or rejects the proposal.

PUBLIC INVOLVEMENT IN THE PLANNING PROCESS

A fundamental value of the Service's planning process in the management of the Refuge System is public involvement. As such, we base our decision-making on understanding and in consideration of public interests. As part of our public planning process, the Service typically collects hundreds of comments from individuals and organizations. This feedback—ranging from comments addressing broad and long-term issues to specific and detailed strategies that could be used to achieve biological or public use objectives—is critical to the Service's development, evaluation and comparison of management alternatives.

For example, public input shaped the establishment of the Everglades Headwaters National Wildlife Refuge and Conservation Area. When the Service engaged the public during the planning process, the River Ranch Property Owners Association, a group of local landowners, opposed the establishment of the refuge and conservation area, envisioning that the Service would close access to any purchased lands as other Federal agencies had done elsewhere in Florida. We actively engaged with the River Ranch community and established a level of trust and understanding after multiple meetings over the course of a year. The Service listened to their concerns and, as a result, reevaluated our initial proposal. Ultimately, we removed the River Ranch landholdings from the proposal while maintaining the conservation integrity of the project. The overall outcome of the discussions between the Service and the River Ranch community has led to understanding and support for the Everglades Headwaters project.

CHICKASAW, LOWER HATCHIE AND HATCHIE NATIONAL WILDLIFE REFUGES AND THEIR BENEFITS

The Chickasaw, Lower Hatchie, and Hatchie National Wildlife Refuges are located in west Tennessee's portion of the Mississippi Alluvial Valley and are part of the West Tennessee National Wildlife Refuge Complex. They welcomed over 500,000 visitors in 2012 alone. Chickasaw National Wildlife Refuge is located in Lauderdale County, Tennessee, adjacent to the Mississippi River. Of the 73,480 acres within the approved acquisition boundary for Chickasaw National Wildlife Refuge, the Service has purchased fee title in approximately 20,914 acres and manages an additional 5,388 acres of contiguous lands under a no-fee lease from the Tennessee Wildlife Resources Agency (TWRA), which brings the current total to 26,008 acres. Lower Hatchie National Wildlife Refuge is located approximately 18 miles west of Henning, Tennessee, at the confluence of the Hatchie and Mississippi Rivers in Lauderdale and Tipton Counties. Of the 12,270 acre acquisition boundary, the Service has purchased fee title in approximately 11,883 acres while an additional 1,873 acres of lands (Sunk Lake Public Use Natural Area) is managed under a no-fee lease from the Tennessee Department of Environmental Conservation. Hatchie National Wildlife Refuge is located in Haywood County, Tennessee, adjacent to the Hatchie River. The refuge owns all 11,556 acres within its current acquisition boundary.

All three refuges were established under the authority of the Migratory Bird Conservation Commission to protect bottomland hardwood forests and adjacent habitats for migratory and wintering waterfowl. The bottomland hardwood forests of the Mississippi Alluvial Valley serve as important habitat for breeding landbirds and migratory birds in the spring and fall, and the Lower Mississippi Valley serves as the primary wintering ground for mid-continental waterfowl populations. Together, Chickasaw, Lower Hatchie, and Hatchie National Wildlife Refuges support wintering waterfowl population numbers exceeding 300,000 dabbling ducks each year.

PROPOSED BOUNDARY EXPANSION AT CHICKASAW AND LOWER HATCHIE NATIONAL WILDLIFE REFUGES

The Service is considering a proposal to expand the acquisition boundaries for Chickasaw and Lower Hatchie National Wildlife Refuges to protect and restore high-quality bottomland hardwood forest habitat for waterfowl, deer, turkey, and many nongame species as well as places where the public can hunt, fish, and observe wildlife. The preliminary proposal encompasses approximately 120,078 acres of mostly un-leveed bottomlands of the Mississippi and Hatchie Rivers in Lauderdale, Tipton, Haywood, and Dyer Counties, Tennessee.

Land acquisition remains a critical tool in safeguarding wildlife and habitat while providing opportunities for wildlife-dependent recreation. It is long-standing Service policy and practice to acquire lands from willing sellers. As a result, the Service enjoys generally exceptional community relations, and landowner support for refuge acquisitions.

Consistent with the Service's commitment to decision-making rooted in consideration of public interests, the public process for this proposal began in December 2012 when the Service initiated a 2-month public scoping effort to seek broader input in shaping the proposal. The Service held public scoping meetings in Ripley, Tennessee on December 11, 2012 and in Brownsville on December 12, 2012. After fully considering public input the Service developed a draft land protection plan and provided it to the public for review and comment on February 7, 2013. As part of this comment period, the Service held a public meeting on February 19, 2013 in Ripley, Tennessee.

OPERATIONS AND MAINTENANCE COSTS

The Service, as part of its official charge from Congress to manage the Refuge System, has a mandate to ". . . conserve fish, wildlife, and plants and their habitats . . .." One of the most effective ways to do this is to protect areas that hold the greatest value for wildlife. Investment in newly conserved properties provides more access for hunters, anglers, and wildlife watchers; creates jobs and economic benefits for local communities; increases survival of wildlife; and helps private landowners preserve their family lands and lifestyle, such as ranching, in perpetuity. Furthermore, consolidating fragmented lands often reduces operations and maintenance needs, thereby saving taxpayer dollars.

Many new fee title or conservation easements acquired by the Refuge System are private inholdings within or immediately adjacent to an existing refuge parcel. These scattered and sometimes small inholdings can have a disproportionate and often adverse effect on the ability of a refuge to achieve its purpose. Strategic acquisitions of fee title or easements can significantly simplify management and reduce expenses related to signage, fencing, law enforcement patrols, legal permits, rights-of-way conflicts, fire-fighting, road maintenance, habitat management and restoration, and invasive species management. Such strategic acquisitions help the Service meet important conservation objectives.

The Service is diligently working to put available funding for operation and maintenance of the Refuge System to its best use. We will apply available funds by setting priorities, and continuing to collaborate with State, Federal, and private partners and volunteers to maximize shared conservation benefits. The Refuge System continues to effectively manage its deferred maintenance backlog by continuing to refine its condition assessment process, using maintenance action teams, actively pursuing local partnerships, carefully prioritizing budgets, and disposing of unneeded assets. As a result, the backlog declined by $300 million from fiscal year (FY) 2010 to 2012, totaling $2.4 billion at the end of FY 2012 for a $26.5 billion portfolio of constructed assets on Refuge System lands totaling 150 million acres. The condition of the overall portfolio has improved while mission critical needs are being met.

The six refuges in Tennessee compete for the annual funding that Congress provides to rehabilitate or replace the highest priority maintenance or operational needs on each refuge. Many of those projects that are funded are completed by refuge staff to minimize costs and others are contracted out to the lowest bidder. As these projects are completed, they are reducing the operations and maintenance backlogs on these six refuges.

Land acquisition associated with the proposed expansion of the Chickasaw and Lower Hatchie National Wildlife Refuge would be expected to occur slowly due to limited funding and competing needs for other priority land acquisition throughout the Nation. Over the next 10 years, the projected increase from lands acquired in this proposed 120,000 acre expansion area would likely be less than 10,000 acres and have minimal impacts to current operational or maintenance backlogs. There are three staffed refuges within this proposed area and they would assume the management oversight of these additional lands with minimal costs.

CONCLUSION

Thank you for the opportunity to testify before the Subcommittee today, and for your continued support of the National Wildlife Refuge System. I would be pleased to answer any questions you may have.

Dr. FLEMING. Thank you, Mr. Ashe. A hearing advisory—we're shortly to be called for votes. We're going to try to get through some more testimony. It will probably take us about an hour to get through votes, and then we'll reconvene. So we just want you to

stand ready and make sure you don't drift too far away so we can get back to work.

Mr. Patrick, I now recognize you for 5 minutes, sir.

STATEMENT OF STEVE PATRICK, ASSISTANT EXECUTIVE DIRECTOR, FIELD OPERATIONS, TENNESSEE WILDLIFE RESOURCES AGENCY

Mr. PATRICK. Thank you, Chairman Fleming, for the opportunity to address the Subcommittee.

In 2003, the Tennessee Wildlife Resources Agency began identifying important lands across Tennessee. Part of that process included coordination with the U.S. Fish and Wildlife Service to plan strategically and at the landscape scale. That collaboration resulted in the 2003 important wildlife lands in Tennessee that identified 16 project areas across the State. We continue to work closely with the Fish and Wildlife Service from Real Foot Lake to Tennessee National Wildlife Refuge.

In an effort to conserve wildlife, their habitats for the benefit of Tennesseans and visitors to Tennessee, the draft land acquisition plan for the proposed expansion and acquisition boundaries for Chickasaw and Lower Hatchie National Wildlife Refuges was identified in that plan as important wildlife lands.

The resulting boundaries provide direction for long-term planning and will create the opportunity to manage the natural resources of this area at a landscape scale and allow TWRA and the U.S. Fish and Wildlife Service to operate in project areas for conservation of natural resources without duplication of effort.

The reason we identified these areas as important wildlife lands is that the Hatchie River is the only river system in west Tennessee that has not been impounded or channelized. Protecting the river and the adjacent properties will benefit numerous birds, mammals, fish, and mussel species. Chickasaw and Lower Hatchie National Wildlife Refuges are north and south of our J.M. Tully Wildlife Management Area and could provide a significantly large ecosystem where fish and wildlife would have corridors and connected habitats to facilitate migration and genetic interchange within those species enabling them to adapt to future and environmental changes.

We speak of conserving natural resources. The Fish and Wildlife Service, like the Tennessee Wildlife Resources Agency manages working landscapes. Farming and forest management are tools that we both use to meet our management objectives. In most cases, these practices are implemented through contracts with people in the surrounding community. Although the objectives on the land may be different, the actual practices carried out on the land can be very similar to what happens on private property. The scale of the practices will be the difference.

Our concern for the conservation of natural resources in this area stems from long-range modeling that indicates rural counties in west Tennessee will continue to experience urbanization. If some of the projections for urban growth by 2060 are realized, Tipton County could add 22,000 acres of urban lands; Lauderdale County could add 16,000 acres of urban lands; Dyer County could add 37,000 acres of urban lands. Most of this change is expected to move

northward from Shelby County through Covington, Henning, Ripley, and Dyersburg. Urbanization at this scale will lead to fragmentation or loss of critical wildlife habitats and agricultural lands.

As urbanization of rural counties of Tipton, Lauderdale, and Dyer changes the landscape of those counties, the continued urbanization of Shelby County will cause even more unanticipated pressures to come to bear on the landscapes of the area. One thing we do know is that as urban populations grow, the demand for outdoor recreation grows. Wildlife-associated recreation in Tennessee generations over $2.9 billion annually; 2.6 million people, residents and nonresidents, participated in hunting, fishing, and wildlife viewing in 2011.

Having areas like the Chickasaw National Wildlife Refuge, Lower Hatchie National Wildlife Refuge, and J.M. Tully Wildlife Management Area will attract people interested in outdoor recreation. The important thing to understand about this proposal is that the expanding acquisition boundaries will not obligate landowners to change their current or long-term goals for their property. In fact, it will expand their options.

For those who are not interested in changing what they're doing on the land, nothing changes. Both current and future landowners interested in making changes will have the option of selling their property to anyone they choose and entering into conservation easements and continuing to work the land or sell the land to the Fish and Wildlife Service. If the boundaries are not expanded, these options will be unavailable to the land owner.

Thank you, Mr. Chairman, for the opportunity to address the Committee.

[The prepared statement of Mr. Patrick follows:]

PREPARED STATEMENT OF STEVE PATRICK, ASSISTANT EXECUTIVE DIRECTOR, FIELD OPERATIONS, TENNESSEE WILDLIFE RESOURCES AGENCY

Thank you Chairman Fleming, for the opportunity to address the Subcommittee.

The Tennessee Wildlife Resources Agency worked with the U.S. Fish and Wildlife Service on the Draft Land Protection Plan for the proposed expansion of the acquisition boundaries for Chickasaw and Lower Hatchie National Wildlife Refuges. This expansion will create the opportunity to conserve valuable riverine and wetland habitats.

The establishment of these boundaries will address the conservation of fish and wildlife in an area identified by the Tennessee Wildlife Resources Agency as "Important Wildlife Lands in Tennessee". The collaboration on the draft plan allows for the strategic focus of both TWRA and USFWS on lands that are important for conservation without duplication of effort.

The Hatchie River is the only river system in west Tennessee that is not impacted by impoundment or channelization. The protection of this river and the adjacent property will benefit numerous mammals, fish, and mussel species.

Chickasaw and Lower Hatchie National Wildlife Refuges are north and south of our J.M. Tully Wildlife Management Area and could provide a significant ecosystem where fish and wildlife would have corridors and connected habitats to facilitate migration and genetic interchange of those species, enabling them to adapt to future environmental changes.

If some of the projections for urban growth by 2060 come about, the conservation of these habitats will be critical. Tipton County could add 22,000 acres of urban lands and become 14 percent urban. Lauderdale County could add 16,000 acres of urban land and become 10 percent urban and Dyer County could add 37,000 acres of urban land becoming 15 percent urban. Urbanization at this scale will lead to fragmentation or loss of critical wildlife habitats and agricultural lands.

As urbanization of the rural Counties of Tipton, Lauderdale, Dyer changes the landscape of those counties, the continued urbanization of Shelby County will cause

even more unknown pressures to be exerted on the landscape of this area. One thing we do know is that as the urban populations grow, the demand for outdoor recreation grows. Wildlife recreation in Tennessee generates over $2.9 billion, 2.6 million people, residents and nonresidents participated in hunting, fishing and wildlife viewing in 2011. Having areas like the Chickasaw NWR, Lower Hatchie NWR and J.M. Tully WMA will attract people who are interested in outdoor recreation. Outdoor recreation can have a meaningful economic impact in these counties.

The expansion of the acquisition boundaries does not obligate any landowner to change their current or long term goals for their property. It in fact expands their options. For those who are not interested in changing what they doing on the land, nothing changes. For those current landowners or future land owners who are interested in making changes they will have the option of selling their property to anyone they choose, entering into a conservation easement and continuing to work some of the land or selling the land to the Fish and Wildlife Service. The important part of this is that without the expansion of the boundaries, two of these options do not exist for the landowner who would like to see their property fill a conservation need. The Fish and Wildlife Service could not entertain an offer by a willing seller if that property were outside the acquisition boundary.

Given the many positive aspects of the Fish and Wildlife land acquisition process of offer fair market value, revenue sharing payments and continued working landscapes the Tennessee Wildlife Resources Agency the long term results of this expansion of the land acquisition boundaries will be beneficial.

Thank you for the opportunity to address this proposal with the Subcommittee on Fisheries, Wildlife, Oceans and Insular Affairs.

Dr. FLEMING. Thank you, Mr. Patrick.

Mr. Aiken, I now recognize you for 5 minutes.

STATEMENT OF JEFF AIKEN, VICE PRESIDENT, TENNESSEE FARM BUREAU FEDERATION

Mr. AIKEN. Mr. Chairman, members of the Subcommittee, my name is Jeff Aiken. I'm a Tennessee farmer and vice president of the Tennessee Farm Bureau Federation. On behalf of the farmers of our State, we appreciate the opportunity to comment on the draft land protection plan and draft environmental assessment for the proposed expansion of Chickasaw and Lower Hatchie National Wildlife Refuges.

My comments are divided into two parts. I will address the general policies within the plan that are in conflict with our Farm Bureau policy, and I will point out specific items in the proposal that are problematic to the agricultural community.

The Tennessee Farm Bureau policy represents the best thought and judgment of the Farm Bureau membership of the 95 counties in Tennessee. Two specific topics within the draft proposal conflict with our Farm Bureau policy. First, Tennessee Farm Bureau supports a no net loss of private lands, and Tennessee Farm Bureau strives to protect the rights of property owners adjoining public lands.

Farm bureau members believe Government owns sufficient property. We support a national policy of no net loss of private lands. Our members believe the government should be required to release an equal dollar value of productive farm property for public sale whenever new lands are purchased by Government. In addition, the financial impact on the taxpayers should be considered when the Government buys land depriving the county of taxes, jobs, and other revenue. All these factors should be measured before other land is taken out of production.

Furthermore, we support an option for current surface landowners to buy back perpetual conservation easements at market value. We commend the decision to purchase property only from willing sellers and not to use any imminent domain. However, caution should be exercised to ensure property adjoining or neighboring Fish and Wildlife Service's property is not negatively impacted. Farm bureau believes any action by Government that diminishes an owner's right to use his property is a taking of that owner's property.

Drainage issues are a common problem of landowners who adjoin governmental property. The proposal advocates restoring floodplain hydrology on newly acquired lands where agricultural drainage is no longer needed. Landowners often experience difficulty maintaining adequate drainage due to land management decisions on the Government property. In addition, increased occurrences of trespassing and increased crop depredation due to wildlife are often experienced by landowners who adjoin wildlife refuges.

We also have comments specific to problems for agriculture within the proposal. Number one, a lack of diversity in stakeholder involvement, limited alternatives, and finally, incomplete data related to local economic impact. The 120,078 acre expansion plan lacks diversity in input. Agricultural property represents over 70,000 acres or nearly 60 percent of the proposed total expansion area, and yet only 1 of the 21 groups has any agricultural involvement. Of the 7 agencies and 14 private organizations from which input was sought in developing the plan, USDA is the only agricultural group represented.

Although the service considered and evaluated three alternatives—alternative one being no action and alternative three, the acquisition of 294,000 acres—those are polar extremes. This seems to be designed to make alternative number two, the 120,000-acre acquisition, not only the preferred alternative, but appear more reasonable. We do not accept that strategy. We support what the plan disparagingly refers to as the status quo alternative, allowing the lands to remain in private ownership and in current land uses.

Furthermore, we believe the desire of private landowners and existing Federal, State, and local environmental regulations have more than adequately protected habitats and natural resources in the area. The Hatchie River is the last major un-channeled tributary of the lower Mississippi River Basin and contains the largest forested floodplain in Tennessee. Because the entire Hatchie River has remained undammed, un-channelized, and un-levied, the natural processes that drive the ecosystem are functional in these areas. This occurred with private land ownership and not with public dollars.

I appreciate the opportunity to be here with you today, and we encourage the agency to adopt alternative number one. Thank you.

[The prepared statement of Mr. Aiken follows:]

PREPARED STATEMENT OF JEFF AIKEN, VICE PRESIDENT, TENNESSEE FARM BUREAU FEDERATION

Mr. Chairman, members of the Subcommittee my name is Jeff Aiken. I'm a Tennessee farmer and the vice president of the Tennessee Farm Bureau Federation (TFBF). Tennessee Farm Bureau Federation represents more than 95 percent of the State's farmers. The most recent agricultural statistics survey reports Tennessee

farmers collectively own 79,000 farms utilizing nearly 11.5 million acres of farm and forestland in this State. My office of Vice President is elected by the farmer members of our organization.

On behalf of the farmers of our State, we appreciate this opportunity to comment on the Draft Land Protection Plan and Draft Environmental Assessment for the Proposed Expansion of Chickasaw and Lower Hatchie National Wildlife Refuges.

My comments are divided into two parts. First, I will address the general policies within the plan that are in conflict with our Farm Bureau Policy. Secondly, I will point out specific items in the proposal that are problematic to the agricultural community.

PART 1

The grassroots Farm Bureau members develop the Farm Bureau policy each year to guide the organization on issues of importance. The TFBF policy represents the best thought and judgment of the Farm Bureau membership in the 95 counties in Tennessee.

Three specific topics within the *Draft Land Protection* proposal conflict with our Farm Bureau policy.

1. TFBF supports a "No Net loss of Private Lands".
2. TFBF protects the rights of property owners adjoining public lands.
3. TFBF opposes the release of species of animals not currently established.

"No Net loss of Private Lands"

Farm Bureau members believe Government owns sufficient property and therefore opposes the Fish and Wildlife Service acquiring additional land. We support a national policy of "no net loss of private lands". Recognizing the priorities of land protection and ownership may change over time, our members believe the Government should be required to release an equal dollar value of productive farm property for public sale whenever new lands are purchased by Government.

In addition, the financial impact on the county and county taxpayers should be considered when the Government buys land depriving the county of taxes, jobs and other revenue. All these factors should be measured before other land is taken out of production.

We support an option for current surface landowners to buy back Fish and Wildlife Service and Natural Resource Conservation Service perpetual conservation easements at market value.

Adjoining Private Land Owners

We commend the Fish and Wildlife Service decision to purchase property from willing sellers only and not to use any eminent domain.

However, caution should be exercised to insure property adjoining or neighboring Fish and Wildlife Service property is not negatively impacted. Farm Bureau believes any action by Government that diminishes an owner's right to use his property is a taking of that owner's property. Drainage issues are a common problem of landowners who join governmental property. The proposal advocates "restoring flood plain hydrology on newly acquired lands where agricultural drainage is no longer needed." Landowners often experience difficulty maintaining adequate drainage due to land management decisions on the governmental property.

In addition, increased occurrences of trespass and increased crop depredation due to wildlife are often experienced by landowners who adjoin wildlife refuges.

PART 2

Specific Comments to the Plan

The following comments are specific to areas Farm Bureau opposes within the proposed plan.

1. Lack of Diversity in Stakeholder Involvement
2. Limited Alternatives
3. Incomplete Data related to Local Economic Impact

Diversity in Stakeholder Involvement

The 120,078 acre expansion plan lacks diversity in input from those most directly impacted. The largest extent of the proposed acquisition area is in agricultural land, with corn, cotton, and soybeans comprising the majority of the crops produced. Agricultural property represents over 70,000 acres or nearly 60 percent of the proposed total expansion area and yet only 1 of the 21 groups (USDA) have any agriculture involvement.

A plan involving 70,000 agricultural acres deserves more input from the agricultural community than just USDA. Of the 7 agencies and 14 private organizations from which input was sought in developing the plan, USDA is the only agriculture group represented. Apparently, no State agriculture input was sought.

AGENCIES: Tennessee Wildlife Resources Agency, Tennessee Department of Environment and Conservation, U.S. Department of Agriculture, U.S. Geological Survey, U.S. Army Corps of Engineers, U.S. Environmental Protection Agency—Region 4, Tennessee Commission of Indian Affairs.

PRIVATE ORGANIZATIONS: The Trust for Public Land, The Nature Conservancy, Ducks Unlimited, The Conservation Fund, Tennessee Wildlife Federation, Mississippi River Corridor, Tennessee Sierra Club—Tennessee Chapter, Friends of West Tennessee Refuges, Tennessee Parks and Greenways Foundation, Chambers of Commerce for Dyersburg, Ripley, Covington,and Brownsville.

Limited Alternatives

Although the Service considered and evaluated three alternatives, Alternative 1 (no action) and Alternative 3 (acquiring 294,544 additional acres) are polar extremes. This seems to be designed to make Alternative 2 (120,078 acre acquisition) not only the preferred alternative but appear most reasonable. We do not accept this strategy.

We support what the plan disparagingly refers to as the "status quo" alternative allowing the lands to remain in private ownership and in current land uses. Furthermore, we believe the desire of private landowners and existing Federal, State, and local environmental regulations (Clean Water Act, State water quality and pollution laws, etc.), have more than adequately protected the fish and wildlife habitats and natural resources in the area.

This is supported by the fact that "the Hatchie River is the last major un-channelized tributary of the Lower Mississippi River Basin that lies south of Cairo, Illinois, and contains the largest forested floodplain in Tennessee. Because this portion of the Mississippi River and the entire Hatchie River has remained undammed, unchannelized, and un-leveed, the natural processes that drive the ecosystem are functional in these areas." This occurred with private land ownership and not with public dollars.

Local Economic Impact

Transparency of the cost of removing the acreage from tax roll is incomplete. The proposal maintains the land purchases are to be funded through the Migratory Bird Conservation Fund and the Land and Water Conservation Fund. Both are funded by user fees, Federal duck stamps, revenue from leasing offshore oil drilling rights, and other, non-tax sources. With our current Federal debt situation there are higher public need priorities for these earmarked dollars than for land purchases. The actual land acquisition represents only a fraction of the long term cost of land management and ownership. And, presumably public tax dollars do pay the salaries and infrastructure costs of the government entities managing the property.

The local governments will become vulnerable to Washington gridlock as property is removed from local tax rolls and "compensated" by other dollars. Granted, the Federal law provides for payments to be made from the Refuge Revenue Sharing Act (16 U.S.C. 715s) to local governments for lands acquired by the Fish and Wildlife Service. The act requires revenue sharing payments to counties for purchased lands be based on the greatest of: (a) ¾ of 1 percent of the market value; (b) 25 percent of the net receipts; or (c) 75 cents per acre. These revenue sharing dollars actually come from the National Wildlife Refuge Fund which is funded from the dollars the U.S. Fish and Wildlife Service receives from products or privileges like timber sales, grazing fees, and right-of-way permit fees. These revenue sources are constantly at risk by groups opposing such uses of Federal lands. History shows on occasion refuge receipts have not been sufficient to make the county payments. Congress MAY appropriate funds to make up any shortfall in the revenue sharing fund. If the amount Congress appropriates is not enough, the units of local government receive a pro-rata share.

We oppose subjecting local governments to such instability resulting from the loss of 120,078 acres from the local property tax base not to mention the lost economic benefit of production agriculture.

We encourage the agency to adopt Alternative 1.

Thank you for the opportunity to comment.

Dr. FLEMING. Thank you, Mr. Aiken.

Ms. Kelley, you are now recognized for 5 minutes.

STATEMENT OF CHARLOTTE KELLEY, OWNER, BURLISON GIN COMPANY, BURLISON, TENNESSEE

Ms. KELLEY. Good morning, and thank you. My name is Charlotte Kelley. My husband and I own a cotton gin in Tipton County, Tennessee. I am a former Tipton County Commissioner, and I come here today about the Chickasaw and Lower Hatchie Refuge expansion plan.

My first concern is the economic effect to Tipton County and to production agriculture. Production agriculture is the engine of our county's economy. Each year agriculture pumps close to $115 million into our economy. The loss of approximately 38,000 acres to Fish and Wildlife in Tipton County would be a loss of around $40 million annually. One-fourth of our commercial agriculture could be taken out of production. Farmland in our county generates on average $8.13 per acre in land taxes. In lieu of property taxes, Federal revenue sharing by Fish and Wildlife has been purported to be $3.73 per acre, but historical data from a neighboring county show it to be in the $2.90 range.

My personal business concerns are paramount to my being here today. If the Chickasaw and Lower Hatchie initiative is successful, we can reasonably say that our business could lose up to one-half of our revenue due to a large portion of revenue coming from areas in the proposed plan. Granaries, seed cleaning operations would also suffer. Among others to exponentially lose revenue would be agricultural suppliers, parts businesses, banks, car dealers, mom and pop merchants, charities, schools, and a significant loss of agriculturally related jobs.

My third concern is of utmost importance. You see, our local landowners who have experience with Fish and Wildlife have been impacted negatively. Owning land adjacent to Fish and Wildlife is a daunting prospect to private landowners. These encounters with them are quite similar to those we hear about on the news today concerning GSA, IRS, and NSA. There are existing documented court cases which show the aggressive behavior of Fish and Wildlife. I fear greatly that land will be acquired in a checkerboard fashion, and the holdout landowners will be subjected to intimidation by Fish and Wildlife.

Three individuals in my community have spent in excess of $150,000 litigating against U.S. Fish and Wildlife in order to secure the original property boundary, to establish egress and ingress to their property, and to use their privately owned land for personal hunting purposes. The action of U.S. Fish and Wildlife appear to be attempts to passively force out these landowners. U.S. Fish and Wildlife also alter the land in a manner that limits drainage to the point that adjacent farmlands will be flooded and then most likely deemed wetlands. When these wetlands are no longer tillable, U.S. Fish and Wildlife have a greater likelihood of then acquiring the flooded lands.

Another concern is that private landowners will be subjected to increased wildlife protection enforcement as a result of simply being adjacent or upstream from U.S. Fish and Wildlife. How will these bottomlands be changed by U.S. Fish and Wildlife, and what effects will these changes have on private landowners? How will it affect the proper drainage canals, roads, ditches, and pesticide use?

Historically in our area, we have seen U.S. Fish and Wildlife more concerned about the private use of their land than properly maintaining the refuge for recreational use and to prevent harm to nearby landowners. Our Nation is $17 trillion in debt, and agencies such as U.S. Fish and Wildlife are creating these massive land grabs that will cost our country billions. Should we not divert the use of these funds to repaying our national debt?

The Chickasaw and Lower Hatchie Refuge expansion is just one of the many land acquisition initiatives that should be put on hold until our financial house is in order. I am neither a zealot nor an extremist. As a business woman, a county resident, mother, and grandmother, I only wish to call attention to an agency that can destroy an economy, the jobs, and the livelihoods of several rural counties in west Tennessee.

One question keeps coming to my mind: Are the wishes of a group of environmentalists more important than the lives and livelihood of several thousand people in rural west Tennessee?

Thank you for letting me be here.

[The prepared statement of Ms. Kelley follows:]

PREPARED STATEMENT OF CHARLOTTE KELLEY, OWNER, BURLISON GIN COMPANY, BURLISON, TENNESSEE

My name is Charlotte Kelley. My husband and I own a cotton gin in Tipton County, Tennessee. I am a former Tipton County Commissioner and I come here today about the Chickasaw and Lower Hatchie Refuge Expansion Plan.

DETRIMENT TO OUR COUNTY ECONOMY

My first concern is the economic effect to Tipton County and to production agriculture. Production agriculture is the engine of our county's economy. Each year agriculture pumps close to $115 million into our economy. The loss of approximately 38,000 acres to U.S. Fish and Wildlife in Tipton County would be a loss of around $40 million annually. One-fourth of our commercial agriculture would be taken out of production. Farmland in our county generates on average $8.13 per acre in land taxes. In lieu of property taxes Federal Revenue Sharing by the U.S. Fish and Wildlife has been purported to be $3.73 per acre but historical data from a neighboring county show it to be in the $2.60 per acre range and decreasing yearly.

PERSONAL BUSINESS CONCERNS

My personal business concerns are paramount to my being present today. If the Chickasaw and Lower Hatchie initiative is successful, we can reasonably say that our business could lose up to one-half of our revenue due to a large portion of revenue coming from areas in the proposed plan. Graineries and seed cleaning operations would also suffer great losses. Among others to exponentially lose revenue would be agricultural suppliers, parts businesses, banks, car dealers, "Mom and Pop" merchants, charities, schools and a significant loss of agriculturally related jobs.

HEAVY HAND OF U.S. FISH AND WILDLIFE

My third concern is of utmost importance. You see, our local landowners who have experience with the U.S. Fish and Wildlife have been impacted negatively. Owning land adjacent to U.S. Fish and Wildlife is daunting to private land owners. These encounters are quite similar to those we hear about on the news concerning the GSA, IRS, and NSA. There are existing documented court cases which show the aggressive behavior of U.S. Fish and Wildlife. I fear greatly that land will be acquired in "checker board" fashion and the "hold out" landowners will be subjected to intimidation by U.S. Fish and Wildlife. Three individuals in my community have spent in excess of $150,000.00 litigating against U.S. Fish and Wildlife in order to secure the original property boundaries, to re-establish egress/ingress to their property and to use their privately owned land for personal hunting purposes. The actions of USFW appear to be attempts to passively force these landowners out.

U.S. Fish and Wildlife also alter the land in a manner that limits drainage to the point that adjacent private lands will be flooded and most likely deemed "wetlands". When these "wetlands" are no longer tillable, the U.S. Fish and Wildlife have a greater likelihood of then acquiring the flooded lands.

Another concern is that private landowners will be subjected to increased wildlife protection enforcement as a result of simply being adjacent to or upstream from the U.S. Fish and Wildlife lands.

How will these bottomlands be changed by U.S. Fish and Wildlife and what effects will these changes have on private land owners? How will it affect proper drainage, canals, roads, ditches, and pesticide use? Historically in our area, we have seen U.S. Fish and Wildlife more concerned about the private use of their land than how to properly maintain the refuge for public recreational use and to prevent harm to other nearby landowners.

Our Nation is $17 trillion in debt and agencies such as U.S. Fish and Wildlife are creating these massive land grabs that will cost our country billions. Should we not divert the use of these funds to repaying our debt? The Chickasaw and Lower Hatchie Refuge Expansion is just one of many land acquisition initiatives that should be put on hold until our financial house is in order.

I am neither a zealot nor an extremist. As a business woman, county resident, wife, mother, and grandmother, I only wish to call attention to an agency that can destroy an economy, and the jobs and livelihood of several rural counties in west Tennessee.

One question keeps coming to mind. Are the wishes of a group of environmentalist more important than the lives and livelihood of several thousands of people in rural west Tennessee?

Dr. FLEMING. Thank you, Ms. Kelley. We're going to have our last testimony, and we'll immediately recess for votes and then return, and we'll get started immediately on questions.

So Mr. Schuh, you're now recognized for 5 minutes, sir.

STATEMENT OF THE HON. ROD SCHUH, COUNTY MAYOR, LAUDERDALE COUNTY, TENNESSEE

Mr. SCHUH. To all Committee members, thank you for this opportunity. I'm representing four counties today that will ultimately be affected by the 120,000-acre expansion, and they are Tipton, Haywood, Dyer, and Lauderdale, and of course we're on the Mississippi and Hatchie Rivers.

After the public meetings, many citizens in these counties were either against the expansion or the massive size of the expansion. A petition was started opposing the plan. It was signed by 443 citizens. The Lauderdale county commission also passed a resolution asking for Chickasaw and Hatchie to be removed from the top 50 refuge target list. Opposition to the expansion State wildlife agency—opposition is that they currently own 45,000 acres, and they still have rights on another 55,000 acres.

A second reason for opposition toward the expansion is the inclusion of the 46,900 acres of farmland and 23,000 acres of pasture grasslands. Common concerns are: Will the Government enact imminent domain; what about field drainage through the refuge; potential restrictions of agricultural pesticide runoffs. And I'd like to state that our farmers are conservatives, and we do worry about conservation. Farming is the main industry in my small county of 26,000 people, and we have a lot of high unemployment. We farm about 56 percent of the county, and our greenbelt tax relief consisting of farms all the way down to the wetlands is about 71½ percent of the county. The eventual loss of 23,500 acres in the 70,000 in our area can affect us by $42 million annually and our State and local taxes by over $4 million annually.

As revenue and the economy dries up, of course the result is lost jobs. On the reimbursement issues, wildlife representatives tell our citizens that the Refuge Revenue Sharing Act allows the agency to offset the tax losses to the counties. Lauderdale County historical receipts related to the agency's payment of in lieu of taxes over the last 15 years show the payments received have never matched the total dollars authorized, and I've put in a historical chart. In the last 3 years, our county has received 24.6 percent of the dollars authorized for the agency.

I have two examples to add to the question of equal tax dollars. I have a 3,000-acre farm in my county. It's not greenbelt assisted, and the taxes on this one plot are about $42,000. If it were in the greenbelt, it would be approximately $21,000. And the Wildlife Agency's past 4 years' payment average of $3.18, we would equal approximately $9,900 or about $11,000 deficit to the greenbelt. The second example is a greenbelt farm with 168 acres ranging from farmland to woodlands. I'd get $1,053 in taxes compared to approximately $543 using the agency's past averages. My county's total greenbelt tax income dollars is approximately $1.1 million with 196,000 acres from the greenbelt program. It averages to be $5.74. Yet if the expansion were to happen today, we'd lose $205,000 in taxes. Under the U.S. Wildlife's average of the last 4 years, we'd get a total of about $113,000 or we'd lose $91,000 to $100,000 a year.

Please understand the $3.18 is only 25 percent of the authorized amount, and I've recently talked to the financial department of Wildlife Services in Colorado, and they indicated that this year's revenues are going to be downsized again. The basic point, after these examples is that in Lauderdale County, the agency is not living up to the statements about the Refuge Revenue Act and is not covering the equal lost tax dollars.

U.S. Wildlife relies on Southwick studies showing how tourist dollars may offset lost tax revenues. They reported that Chickasaw had 78,500 visitors last year or 215 visits a day. My belief is that at least 75 percent of these visits are local people, and we are a small county. We don't have any attractions. We do have day trippers and day hunters from close proximities, but they go home without spending the dollars. In conclusion, fair "in lieu of tax" payments are very important to our county's budgets. And the overwhelming future problem is the loss to the local farm.

[The prepared statement of Mr. Schuh follows:]

PREPARE STATEMENT OF THE HONORABLE ROD SCHUH, COUNTY MAYOR, LAUDERDALE COUNTY, TENNESSEE

To all Committee members thank you for this opportunity to discuss the positive and negatives of the proposed expansion of the Chickasaw and Lower Hatchie National Wildlife Refuges.

I am here representing four counties that will ultimately be affected by the proposed 120,000 acre expansion; they are Tipton, Haywood, Dyer and Lauderdale Counties that border the Mississippi, Hatchie and Forked Deer rivers.

After the public meetings many citizens were either against the expansion all together or the massive size of the expansion. A petition was started opposing the plan and was signed by 433 Lauderdale County citizens, Lauderdale County Commission also passed a resolution asking U.S. Wildlife to remove Chickasaw and Hatchie from the top 50 refuge target list.

A major reason for the opposition to the new 2013 expansion is twofold.

1. At present there is a purchase program available to landowners in the Mississippi and Hatchie River bottoms by the U.S. Wildlife with an identified boundary of approximately 83,500 acres of land primarily in Lauderdale County that consists of farm and forest land. The service currently owns 27,967 acres in this boundary area identified as Chickasaw and Lower Hatchie Refuge's. The State of Tennessee owns an additional 17,000 acres in an adjacent area for a total of 45,000 acres between the two agencies. The 2013 proposal seeks an additional 120,078 acres with 35,781 of this land in Lauderdale County alone. The remainder primarily affects Tipton and Haywood counties along the Hatchie River.
2. The second reason for opposition toward the 120,000 acre expansion is the inclusion of 46,903 acres of agriculture; row crop land along with 23,213 acres of agriculture pasture grass land. This makes the farm land 58 percent of the expansion. These prime bottom farming lands are exceptionally fertile and referred to by the hill farmers in our county as ice cream land. Farmers would love to purchase this ground but they cannot afford to purchase large tracts of land compared to the Government therefore they do not feel it is fair competition. The common questions arising in my county is how much Government land is enough, will Government enact imminent domain in the future. They also question drainage issues, beaver dams and the potential restrictions of pesticide runoff.

The citizens of west Tennessee appreciate the contributions that U.S. Wildlife has made to our land and wildlife habitat. We understand that some of the lowest bottom lands are blue mud and that farmland that holds large expansions of water should be converted over to natural habitat. What we have a hard time understanding is the reaching out for prime cropland in areas that don't flood or hold water on a continual basis. The Fish and Wildlife officials question since the land is in the 5 year flood why all the opposition.

FINANCIAL IMPACT TO OUR COMMUNITIES

Farming is the main industry in Lauderdale County. We have gone through the southern industrial expansions of the 1960s, 1970s, and 1980s. Since the 1990s my county alone has lost 15 companies that hired between 100 to 2,000 people. Industry moving overseas has devastated our local economy and in 2009 my county reached 22 percent unemployment. Currently we vary over the year between 12 and 14 percent unemployment. Lauderdale County is the second poorest county per capita in the State of Tennessee with a negative forecasted population growth in the next 10 years. Farm revenue currently is the life blood to our economic quality of life. The population of Lauderdale County is 26,000 people, not counting the State prison. We farm 170,000 acres or 56 percent of the 305,000 acres in the county. Total farming and greenbelt tax relief property consisting of farms, forests, and wetlands is 218,000 acres or 71.5 percent of the county.

The eventual loss of an additional 23,500 acres of farmland in Lauderdale County and 70,000 acres to the region will significantly impact our tri-county economy. For example 1 year 70,000 acres of lost soybean production at 45 Bu/Acre × $13.50 market price would equate to $42,525,000 of revenue to the local economy. State and local sales taxes would be affected by $4,146,188. The area also grows cotton and corn which would magnify the lost revenues and severely affect our local economy, schools, roads and government.

When revenue in the economy dries up the result is lost jobs all over the region. From Ag related supply companies, Ag equipment dealers, to fuel, car and truck dealers all the way down to small retail shops.

Many citizens in the public meetings remarked about the local tax effect and will they be affected. Fish and Wildlife representatives responded that the Refuge Revenue Sharing Act allows the agency to offset the tax losses by annually paying the county or local units of government an amount that often equals or exceeds that which would been collected from taxes if in private ownership.

These statements bring up an interesting point related to the agencies payment of In Lieu of taxes over the last 15 years to Lauderdale County. Our records show that the payments received have never matched the totals authorized when compared to authorized dollars. *A brief history of the payments to Lauderdale County is contained in the attached Historical Chart of In-Lieu of Tax Payments.*

In the last 3 years 2010–2012 the County has received 24.6 percent of the dollars authorized by the Agency. The literature states that Congress is authorized to appropriate money to make up the difference; obviously this has not happened in many years.

The next two examples add to the question of equal tax dollars. One farm in the expansion area totals 3,135 acres. The farm is not greenbelt assisted. The taxes received on this one plot are $41,960 or $13.38 per acre, if it were in the greenbelt the taxes would be in the $21,000 range or $6.69 per acre and $20,973 in tax revenue. Under the U.S. Wildlife Agencies past 4 years payment average of $3.18 per acre the revenue would be $9,969 or a $11,031 deficit. A second example of a 168 acre farm with woodlands averages $1,053 in tax compared to approximately $534 using Wildlife Agency's $3.18 per acre 4 year average for a loss of tax income of $519.

County tax records indicate that county greenbelt tax income dollars covering farmland to swamps is $1,128,760 dollars. There are 196,761 acres in the greenbelt tax relief program, this equates to $5.74 cents per acre for greenbelt properties. If the expansion were to happen immediately on just 35,781 acres of county greenbelt land we would lose in the range of $205,383 dollars in tax revenue. If U.S. Wildlife continues the last 4 year average payment their payment would total $113,783 for a loss of $91,600 per year. **Please understand the $3.18 is still only 25 percent of the authorized amount. The financial department of Wildlife Services has indicated that this year's revenue will be downsized.**

The basic point after these examples is that in Lauderdale County the U.S. Wildlife Agency is not able to live up to their advertised statement that the Refuge Revenue Sharing Act allows them to offset the tax losses or even exceed that which would have been collected from taxes if in private ownership.

U.S. Wildlife felt that tourist dollars according to the Southwick Studies would make up the difference between the lost tax dollars and the tax revenues. They reported there were 78,500 visitors to the Chickasaw Refuge or 215 visits per day. My belief is that at least 75 percent of the visits were locals or farmers going through the Refuge. Our county is rural and without attractions, yes we have day trippers and day hunters from close proximities, but they leave home without spending dollars.

In conclusion In Lieu Of tax payments are very important to our counties local budgets. The overwhelming future problem however; is the loss of local farm and timber revenues to our economies.

Dr. FLEMING. Thank you, Mr. Schuh. We're now recessed. We'll return immediately after votes. Thank you.

[Recess.]

Dr. FLEMING. The Committee comes back into 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 witnesses today, members are limited to 5 minutes for their questions. However, if members have additional questions, we can certainly have another round of questioning or two. I now yield myself 5 minutes for questions.

Mr. Ashe, what is the preliminary cost to acquire the 120,000 or so acres in some of the most fertile cropland in the United States?

Mr. ASHE. Well, Mr. Chairman, as I said in my testimony, when we enter something like this, we expect to acquire land over a period of decades. And so with the existing refuges that we have, these refuges were established back in the 1950s. And so we have established those refuges over a 60-year period of time, which is normal. But if we acquired 120,000 acres today at today's land cost of approximately $2,500 an acre, it's not too difficult to do the math. That's about $300 million.

Dr. FLEMING. OK. And where would that funding come from?

Mr. ASHE. With the refuges that we have down there now, the funding would come from our traditional sources of funding, mainly from the Migratory Bird Conservation Fund, which is duck stamp money, so money that hunters provide to provide waterfowl breeding, migrating, and wintering habitat. It would come from the Land and Water Conservation Fund which comes from offshore oil and

gas revenues, not from taxpayers, or it would come from the North American Wetlands Conservation Act, which is a mix of appropriated funding and excised tax and import duty funding.

Dr. FLEMING. And certainly the appropriated funds would come from taxpayers, so what percentage of that would be appropriated funds?

Mr. ASHE. I can't answer that question directly. We can give you a historic figure for how we have acquired lands within these three refuges. I can provide that for the record.

Dr. FLEMING. OK. Yes, if you could get back to us, I'd like to see that. Of the 120,000 acres, how many would be acquired through the fee title?

Mr. ASHE. Our plan presently is to acquire all those lands in fee title. With the existing refuges down there, we do not acquire lands using easement, but we would acquire land with easement if the landowner had an interest in easement and if that would fit the conservation purpose. But our plan at this point as proposed is to use fee title acquisition as we do with our existing refuges there.

Dr. FLEMING. So how does that differ from the central Florida. We discussed that a year or 2 ago. I mean, your plan you say is fee title, but you say that you also leave the option open for easements. So how does that differ from the approach in, say, central Florida?

Mr. ASHE. The Everglades Headwaters Refuge in Florida is designed specifically for a fee title to have a traditional fee title refuge of about 50,000 acres and then to have easements in a larger area surrounding that fee title refuge where we're working with ranchers to put easements on ranches within that larger conservation design. And so in that case, as you know, we're working directly with Bud Adams and his family, a five-generation rancher, who wants to keep his land in a working status, and that works for wildlife, too.

So that's a case where we've sat down with the private landowners, which I think is our practice and our experience, and we're working out a design that works in that context. Here in Tennessee, we've worked traditionally with fee title acquisition and have, I think, a good history and tradition of working with the State of Tennessee and the local landowners using fee title acquisition. So that's the approach that we're designing here. It's not to say we couldn't use a different approach, but that's the approach we're using.

Dr. FLEMING. But it just seems to me to be far more practical to use the easement approach. It's much less expensive. It allows the landowners to continue to utilize their land. It prevents them from developing the land such that waterfowl and others no longer have access to the benefit, and with this maintenance backlog that we have, the pressure is obviously on us to appropriate more money to cover that, whereas with the easement, of course, the farmer is going to continue to maintain his or her own land.

So it really seems to me that that's a much better way to go, a much more efficient way, a much more flexible way, and I would certainly urge you to emphasize that piece of this. With that, I'd be happy to yield to the Ranking Member for questions.

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

Mr. Ashe, this proposed expansion of the area where you can acquire easements or land from willing sellers is authorized by the National Wildlife Refuge Improvement Act of 1997. I understand and I believe that act was passed by a House and a Senate controlled by one party, the Republican Party at that time. You were with the service—I believe you were with the service at that time. Do you recall the number of votes, when it was passed?

Mr. ASHE. The vote in the House was 419 to 1. I don't recall the vote in the Senate, but it was a similarly overwhelming vote.

Mr. SABLAN. So it must be a good policy, it's very rare that Congress passes that. So in your opinion, why did Congress ask the service to plan and direct the continued growth of the refuge system? Why does it need to grow?

Mr. ASHE. The needs of wildlife change and can sometimes change rapidly depending upon the environmental conditions that they face, depending upon our human use of the land for our purposes, and so I believe that Congress, beginning with President Teddy Roosevelt, every President, Republican and Democrat, have used this authority wisely, and we've grown the National Wildlife Refuge system, and I believe that's one of the reasons why we have a vibrant, diverse, and healthy wildlife population.

And it's because, as my colleague Steve Patrick said, we have a rich tradition of working with our State counterparts, and if you look at the map of this proposed expansion, it includes existing refuges and existing State lands, and so we have the opportunity to begin to connect these lands, improve our cooperation and joint management of these lands so that we'll have abundant wildlife populations in the future.

Mr. SABLAN. All right. Thank you.

Mr. Patrick, in your testimony you mentioned increased urbanization is likely in Tipton, Lauderdale, and Dyer Counties, and that this would lead to loss of wildlife habitat and agricultural lands. Does this mean this now is the best time to start conserving existing wildlife habitat, and will you please tell us why?

Mr. PATRICK. Now is the critical time to take this action. As urbanization continues to expand, one of the things that we see is the price of undeveloped lands increases significantly. So the cost of preserving critical habitats will go up significantly as urbanization continues.

Mr. SABLAN. Thank you. I had conversations with almost all of you I think earlier. And I've got my own issues here, but I'm happy to see that Ms. Kelley is talking to Mr. Ashe, because I think it's the first time they've met. But let me go back to you, Mr. Ashe. In Ms. Kelley's testimony, she stated that she thinks the service is going to harass landowners if the refuge acquisition boundary is expanded. Are there working farms within the current acquisition boundary for the refuge, and have there been any efforts to force landowners who are not willing sellers?

Mr. ASHE. There are working lands within the current refuge boundary, we have not in any way attempted to force out any landowners. As I said during my testimony, we work in the context of willing sellers, and we manage 150 million acres nationwide, and I can think of many landowners that we are working cooperatively

with and believe the Fish and Wildlife Service is a great partner, which is not to say that we don't have disagreements from——

Mr. SABLAN. Yes, and Ms. Kelley, she farms cotton, Ms. Kelley. And it wouldn't hurt to hear Ms. Kelley out, and Mr. Ashe, I'd appreciate it if you'd do that.

And I'm out of time, Mr. Chairman, so I yield back.

Dr. FLEMING. The gentleman's time has expired. Mr. Duncan is recognized for 5 minutes.

Mr. DUNCAN. Thank you, Mr. Chairman.

I'll use my time mainly to lay out some facts before I ask a question. I'm concerned about the amount of property that the Federal Government owns as a whole. And when we look at a western map and look at the Western States, it's concerning to the folks within Congress that represent those States at the amount of property that is not available for residential commercial development, energy utilization, and other things.

I think about my home State and the amount of property the Federal Government owns in a county like McCormick, South Carolina, and that property is not available for industrial development and for other things. And their tax base is very, very low. And they struggle because the Federal Government owns such a huge portion of that very rural county.

So those are the number one concerns, and then we see that we're wanting to buy 120,000 more acres in Tennessee, and it just seems to be concerning when I look at the fact—and this is—well, let me back up and talk about deferred maintenance for just a second, because I think my friend from Tennessee is going to expound on this, but I look in South Carolina. There's 275 projects in our State around a total cost or a deferred maintenance cost of $85 million. If you go to Tennessee, 357 projects, almost $100 million, we can't pay for what we've got now. So we're going to spend tax dollars to purchase more that we can't maintain, and this just seems to exacerbate the problem.

Now the Federal Government ought to be selling properties that we currently own that are sitting vacant in this city that we're having to maintain, and those need to be sold and that money needs to go down to pay down the public debt. We're $17 trillion in debt in this Nation. Let me repeat that number: $17 trillion. We're borrowing money from China just to meet our normal operating expenses out of the Nation, and we're going to borrow more money from China to buy more property in Tennessee. That baffles my constituents.

And so when I look at the current refuge boundaries of Chickasaw and Lower Hatchie, it's about 83,500 acres. And when I look at the number of acres within that existing boundary that are not owned by the Fish and Wildlife Service, there's about 45,156 acres within that Chickasaw and Lower Hatchie boundary there that we don't own yet. So instead of trying to take taxpayer dollars and maybe shore up our boundaries and buy all the contiguous property within those boundaries, we're going to go out here and buy another 120,000 acres to extend to another refuge.

That doesn't make sense to me when we're taking property out of grow crop by doing that. We're taking the property out of production agriculture altogether. We're taking the timber—the bottom-

land timber at a time that we hopefully are going to see a rebound in construction and need to harvest that hardwood timber for that.

And so the question I have for you for the Fish and Wildlife Service is: Why we're not targeting that 45,000 acres? Is it not available? Is there not a way we can make it available? And shouldn't we identify those landowners and try to own that in a fee simple title before we go to buy 120,000 acres? Could you answer that question?

Mr. ASHE. Thank you. What we're trying to do is—our job is to ensure that in the United States of America that in the future we continue to have abundant populations of fish and wildlife. And in order to do that we have to be able to think 50 to 100 years into the future.

So what we're doing is we're trying to lay out a vision for the future that we believe in concert with our partners in the State of Tennessee and our partners nationwide, organizations like Ducks Unlimited and others that we are trying to identify a landscape that will continue to provide these abundant and healthy wildlife resources that we believe that we need and need to enjoy in the future. And so what we're doing is we're outlining a vision for the future.

And so what we see here is we propose an expansion is what we believe is responsible and will contribute to vibrant wildlife populations nationwide. And that's our responsibility. And Congress has asked us to consider and to grow the National Wildlife Refuge System strategically in order to provide those benefits, and this is one of those areas where we believe we can do that working with local communities. And so that's why we're doing it is because it's our responsibility to think 50 and 100 years into the future.

Mr. DUNCAN. Let me be clear. No one appreciates the job that you've done and continue to do more than I do. I'm an avid outdoorsman. I've taken the opportunity to experience tremendous hunts and fishing experiences western and eastern, Mississippi Basin and other places on Federal land. So I understand that, and I appreciate that. But we're in days of austerity. We're in days of austerity, and I would be more apt to support an option on purchase of that going forward, when times get not as lean as we are now. And if that option expired because we didn't have the money as a nation to purchase that, so be it. That's what private business does. But a fee simple purchase like this of 120,000 acres concerns me in these times.

And we'll need to be clear. As Americans we need to understand the amount of debt and the fact that we're running deficits every year. We can't pay our bills without borrowing money to do so. And so when private individuals and small businesses can't pay their bills, they don't go out and mortgage the future just to acquire more stuff. We just don't do that. And the Government shouldn't operate that way either. And that's philosophical, but it's common sense.

And so I appreciate that, but I will go back to commending you for the job you do leveraging those dollars that Ducks Unlimited and other conservation groups put together. I've seen the benefit of that, but I just think we need to proceed cautiously on things like

this going forward. And with that I'll yield, because I know the gentleman from Tennessee has a vested interest in this issue.

So Mr. Chairman, thanks for letting me go over, and I yield back.

Dr. FLEMING. The gentleman yields back, and the gentleman from Tennessee is recognized for 5 minutes.

Mr. FINCHER. Thank you, Mr. Chairman. I appreciate the opportunity to have this hearing today, and I appreciate you allowing me to be part of the Committee and your Committee staff for helping.

I appreciate the witnesses taking time out of their busy schedules to be with us today and my colleague from South Carolina, Mr. Duncan, he and I talk a lot about hunting and fishing and the outdoors and how important it is to us, our families. But I only have 5 minutes; I've got to be brief.

Many, many things that have been said today are troubling. The 500,000 visitors per year—I'm a seventh generation west Tennessean. I've been all over these refuges, I've hunted, I've fished. I appreciate the outdoors. I appreciate what Fish and Wildlife is doing, what you're trying to do. But I also have an obligation now that I'm a representative to represent the constituents of my district. And this is troublesome, very, very troublesome, they are very skeptical of what is happening.

So I want to start with Mr. Ashe just a couple of questions with you, and then Mayor Schuh, and I'll try to get to Ms. Kelley, too. There was a press statement that was given. Tom MacKenzie, a spokesman for the Fish and Wildlife Service said, "The expansion will help protect a unique habitat. It's a cool part of the country. Anytime you get rivers and hard bottomland hardwoods, it's a good place to grow critters and offers excellent hunting opportunities." Now I mean there's more to it than that. Correct, Mr. Ashe?

Mr. ASHE. I think Tom was speaking from the heart. Of course there's more than that, and I think that as Steve Patrick identified in his remarks, this is an effort that we began with the Tennessee Wildlife Resources Agency a decade ago looking at this, and these areas are critical for waterfowl, for migrating songbirds and shorebirds, for threatened and endangered species, and so we don't establish a unit of the National Wildlife System lightly, and we don't propose an expansion lightly.

As I said, this is a piece of a vision for the future in the United States of America, and the National Wildlife Refuge System, especially in concert with lands and assets that the State of Tennessee has invested in an area like this make it a strategic investment, and that's why we're doing it.

Mr. FINCHER. Let me ask this: Are you aware that citizens that are impacted by this proposal were only given 7 days notice? And if you're aware, why such a short amount of time? Is that consistent with current policy? Are you aware of that?

Mr. ASHE. I'm aware that we wrote letters to over 1,000 landowners who are within the proposed acquisition boundary. So we communicated with those people directly. We did provide public notice of the hearings. We had what I believe is ample opportunity——

Mr. FINCHER. Seven days? Is that ample time? Is that consistent?

Mr. ASHE. I think that—in terms of notice for a public hearing—when we notice a public hearing, you like it to be contemporary

with the hearing—because I know if I see something and it's 4 weeks out, I'll tend to forget about it.

Mr. FINCHER. Right.

Mr. ASHE. And so usually when we do formal public notice, we usually do that a week ahead so that it's contemporary with the public——

Mr. FINCHER. It just seems like a short amount of time. The next question: Were you aware that the proposed expansion plan published—and I have the book that Randy Cook gave me at home—published the names of the owners of the parcels, including the county they live in and the acreage they own? And is that consistent with other environmental assessments your agency has done in the past printing all of that information?

Mr. ASHE. It is consistent that we publish—that's publicly available information. Though you or I could go online, we could get the same information. And the reason we do that is for the landowner's benefit. When a landowner looks at a map of a proposed refuge expansion, we want it to be clear that their land is in or out.

A lot of times we get comments from people that say they can't really understand the map. The map is not fine-grained enough. So what we like to do is identify for the landowners that their property is within or outside of a proposed refuge expansion, but it is all publicly available information. We do not include any information that is——

Mr. FINCHER. When is the last time you've been down to Chickasaw or Hatchie?

Mr. ASHE. I've been in that area at least on three separate occasions. The last time I believe was in 2009.

Mr. FINCHER. OK.

Mr. Chairman, my time has expired. I yield back.

Dr. FLEMING. The gentleman yields back. If the panel would like, we could have another round. I therefore yield myself 5 minutes.

Let's talk about the idea of willing sellers, Mr. Ashe. Of course there's willing sellers and then there's willing sellers. And by that I mean, for instance, if you for whatever reason buy up all the land around somebody, they can become a willing seller when they're not very willing to be a seller. So we have to think about that. But let's focus on maybe some of the power that your service holds in this. Has the service ever used condemnation authority for this purpose?

Mr. ASHE. Ever? Yes, we have.

Dr. FLEMING. OK. When was the last time that was done?

Mr. ASHE. I've been an employee of the U.S. Fish and Wildlife Service since 1995, and I'm not aware that we have used adverse condemnation at any point during that period of time.

Dr. FLEMING. Do you contemplate that if for some reason you're not getting the sort of success you expect from willing buyers that you would use it in this case?

Mr. ASHE. I do not.

Dr. FLEMING. For Mr. Aiken, Ms. Kelley, and Mayor Schuh, do you believe—apparently this land has been evaluated at a price of 2,500 an acre. Do you agree that this is the proper value for the land?

Ms. Kelley, I see you responding there. Let me have your feedback on that.

Ms. KELLEY. I'm pretty much in tune with what property sells for in our county, and I can cite one parcel that was sold just last year which is right within the boundaries of this plan, and it was open ground, good farming ground, and it sold for over $4,000 an acre. And I wouldn't sell mine today probably, my good open farm—good ground for $4,000 an acre.

Dr. FLEMING. Mr. Aiken? Mayor Schuh?

Mr. AIKEN. I actually am from the east Tennessee area, so I'm not totally familiar with prices in that area of the State. But from discussions with other farmers, my understanding is that price would not be totally in line with the true market value today.

Mr. SCHUH. My farmer friends tell me that land is going between $3,000 and $3,500 currently in our area.

Dr. FLEMING. OK. If land is sold to the service fee simple considering the fact that could have an impact on the future value of land that's not yet sold, what's your perception of that? Do you think that helps, hurts? I think we heard testimony that somehow that enhances the value of land, do you agree with that?

Ms. Kelley? Sure.

Ms. KELLEY. I'll be glad to answer that question. There seems to be some discussion about willing sellers. It just depends on where the property is. If you're, for instance, between two parcels that belong to Fish and Wildlife, you can have many, many problems from what they call runoff of pesticides or they can conduct business on the land where the land becomes wetlands in their area. And then it bleeds over into our property and can become wetlands. So you become a willing seller when things like that happen to you. As far as them being around us, it just poses a lot of problems.

Dr. FLEMING. Does it create access problems?

Ms. KELLEY. It does. It does.

Dr. FLEMING. Do you see that potential?

Ms. KELLEY. The court case I cited earlier—these gentlemen are having a terrible problem at the present—actually what happened in the court case was they had dug a well on their property and spent over $20,000 for the well. And then after it was dug, U.S. Fish and Wildlife decided that it was really on their property. So they moved the boundary line over, and they possess the well.

Well, they had to go through several different court cases litigating this to secure that property back to the original boundaries. They were successful in Cincinnati at the Court of Appeals doing that. But now the problem is U.S. Fish and Wildlife surround them. They have to have egress and ingress to the property.

These individuals only use that property for duck hunting purposes and recreation, and now they can't get in and out to their property because Fish and Wildlife says if they damage the road in any way, they have the right to revoke it. And they can't gravel the roads, so in the wintertime in Tennessee, it's very hard to travel on a road as rainy as it is without damaging the roads. So that's just one case that I know of.

Dr. FLEMING. Well, then I'll say as I yield that it seems to me that there is a coercion factor here. Obviously as more land is scooped up, there's more regulations that are subjected to the exist-

ing landowners. If landowners become forced into willing sellers, to me that's not being a willing seller. And really, that expands to a much larger question that we are examining today: the coercive effect of the Internal Revenue Service on its citizens; the coercive effect of the EPA, what it can do to citizens.

And so I really think as we think through and work through this, we really have to reconsider as an ever expanding government that begins to work in its own interests rather than the interests of its citizens and to be accountable to those citizens. With that, I'll be happy to yield to the Ranking Member. Yes, yielding to the Ranking Member for 5 minutes.

Mr. SABLAN. Thank you very much, Mr. Chairman. During the break when I had a conversation with Ms. Kelley—this is one thing that I'm so proud of with Congress is that constituents would bring their grievances with their government like we have here with Mr. Fincher and that's our job. That's what we do here, and some of us just love doing it. But whether we agree or not, back from where I come from it's great that Fish and Wildlife can actually buy the property, because back from where I come from, Fish and Wildlife can't buy the property because they have these laws and these rules. Private owners can't do anything with a piece of property that they have. So you have an advantage here that we don't.

But let me go back to Mr. Ashe, because Mr. Duncan mentioned earlier that he would support the service having an option to purchase land. But having that option, isn't that exactly what increasing the refuge acquisition boundary does also? Mr. Ashe, can you answer that?

Mr. ASHE. Thank you, because, Mr. Duncan, when you were saying that, I think that's exactly what this proposed refuge acquisition boundary is. It's an option. And it's an option on the future. And so as we move forward and as landowners willingly decide that they would like to sell their property, it provides them with more options.

Mr. DUNCAN. Will the gentleman yield?

Mr. SABLAN. I'll yield a minute for Mr. Duncan.

Mr. ASHE. It is precisely an——

Mr. SABLAN. Yes. I'll yield a minute to the gentleman.

Mr. DUNCAN. Let me just clarify that my comments about having an option were an option not when the seller was willing to sell that we would be a ready, willing, and able buyer that would exercise that option to purchase that. The option should be from the Federal Government, as I was saying in my comments, when we've got the money.

Mr. ASHE. And it is both because we have to obviously have the money before we can exercise that option. And so Congress provides us with money or we have money that duck hunters provide us to provide migratory habitat, which is what this would provide. And so when we have the resources and when we can match that with a willing seller, then we both have an option.

Mr. DUNCAN. But is that not always the case in that a willing seller that owns a piece of property in fee simple private ownership could exercise their right to sell that property to anyone to offer that to the Federal Government?

Mr. SABLAN. I'm going to reclaim my time here, because I'm going to——

Mr. DUNCAN. And I yield, but——

Mr. ASHE. Not unless we have a——

Mr. SABLAN. Something happened to the time. Yes, give it back to me, thank you. So while we're discussing this option, let me ask: So Mr. Ashe, you're also telling me that say—because Ms. Kelley said she won't sell her property for $2,500. For example, so if someone thinks that $2,500 per acre is too low, so you're saying that they can keep their land?

Mr. ASHE. They can keep their land. And we pay fair market value. So just like any transaction, we do an appraisal and we would make an offer at fair market value.

Mr. SABLAN. I'm going to try and find a way for you to buy land in the Marianas that we can't use because your rule says we can't do anything with it. So I'm going to try seriously, so now, Mr. Patrick, how does the option to sell land to the refuge increase economic opportunity in the counties around the proposed refuge?

Mr. PATRICK. A refuge system operates very similar to the way we operate our wildlife management areas. And as part of the way we manage wildlife habitat is we use local farmers to help with our agricultural operations. We sell timber to local loggers and sawmills. And so rather than an entire loss of agricultural acres or an entire loss of forestland, there will be some changes I would imagine, but that total acreage being totally removed from producing either an agricultural crop or lumber will continue.

Mr. SABLAN. Thank you, Mr. Chairman. I yield back.

Dr. FLEMING. The gentleman yields back. I believe we're back to Mr. Duncan.

Mr. DUNCAN. I want to thank the gentleman for yielding some time to me on that issue to clarify my point. About 5 years ago my wife and I had an opportunity to purchase about 250 acres adjoining our property, a good stand of saw timber pine, but we didn't have the money. We couldn't afford it. I was a small business owner, didn't want to go into debt, didn't want to go into a tremendous amount of debt, would have had to borrow some money, discussed it with the bank and just decided that it was not what I wanted to do and obligate my children possibly of having to pay for this. And so we missed that opportunity.

Was I concerned about what would happen to that property? Sure. Was I concerned it was going to be clear cut and never replanted? Absolutely. Was I concerned it was going to be developed into something that I didn't want, that was undesirable beside my property? Absolutely. But you know what? I didn't have the money. And I'm concerned about what seems to be an insatiable desire of the Federal Government, not necessarily just the Fish and Wildlife Service, but our Government as a whole to own more and more at a time when we just can't afford it.

And we've got to come to the realization as Americans that, you know what, we may have to pass on some things because we can't afford it. And until we expand the tax base and put more Americans back to work and improve the economy and allow Americans to thrive and have more money in their pocket and all the things that good government should do, then we can make these decisions

about whether to expand our resources, whether it's in the ACE Basin in South Carolina or whether it's the Hatchie and the Mississippi Delta areas. So I don't have any further questions for you.

I'm a conservationist. I enjoy the outdoors. I have enjoyed some of this area probably on the Arkansas side and not necessarily the Tennessee side of the Mississippi Flyway because I'm a duck hunter. But I drive through this and through the gentleman from Tennessee's area looking longingly at that hardwood bottom that's flooded in January—early January wondering: I wish I could get out there and wade and watch the wildlife and maybe shoot some ducks.

But as a conservationist it's a struggle. But as a father of three sons who are going to eventually work and have to start paying taxes to pay back this debt and hopefully have a family of their own and children of their own that are going to still be paying taxes on this debt that we're creating today, and as a representative and a Member of Congress representing this Nation, not just the third district of South Carolina, we've got to make decisions based on what's the right thing for our future generations. And I agree with you that trying to be frugal and setting aside property for future generations as you mentioned, I don't disagree with you on that because I'm the benefit of leaders before me that have had that vision. But I'll tell you, they weren't $17 trillion in debt either.

We've inoculated Americans on what a trillion dollars really is. But I'm saying $17 trillion, America. That's a lot of money. And I just can't in good conscience, Mr. Chairman, support something that will allow the Government to continue to feed this beast and "indebt" future generations.

So I just want to be clear that if we were going to get serious about paying back our debt as a nation and we did it at the rate of $20 million a day, and we paid our creditors $20 million a day every day, if we started today, which is Thursday, we gave them $20 million, put this on the principal, and we came back tomorrow and said put $20 million on the principal, Saturday, Sunday, Monday, Tuesday, Wednesday, Thursday, Friday of next week, did that 365 days a year, 7 days a week, $20 million a day and we got in the handy dandy time machine and we traveled back to the time that my savior Jesus Christ was born and we paid our creditors back $20 million a day every stinking day from that day 'til now, we have not paid $16 trillion in debt.

And we've got $17 trillion in debt to address as a nation. That's the stark reality of where we are as a nation with continuing running deficits and spending money that we don't have. As much as I would like to say let's set that land aside, let's buy this land, let's create a duck habitat, let's create opportunities for me and my boys to hunt and fish and properties in the Lower Hatchie or the Chickasaw—as much as I want to say that, this overwhelming burden of our Nation's debt and our borrowing and the deficit spending and an unbalanced budget overwhelms my desire to do that. And so we need to keep that in the forefront of our minds and take that under consideration.

And with that, Mr. Chairman, I apologize for the rant, but I do yield back.

Dr. FLEMING. The Gentleman yields back, and the Chairman now recognizes Mr. Fincher.

Mr. FINCHER. Thank you very much. My colleague gets very aggressive sometimes, I thought he was going to hit me there for a minute.

Let's shift gears now to the revenue part of it, and in thinking about—look, as a farmer myself, again, my boys hunt and fish, I hunt and fish, but working together with Fish and Wildlife, we can take care of the land better than the Government and better than Fish and Wildlife. No offense. You've done a great job. But we're hands-on. We're there as farmers, as conservationists, equip program, filter strips on ditches, I mean, these things are all great. I mean, quail habitat, we do all of this. But there's a revenue problem.

Look at the chart that we just put up about the refuge revenue sharing payments. Look at Dyer, Haywood, Lauderdale, Tipton, what they're authorized and what they're actually receiving. Now here's my problem, Mr. Ashe—and I don't think the President's budget for the last 3 years, any money has been allocated for—any more than what was previous—24 percent is all that's been paid out to these counties.

Now again, you've been there in 2009 I think and there's not much there other than farmland. And there's not going to be much there other than farmland, and if the refuge takes all of this property, you've killed the tax base. When agriculture, when crops are produced, the dollar turns over and over and over in the local communities, and then on top of that, they're not getting compensated from the Government what they're told they were going to be compensated for.

So Mayor Schuh has to go this his constituents of his county and explain why he doesn't have the money to do what they need to do. What is your answer to giving the counties the money they are supposed to be getting before we even talk about acquiring more land?

And the second question is: Can you buy land now without drawing this boundary around all of this land? Can you go in now—this is before the boundaries—and just say I want to buy a certain tract without the boundaries being drawn? Can you go in next to the refuge in the old lines and say I want to buy a piece of property? And then if you—answer both questions if you don't mind.

Mr. ASHE. I can only buy land that's within an approved refuge boundary.

Mr. FINCHER. OK. All right. Now the second part to the revenue part of paying the counties.

Mr. ASHE. Refuge revenue sharing, so when we go in and propose a refuge or a refuge expansion, then communities can see the same information that you're presenting here. So the amount that is authorized under the law is like an authorization under any other law. Unless Congress appropriates that money, we can't realize that payment. But we're upfront with communities and with landowners, and we tell them what we would expect a revenue sharing payment to provide. We don't promise them a level of funding that is not based upon traditional——

Mr. FINCHER. In the President's budget, the last 3 years he's recommended zero dollars. Do you tell the landowners that and the county mayors that? Because I assume if you did, they wouldn't be for it.

Mr. ASHE. What we tell communities is usually what the payments have been in the past. But we don't—that's the record that—you are exactly correct. In the last three budgets we have recommended no appropriations for refuge revenue sharing. But Congress has appropriated money for refuge revenue sharing. But what I talk to communities about is the benefit that comes from establishment of a refuge.

And every economic study that has been done has demonstrated that establishing a refuge and operating a refuge within a community is a net economic benefit. We have never seen an economic study that does not demonstrate an economic benefit.

Mr. FINCHER. Being here for 3 years, we study a lot. I mean, there are a lot of things that we study, and you know the approval rating of Government and Congress right now is not a very high number either. The people that I've been in contact with are not for this. And trying to explain to them how turning this into a refuge is going to be more return, a better economic impact on the community than $150 bushel an acre corn or $50 bushel to the acre of soybeans, it's a struggle. I mean, it's a struggle.

And so if we can't—and giving back my time—it's expired. But if we can't take care of what we have, if Fish and Wildlife can't take care of what they have—if they were taking care of what they had, it would be different. But if they can't, how in the world can we start to expand the boundaries and take more land? And my time has expired, so I yield back.

Dr. FLEMING. The gentleman yields back. I know Mr. Aiken has got to catch a flight. Do we have interest in more questions?

Mr. SABLAN. I think Ms. Kelley is going to try and see the vote on the farm bill, so I have no questions.

Dr. FLEMING. OK. So how about you, Mr. Fincher?

OK. So we'll have another round or another opportunity for questions.

And Mr. Aiken, if you need to go, certainly we understand, but otherwise we'll certainly move forward.

I now yield myself time.

Mayor Schuh, if farmland in Lauderdale County is generating $8.13 per acre in land taxes, why is the Fish and Wildlife Service only paying $3.18 per acre?

Mr. SCHUH. In my conversation with the financial department in Denver—I only know what I'm told—is that there's only so much money available, and as Fish and Wildlife continues to buy land, the piece of the pie gets smaller for everyone. Congress can put money back in, but they haven't—but they've failed to do it, and the conversation this past week was that Congress basically took out some money, and they expect my check to be lower next year—I mean, within the next month or 2. And he said, "I have no idea," because he said the refuge money is not back in. We don't know the revenues of what the refuge money is. And that's what I was told. I don't understand everything completely.

Dr. FLEMING. Well, I know that my colleagues here from the West and States that have large portions of their States that are owned by the Federal Government, they struggle mightily when it comes to their tax base. That's land that is sort of taken off the table for revenue production for the local population, and yet it's used for the benefit of the Federal Government. So it does seem to be problematic to continue to take that land that has obvious revenue and to really take it off the shelf for the local community.

Let's see. For the panel except for Mr. Ashe, because this I think doesn't really apply to Mr. Ashe, do you believe that in order to save this 70,000 acres of agricultural lands in Haywood, Lauderdale, and Tipton Counties Federal Government must own this land?

Ms. KELLEY. I believe in order to save the land, the Federal Government must not own this land. We as farmers do an absolutely fabulous job of adhering to natural resource conservation plans. We have a plan for each farm. We have to do minimum till. We have to do no till. We are heavily governed already by the U.S. Government through natural resources in being good stewards of the land.

And I am a sixth generation person, just like Stephen is, and am of American Indian heritage. And I really don't want to see it go back to the way it was when the American Indians lived here, and that seems to be the goal. But we've done a fabulous job of co-inhabiting with wildlife. My husband and my family, my boys, my sons-in-law, they are avid hunters. We try to protect the land as much as we can.

My main concern is not for unique habitats; it's for the unique habitat of the human species who live in this area, because we are going to suffer so greatly from the diminished economic values that our county will see. As far as the land, I think we do a fabulous job already.

Dr. FLEMING. What are your thoughts, Ms. Kelley, before I shift to the mayor for that same question, about the idea of easements as opposed to fee title?

Ms. KELLEY. I don't know. I have a distrust of the system because I guess as the country music song says, "I've seen it in color." I've seen what really happens when you have to live next door to these people. We farmed a cotton farm in Haywood County, and it was acquired by the Tennessee Wildlife Foundation. The only thing was we owned 100 acres that was the boundary along the rivers—I think it's Big Muddy Creek or something like that.

But anyway, they came in, they tore down all of the levees that we had up there. It was a wonderful producing-cotton piece of ground. They tore down the levees, they put a gate up, they planted trees on it, and no one is allowed to go in there except the director of the Tennessee Wildlife Foundation, and he hunts on it. So we have had to live next door to them, and we cohabitate with them, and my husband has bent over backwards to conform to the new regulations that we have to conform to. And it's been very difficult, and we have spent many, many thousands of dollars trying to conform to the regulations that they put on us.

Dr. FLEMING. Sure. I'm running out of time. Mayor, let me get your just yes or no, and also the gentleman from Tennessee.

Mr. SCHUH. My farmers are very conservative in my county. I realize that not every farmer is perfect; 5 percent as always in this population makes it hard on the other 95 percent. Another concern I have is riverboat barge traffic going up and down the river. If the Federal Government owns all the land—I collect $218,000 in taxes from river barge. In the future if they own all the land, who gets those taxes? Are those taxes going to go to the Federal Government? It's just a question. I have no idea. That was a concern. And I thought it was something to bring up.

Dr. FLEMING. OK. My time is up.

Mr. Sablan, you still have no further questions? If not, I'll—if you do, I'll——

Mr. SABLAN. Well, actually, now that you started, Mr. Chairman, I will ask some questions. I'm only 45 minutes late for a meeting, but—Ms. Kelley and I had several conversations in the back. I think I like this lady. I don't agree with her, but I like her. And we talked a little bit also about the national debt, because Mr. Duncan brought it up. It's a big issue. It's something that we should really be all concerned about.

But Ms. Kelley, you mentioned in your testimony you're concerned about the national debt just as we had in our private conversation during the break. I am as well. But in 2012, farmers in Tipton County received nearly $6 million in Federal farm subsidies, and I'm certain in the farm bill that's being debated and will be voted on and soon there will be other subsidies, but $6 million is far more than their farmland generates in tax revenue. So do you believe those farm subsidies are fiscally conservative and an appropriate use of taxpayers' dollars?

Ms. KELLEY. I have to clarify your question. You said that those farms' subsidies exceed our gross revenues that we put back into the economy?

Mr. SABLAN. No. The farmland generates in tax revenue, not in gross revenue, tax revenues.

Ms. KELLEY. In tax revenues——

Mr. SABLAN. Yes.

Ms. KELLEY [continuing]. For the county taxes?

Mr. SABLAN. For the farmland that receives the subsidy of $6 million, they get more in subsidy—those farmlands, than they do generate in tax revenues.

Ms. KELLEY. I'm not so sure that's correct. We probably have about $115 million, total gross receipts, somewhere around there. And in some years it's even more. It just depends on what the profit of the farmers was to be able to tax and what rate that you're at. So I think that's subjective.

Mr. SABLAN. Yes. But I'm talking about the subsidy and tax revenue. But so let me go to Director Ashe.

Mr. Ashe, the House is going to pass a farm bill that includes $40 billion in commodity program alone. How does that compare to the total budget of Fish and Wildlife Service?

Mr. ASHE. The total appropriated tax payer funded budget——

Mr. SABLAN. Yes.

Mr. ASHE [continuing]. For the Fish and Wildlife Service is about $1.3 billion.

Mr. SABLAN. All right. So remaining with Mr. Ashe, let me ask you—I just want a yes and no answer to my questions, because you testified that the service acquires land only from willing sellers. And so I just want to be very clear for the record. So let me go over this again. Does the simple act of expanding the refuge acquisition boundary mean the service now controls even a single additional acre of land?

Mr. ASHE. No.

Mr. SABLAN. Would this expansion result in even a single change to what private landowners can do with their land?

Mr. ASHE. No.

Mr. SABLAN. Let me be very clear again. You're saying that there will be no new regulations or restrictions resulting from private land being included within a refuge acquisition boundary, correct?

Mr. ASHE. None whatsoever.

Mr. SABLAN. OK. So does this expansion give the service the ability to do anything at all besides buy land or easements from people who want to sell them?

Mr. ASHE. No, it does not.

Mr. SABLAN. And I keep going back to this wonderful lady that I hope she and I become friends, Ms. Kelley. Mr. Ashe, when you have the time, please listen to this lady, because she can convince you of a lot of things.

But Ms. Kelley, let me go back. And of course we all work here as a group, so if I was a farmer in Tennessee—trust me, I'm not a farmer, but if I was a farmer and I want to sell my private property, why should that be anyone else's business but my own?

Ms. KELLEY. If you want to sell it?

Mr. SABLAN. Yes.

Ms. KELLEY. Well, if you sold it purely because you wanted to sell it, that is your business. If you have to sell your property because you're being surrounded by unfriendly owners whomever they might be, that might be a different subject. If for instance——

Mr. SABLAN. So if I sell my property because I don't like my next door neighbor, that should be your business?

Ms. KELLEY. That should be that person's right to do that if they don't like their neighbor.

Mr. SABLAN. That's exactly my question, so——

Ms. KELLEY. Right.

Mr. SABLAN. But why should it be anyone else's business for any reason why I would want to sell something that belongs to me?

Ms. KELLEY. You misunderstood me. If they damage your land—for instance——

Mr. SABLAN. Sue them.

Ms. KELLEY. Yes. Exactly. That's the point. That's what the Fish and Wildlife force these people to have to do. The ordinary person does not have enough money to fight a giant like Fish and Wildlife, and that's when those people turn around and sell their land because there's nothing else they can do. It's like let's cut and run and cut our losses. If we go to court we're going to spend thousands and, well, hundreds of thousands of dollars. And that's the problem.

I think maybe Fish and Wildlife and Congress had a very noble cause when they started back in 1997 as you say. You and I had

this discussion. The causes are noble. The problems are when an agency gets so large and it runs amok, the people over the agency don't even realize what's happening out there in the field. And that's the problem. And things can be done to us that you guys in Washington don't even know about. If you do, you're condoning it.

Mr. SABLAN. And I just want the record to reflect that Ms. Ashe didn't throw her water bottle at me; actually just dropped it. But—I mean, Ms. Kelley. I'm sorry.

And Mr. Chairman, I yield back, and I thank you.

Dr. FLEMING. The gentleman yields his time back. Mr. Fincher is recognized for 5 minutes.

Mr. FINCHER. Thank you, Mr. Chairman. And wrapping up, I think we've got to go vote here in a minute. But my colleague alluded to the farm bill, and it's—I guess it's—we need to make sure that we clarify this point. For the first time in the history of the farm bill, the direct payments, the farm subsidies that we've all known to exist are going away. No more direct payments after today after this farm bill passes. So hopefully that's an issue that can be removed from the discussion.

I think what we see—what I see as someone who goes home every weekend is Mr. Ashe and Mr. Patrick are here before us today. I trust both of them—I trust what you say is the truth. But to Ms. Kelley's argument, the Government is so big—IRS, the Justice Department with the AP and the Fox News story, the NSA, all of these programs, all of the things that are going on—the Government is so large that, Mr. Ashe and Mr. Patrick, you can't see after all of the Fish and Wildlife Agency.

And what happens is you have sometimes within all sorts of areas of our life and business and government is bad actors sometimes do bad things and take it upon themselves to make judgment calls that may not be what the Fish and Wildlife Service intended any of the time. To Ms. Kelley's point, what she was talking about is let's say you have a piece of property that's $4,000 an acre prime cotton land, corn land in the Mississippi Bottom or the Hatchie Bottom. And let's say that on both sides of that land, Fish and Wildlife buys that property.

Well, they want to return that property back to the State that they think is better for the environment. That's OK. Let's say the drainage ditches on that property get choked up with debris. Well, many times they don't want to go in and disturb those drainage ditches.

So what happens is that $4,000 piece of property that Ms. Kelley owns when she puts it on the market to sell it and not to Fish and Wildlife, but to someone else, they come down and look at it, and they say, "Well, Ms. Kelley, that property is not worth $4,000 an acre, because you see, on both sides of it, Fish and Wildlife own it, and they aren't going to let me clean that drainage ditch. And if they do let me clean it out, it's going to take an act of Congress to get to do it. So your property is worth $2,000 an acre." These are all valid concerns of my constituents, Mr. Ashe and Mr. Patrick.

And I'm not saying we can't work this out. I am super glad to work with you and the farmers, the mayors to help keep and restore this country and our wildlife habitat back to whatever we

think is responsible. But we need to do it in a way that has an open relationship. We need to do it in a way that Mr. Cook just doesn't show up in December with a map and say, "Here's what we're going to do. I hope you're happy with it."

We need to do it in a way that everybody's upfront, everybody knows what's going on, and if the folks don't want it, then we don't need to do it. And so that's the responsibility I have, but I am not anti-Fish and Wildlife. I promise you. But I am pro-taking care of the country and my constituents. I've got a minute and fifty left. Mr. Ashe, do you want to respond? And then I'll let Ms. Kelley just for a minute.

Mr. ASHE. I do. And I guess quickly I'll just say my parents live in Massachusetts. And last weekend I was on my way out west, and my mother said, "How come you never come to Massachusetts?" And I said, "Well, because that's not where the problems are." I tend to go where the problems are. And I will be direct with you and say we own 150 million acres of land, and just like any—I have sometimes day-to-day problems with my neighbor. And so we do have from time to time, we have problems. But the idea that we are flooding adjacent landowners' land in order to drive the values down——

Mr. FINCHER. No. No. And I'm not saying intentionally—no, no. I'm not saying intentional.

Mr. ASHE. Right. And so let me just say just for the record clearly, does not happen. We have an excellent record of working with private landowners. And where we do have issues with landowners, I hear from Members like yourself, and I think we have an excellent record of meeting with folks like yourself, with landowners and working those problems out, and I'm happy to do that. And I would say that what we have made is a proposal, Congressman, and I am committed to working with you and the communities on this proposal. And I think we can do that.

Mr. FINCHER. Well, and again, if this was all as good as it seems, then I think all of my farmers at home would not be up in arms against it. And so we've got some work to do.

Ms. Kelley and Mr. Schuh just for a few minutes—a few seconds before we go. Thank you for coming, but any further comments?

Ms. KELLEY. I just want to say that Mr. Sablan's right. I really do like him.

[Laughter.]

Mr. FINCHER. Mayor.

Mr. SCHUH. I like all the Committee members and thank you for giving us this opportunity.

[laughter.]

Mr. FINCHER. Thank you, Mr. Chairman. I really appreciate this, and the Ranking Member.

Dr. FLEMING. Let the record reflect that everybody likes everybody today.

[Laughter.]

Dr. FLEMING. Well, before closing, I would again like to compliment Congressman Fincher for bringing this issue to our attention and for superb leadership on behalf of his constituents in the 8th Congressional District of Tennessee. Based on this hearing and others during the past 30 months, my views on this issue have not

changed, however. I believe the acquisition of privately held land by the Federal Government is a huge job killer. Upon fee title acquisition, all productive uses of these lands, including farming, grazing, and timber activities must cease to exist, and with their elimination, thousands of jobs are lost.

In addition, the Federal Government loses revenue in terms of tax receipts, local communities lose their economic base, and the Federal Government must dedicate millions of dollars to maintain those formerly productive lands forever. It is a lose-lose proposition.

I want to thank Members and staff for their contributions to this hearing. There being no further business, without objection, the Subcommittee stands adjourned.

[Whereupon, at 12:35 p.m., the Subcommittee was adjourned.]

[Additional Materials Submitted for the Record]

QUESTIONS SUBMITTED FOR THE RECORD TO THE U.S. FISH AND WILDLIFE SERVICE, DEPARTMENT OF THE INTERIOR

QUESTIONS SUBMITTED FOR THE RECORD BY THE HONORABLE JOHN FLEMING, CHAIRMAN, SUBCOMMITTEE ON FISHERIES, WILDLIFE, OCEANS AND INSULAR AFFAIRS

Question. When do you anticipate that a final boundary expansion plan for these two refuges will be submitted to the Director of the U.S. Fish and Wildlife Service for his approval?

Answer. In early 2014, the U.S. Fish and Wildlife Service (Service), in coordination with Representative Fincher, plans to hold additional public meetings and reopen the comment period in an effort to give the local community an additional opportunity to provide input on the proposed boundary expansion at the Chickasaw and Lower Hatchie National Wildlife Refuges (Refuges). Should it go forward, we expect to submit the final boundary expansion plan to the Director in the second half of fiscal year 2014.

Question. How many private landowners have approached Fish and Wildlife Service representatives in the Southeast Region indicating a desire to sell their property to the Federal Government but have been told that negotiations are not possible because their land is not within current refuge boundaries?

Answer. Refuge managers are routinely approached by landowners offering to sell property to the Service. If the property is located outside an approved acquisition the Service is unable to acquire the land, and no further discussions occur. We do not track the number of landowners that approach the Service with an interest in or an offer to willingly sell property outside an approved acquisition boundary. However, the Service does track the number of willing sellers within the proposed boundary expansion as part of the planning process. In response to information presented at the scoping and public meetings for the proposed acquisition boundary expansion at Chickasaw and Lower Hatchie National Wildlife Refuges, 34 landowners have contacted Service staff indicating a desire to sell their property to the Service. Five individuals have expressed a desire not to sell.

Question. How many acres a year is the Service currently purchasing and adding to the inventory of the Chickasaw and Lower Hatchie National Wildlife Refuges?

Answer. Refer to the table below.

Fiscal Year	Chickasaw NWR	Lower Hatchie NWR	Total Acres Purchased by FWS
1980	-	393	393
1981	-	705	705
1982	-	884	884
1983	-	-	-
1984	-	-	-
1985	5,798	2,071	7,574
1986	-	80	80
1987	4,144	-	4,144

Fiscal Year	Chickasaw NWR	Lower Hatchie NWR	Total Acres Purchased by FWS
1988	5,528	-	5,528
1989	-	-	-
1990	1,081	-	1,081
1991	-	168	168
1992	-	34	34
1993	-	3,054	3,054
1994	-	-	-
1995	-	-	-
1996	-	-	-
1997	37	-	437
1998	-	-	-
1999	-	318	318
2000	-	-	-
2001	690	25	715
2002	646	1,224	1,870
2003	813	64	877
2004	364	294	657
2005	163	634	797
2006	419	-	419
2007	160	398	558
2008	-	42	42
2009	131	-	131
2010	-	-	-
2011	182	838	1,020
2012	357	657	1,014
Total (acres)	20,914	11,883	32,797

Table 1: FWS Purchases (fee title only) for Chickasaw and Lower Hatchie NWRs.

Question. During the past 10 years, how many acres have been donated by private landowners to either the Chickasaw or Lower Hatchie National Wildlife Refuges?

Answer. Refer to the table below.

Fiscal Year	Chickasaw NWR	Lower Hatchie NWR
2006	196	0
2012	18	0
TOTAL (acres)	214	0

Table 2: Donations (fee title) from private landowners at Chickasaw and Lower Hatchie NWRs.

Question. It is my understanding that the current refuge boundaries for Chickasaw and Lower Hatchie Refuges is 83,500 acres. How many acres within the existing boundary are not owned by the Fish and Wildlife Service?

Answer. Fee title ownership by the Service, State owned lands within the current acquisition boundary, and State lands under lease by the Service account for 45,310 acres. This leaves 38,190 acres within the approved acquisition boundary that are not within the Federal conservation estate for both refuges.

Question. Why not purchase this land first before targeting an additional 120,000 acres of private property in these four counties?

Answer. The Service's inability to acquire lands within the current acquisition boundary due to funding limitations or unwilling sellers does not eliminate the biological need to conserve, restore, and enhance those habitats within the 5-year floodplains of the Mississippi and Hatchie Rivers. The habitats within the proposed expansion area have been identified as important for fish and wildlife species as well as for meeting the public's needs to hunt, fish, and observe wildlife.

Question. What is the preliminary cost to acquire 120,078 acres in some of the most fertile crop land in the United States? How much do you anticipate paying on a per acre basis?

Answer. Because the timing, availability of land, and mixture of conservation easements or other land protection options versus fee title acquisition are unknown, the Service has no ability to predict to total cost that would result from a boundary change. The average cost at this time for a fee title acquisition for an acre of private land within the 5-year floodplain is approximately $2,500.

Question. How long do you anticipate it will take to acquire all 120,000 acres?

Answer. Many of the acres identified within this proposal may never be acquired depending on funding, willing sellers, and other Service acquisition priorities. We anticipate over the next 10 years, the projected increase from lands acquired in this proposed 120,000 acre expansion area would likely be less than 10,000 acres.

Question. Of the 120,000 acres, how many would be acquired through fee title?

Answer. The amount of acreage that may be acquired through fee title will depend upon the availability of willing sellers and funding. The Service intends to acquire parcels in conservation easements and fee title to provide the most flexibility in managing priority lands and working with willing landowners. However, we may fulfill our management goals by working with landowners to acquire long-term leases, cooperative agreements, or memorandum of agreements. The Service also will consider donations and exchanges to protect lands within the proposed expansion areas.

Question. Does the Fish and Wildlife Service normally print the names and land descriptions of property they are interested in acquiring in a Draft Environmental Assessment Document for the expansion of a national wildlife refuge?

Answer. The Service includes property identification information in its planning documents to inform a landowner that his/her property falls within a proposed acquisition boundary. We generally identify private land by the landowner's last name, first name and then a number that is usually dependent on how many tracts are owned by the landowner. We obtain the property identification information from public records that are often readily available through State and local government online data bases.

Question. It is my understanding that the Service is precluded from negotiating with land owners whose property is not within an existing refuge boundary. Is that correct? Is that based on a statutory restriction or regulations issued by the Fish and Wildlife Service?

Answer. By law, the Service must purchase lands within the identified boundaries. However, Pub. L. 99–646 requires the Service (all government agencies) to acquire lands outside boundaries as part of acquisitions for lands inside boundaries when the lands outside the boundary would be an uneconomic remnant for the landowner.

Question. The Service indicates that it purchases property from "willing sellers". Has the Service ever used condemnation authority? Does the Service still have condemnation authority?

Answer. The Service, like other Federal agencies, has the power of eminent domain. As a matter of policy, the Service only acquires land from willing sellers. The Service has not used adverse condemnation since the 1980s.

Occasionally, the Service uses "friendly condemnation" to clear title when ownership is not clear. Sellers consent to friendly condemnations in the interest of having a court determine ownership, and they are not adversarial proceedings.

The Service's three most recent friendly condemnations were:

1. Umbagog NWR, March 2012—The Service used a friendly condemnation to clear title when the ownership of a 1/36 interest in a 156-acre property was not clear. The Society for the Protection of New Hampshire Forests (SPNHF), which owned a 35/36 interest in the property, requested the friendly condemnation to have a court determine ownership, after both the Service and the SPNHF were unable to identify the owner of the 1/36 interest.

2. Stewart B. McKinney NWR, February 2003—The Service used a friendly condemnation to remove 1955 deed restrictions.

3. Lower Rio Grande Valley NWR, January 1998—The Service used friendly condemnation to determine ownerships in an 11,950-acre acquisition from the Resolution Trust Corporation (RTC), the U.S. Government entity charged with liquidating assets from insolvent savings and loan associations.

Question. Are there any restrictions on a landowner donating their property to the Service whether it is in or out of a refuge boundary?

Answer. 16 U.S.C. 742f(b) authorizes the Secretary of the Interior to accept any gifts, devises, or bequests of real and personal property for the benefit of the Fish and Wildlife Service. This authorization does not require that the real property be located within approved acquisition boundaries. It is the Service's policy to not retain donated non-program real property for more than 1 year, 342 FW 5(F)(3), and, in disposing of it, to give first consideration to exchange. 342 FW 5(F)(2).

Question. Has any of the property identified within the 120,000 acre expansion been designated as critical habitat for any listed species?

Answer. No. None of the land within the proposed expansion has been designated as critical habitat.

Question. Where does the acquisition of additional land for Chickasaw and Lower Hatchie National Wildlife Refuges rank under the Service's annual Land Acquisition Priority List? What is the basis of that ranking?

Answer. Chickasaw NWR and Lower Hatchie NWR ranked 24th and 32nd, respectively, on the Service's fiscal year 2014 LAPS list. Both refuges scored highly in the LAPS Fisheries Component, because they support nursery, spawning, and migration life cycles for anadromous fish with declining populations, including the alewife, Alabama shad, and blueback herring. Both refuges scored well in the LAPS Endangered Species component, because the refuges and nearby habitat support greater than 5 percent of the entire Mississippi River basin population of the federally listed least tern, as well as populations of the federally listed pallid sturgeon. The refuges scored moderately well in the Bird Conservation Component because they provide habitat for 33 of the 148 migratory bird species on the national list of Birds of Conservation Concern, which are bird species at risk for Federal listing. The refuges and the surrounding area also support wintering waterfowl populations in excess of 300,000, including American black duck, Canada geese, canvasback, lesser scaup, mallard, and northern pintail.

Question. Is it true that the fundamental goal of the Refuge Revenue Sharing Act of 1935 is to compensate local counties for *lost tax* revenues when private property is incorporated within the refuge system?

Answer. No, the goal of the Refuge Revenue Sharing Act (RRSA) is not to compensate counties for lost tax revenues. The purpose of the RRSA is to share revenues derived on refuge lands with localities. Economic use activities such as grazing, haying, trapping, and timber harvesting on refuge lands generate $6 million to $12 million in receipts per year. These receipts are deposited into the National Wildlife Refuge Fund (NWRF). Each year, the Service distributes these revenues, minus any associated costs, to counties with Service lands. If Congress appropriates funds for the NWRF, then the Service adds the amount of the NWRF appropriation to the funds it distributes to counties with Service lands.

Question. Does the Refuge Revenue Sharing Act compensate for lost economic activity?

Answer. See above. In addition, all rigorous economic analysis of which the Service is aware indicates that refuge acquisition and operation is an economic *benefit* to adjacent communities.

Question. For instance, I have a 1,000 acre soybean farm and I employ 30 people to work on my property. If I sell my property to the Fish and Wildlife Service, there will be no farming and no employees. Does the program compensate for this lost economic activity? I purchase a new John Deere tractor every 3 years from a local dealer. Does the program compensate for those lost sales? How about the seed grain that I will no longer be buying?

Answer. As noted in the previous answer, the Refuge Revenue Sharing Act does not compensate for lost economic activity but rather it provides for the sharing of revenues derived on refuge lands. While the acquisition of new refuge lands may result in loss of economic activity associated with previous land uses, refuge lands typically generate significant new economic activity from hunting, fishing, birding, hiking, other recreational activities, and associated tourism expenditures in local economics. For an analysis of the economic impact of recreational and other uses of Interior Department lands see the U.S. Department of Interior Economic Report for Fiscal Year 2012 at: *http://www.doi.gov/ppa/economic_analysis/upload/FY2012-DOI-Econ-Report-Final.pdf.*

Question. What about the wages I paid to my employees? Are those factored into the county entitlement payment?

Answer. See above.

Question. During the two public meetings on the proposed refuge expansion were there any representations made that locally affected counties would be compensated for lost tax revenues under the Refuge Revenue Sharing Act? Please explain any promises or commitments that were made at those meetings.

Answer. The Service presented information on revenue sharing payments for the past 5 years at all scoping and public meetings. The payment information was specific to the four counties affected by the proposed expansion. No promises or commitments were made relative to the amount of future revenue sharing payments.

Question. What is the current operations and maintenance backlog within the six national wildlife refuges in Tennessee? How many of these projects are "mission critical"?

Answer. There are 82 mission critical operational or resource management projects identified for all seven Tennessee refuges, totaling $9 million. The current maintenance backlog for Tennessee refuges totals $90.7 million.

The U.S. Fish and Wildlife Service has been working to refine our processes associated with deferred maintenance cost estimating and are making a concerted effort to reduce the National Wildlife Refuge System's deferred maintenance backlog. At the end of fiscal year 2012 the National Wildlife Refuge System's deferred maintenance backlog was at $2.4 billion and at the end of the third quarter of fiscal year 2013 we officially reported a backlog of $1.75 billion. This is an overall reduction of $650 million.

Question. How many individuals visit the Chickasaw National Wildlife Refuge each year? What kind of wildlife dependent activities are available at this refuge?

Answer. Chickasaw National Wildlife Refuge welcomed approximately 78,500 visitors in fiscal year 2012. Visitors may hunt, fish, and observe and photograph wildlife on the Refuge.

Question. How many individuals visit the Lower Hatchie National Wildlife Refuge each year? What kind of wildlife dependent activities are available at this refuge?

Answer. Lower Hatchie National Wildlife Refuge welcomed approximately 71,000 visitors in fiscal year 2012. Visitors may hunt, fish, and observe and photograph wildlife on the Refuge.

Question. What commitment can you make that hunting, fishing, wildlife observation and the other three forms of wildlife dependent recreation will be available on all of the lands purchased with fee title under the expansion plan?

Answer. Compatible recreational opportunities will be provided on acquired land in accordance with the National Wildlife Refuge System Improvement Act and Service Policy and Regulations. Chickasaw and Lower Hatchie National Wildlife Refuges are open to hunting and fishing in accordance with State regulations. Additionally, the Refuges are open to the other wildlife-dependent priority use—wildlife observation, photography, and environmental education and interpretation—year round except for the seasonal closure of small areas for waterfowl use.

QUESTIONS SUBMITTED FOR THE RECORD BY THE HONORABLE STEPHEN LEE FINCHER, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF TENNESSEE

Question. Can the Service cite specific data that was used to draw the boundary lines?

Answer. We relied on a range of science, data, and management plans to inform the proposed acquisition boundary. The North American Waterfowl Management Plan, Partners in Flight data, and wildlife management plans such as the Service's comprehensive conservation plans and the West Tennessee Wildlife Resources Conservation Plan were used during this major biological collaborative planning effort. The Service also incorporated information from multiple Federal and State partners, including the Tennessee Wildlife Resources Agency that manages a number of wildlife management areas in western Tennessee, to identify the habitat needs for priority biological resources. We also took into account science and wildlife objectives developed by conservation organizations such as Ducks Unlimited and the Tennessee chapter of the Nature Conservancy.

Question. What areas will hunters and fishermen not be allowed access, and do you see this changing over the course of the boundary expansion plan?

Answer. Areas within the proposed expansion boundary will be open to the public with the exception of limited seasonal sanctuaries necessary to reduce disturbance to wintering waterfowl.

QUESTIONS SUBMITTED FOR THE RECORD TO STEVE PATRICK, ASSISTANT EXECUTIVE DIRECTOR, FIELD OPERATIONS, TENNESSEE WILDLIFE RESOURCES AGENCY

QUESTIONS SUBMITTED FOR THE RECORD BY THE HONORABLE JOHN FLEMING, CHAIRMAN, SUBCOMMITTEE ON FISHERIES, WILDLIFE, OCEANS AND INSULAR AFFAIRS

Question. On Page 1 of Ms. Kelley's testimony, she highlights the fact that Tipton County will lose $40 million annually if the Service is successful in acquiring 38,000 acres of agricultural lands in her county. How is the State of Tennessee going to replace that economic activity?

Answer. This statement assumes that of the 38,000 acres of agricultural land within the acquisition boundary that all of it would be taken out of production, which is not the case. The Fish and Wildlife Service (FWS) has a history of leasing agricultural land on their wildlife refuges and there is no reason to believe that

would not be the case in Tipton County. Local farmers who lease agricultural land from the FWS will purchase their seed, fuel, fertilizer and chemicals from local merchants.

All National Wildlife Refuges have recreational programs that attract people who enjoy wildlife related recreation. In Tennessee, wildlife-watching participants are the single largest group. A 2011 National Survey of Fishing, Hunting and Wildlife-Associated Recreation estimated that 787,000 residents and non-residents participated in wildlife watching away from their home, spending over $498,000,000 dollars.

One can assume with some of the 38,000 acres of agricultural land still in production and wildlife related recreational programs in place, which will attract people from outside of Tipton County; that the local economy will not be negatively impacted but could actually be positively impacted by recreational dollars from outside the County being spent in the County.

Question. Mr. Patrick, do you believe that in order to save the 70,000 acres of agricultural lands in Haywood, Lauderdale and Tipton counties the Federal Government must own this land?

Answer. According to the American Farmland Trust, Tennessee is among the top 10 States in conversion of farmland to development. More than 4 percent of the State's total farmland has been converted to urban use and lost to the production of food, fiber and wildlife habitat. If population growth models are accurate, that percentage will only grow over the coming years.

For farmers who will not pass along their land to the next generation, their land is their retirement investment. So when the time comes to stop farming and retire, the most money to be made is most often to sell to residential or commercial interest. In other cases, the farm that passes to the next generation also ends up being sold to residential or commercial interest.

The preferable alternative for many landowners in both of these cases; is the ability to sell their land for fair market value to the Federal Government and thereby protecting it from future development. If the only alternative is to sell to residential or commercial interest, Tennessee will continue to loose productive agricultural land to development.

Question. Are you familiar with the farmers that live in western Tennessee? How would you describe their conservation ethic?

Answer. Farmers in west Tennessee have strong ties to the land and when conservation practices are economically practical they are ready to implement those practices. Market prices, production cost and weather put all farmers under extraordinary pressures to remain a profitable business. It is understandable that if conservation practices don't improve the bottom line that they receive minimal consideration. Every practice on a farm must contribute to the overall profitability and well-being of the business.

Question. Is there any law today that prevents the State of Tennessee or your agency from negotiating conservation easements with landowners in western Tennessee? Can you accept donations of land? Can the State purchase through fee title private property? Does the State ever use imminent domain?

Answer. There is no law which would prevent the State of Tennessee or the Tennessee Wildlife Resources Agency from negotiating conservation easements. However, these would have to be donated easements. The only dedicated funding available for purchase of easements or fee title acquisition is through the State's Wetland Acquisition Fund and all of those properties must meet the statutory classification of wetlands. Any other acquisition would require a specific appropriation by the Tennessee General Assembly or in the case of the Tennessee Wildlife Resources Agency a specific appropriation by the Tennessee Fish and Wildlife Commission.

The State and TWRA have accepted donations of land and both have purchased private land through fee title purchases.

Imminent domain has been rarely used in Tennessee and when it has, it has been associated with highway projects. The State has not used imminent domain in the conservation of wildlife habitat.

Question. What do you believe will be the per acre price to purchase by fee title the 70,000 acres of agricultural lands identified in Haywood, Lauderdale and Tipton counties?

Answer. Our Real Estate Division estimates that agricultural land can on average sell as follows:

Lauderdale—$2,500–$3,000 per acre.
Tipton—$2,500–$3,000 per acre.
Haywood—$2,700–$3,200 per acre.

Question. How about the 27,000 acres of bottomland hardwood forest? What is the cost per acre of this land?

Answer. Our Real Estate Division estimates that depending on the quality of the timber, hardwood forest can on average sell as follows.

Lauderdale—$900–$1,200 per acre.
Tipton—$1,300–$1,500 per acre.
Haywood—$900–$1,200 per acre.

LETTER SUBMITTED FOR THE RECORD FROM VIRGIL AND JOYCE COATS, BURLISON, TENNESSEE

JUNE 28, 2013.

Congressman STEPHEN FINCHER,
8th Congressional District of Tennessee.

DEAR STEPHEN:

My family owes land in Tipton County. We are against expansion of the Chickasaw and Lower Hatchie Refuge for a number of reasons. The plan by the U.S. Fish and Wildlife to purchase 120,078 acres in Dyer, Tipton, Lauderdale and Haywood Counties would have a negative impact on the economy of those counties.

Tipton County currently has 144,000 acres in commercial agriculture. This plan would purchase around 38,000 acres in Tipton County alone. That would be approximately one-fourth of our entire commercial agriculture production. This area includes our most highly productive farmland in Tipton County. The proposed area is not the usual targeted land adjacent to the rivers. At one point it lies from the Hatchie River up to the Covington Airport and even includes a parcel zoned in the Covington Industrial Development Board.

Tipton County averages $8.13 per greenbelt acre in tax revenue. Lauderdale County is currently getting $2.90 per acre from USFW revenue sharing in lieu of taxes and that figure has been decreasing on a yearly average. Lauderdale currently has 27,000 acres owned by USFW and 17,000 acres owned by Tennessee Wildlife agencies. Tipton County currently has around 5,000 acres held by USFW. Neither county can afford to lose these valuable interior farmland s due to loss of tax revenue and dollars generated by commercial agriculture. This would alter Tipton County in a negative way as all who currently live and work around these refuge areas know that they do not generate income as USFW claim they do. Many of our neighbors have experienced what "being a neighbor" to USFW can cost in our freedom to use our own lands in the manner we see fit. "Wildlife protection legislation" can prohibit use of certain pesticides on privately held farmland due to "run off" onto USFW lands. Also drainage problems caused by USFW practices can cause privately held lands to become "wetlands."

Private landowners care about their land and want to do right by it. Nobody knows a piece of land quite like the person who owns it and spends time on it regularly. Let's not increase the Federal Government's role in purchasing our private land. As Milton Friedman once said, "If you put the Federal Government in charge of the Sahara Desert, in 5 years there'd be a shortage of sand."

Sincerely,

VIRGIL AND JOYCE COATS.

PREPARED STATEMENT OF GILBERT M. CONYERS, RIPLEY, TENNESSEE

Sir, I am greatly opposed to the acquisition of land by the U.S. Fish and Wildlife in Lauderdale County of Tennessee. This is a county with few jobs and little commerce and continues to be one of the poorest counties in Tennessee per capita. Good farm land and/or any land with future potential commerce is county taxable. The U.S. Fish and Wildlife's purchase of land would stop this benefit to our county as well as render much of the land inaccessible because of their out of control restrictions in the name of wildlife. As a record, land acquired by this agency has brought little or no benefit to the effected citizens in other areas.

Their purported claims of area benefit do not hold up to past records. There is no additional need for this type of land use in Lauderdale since land restricted to wildlife is above the national average in this area. I believe there is a great need to protect our natural resources and wildlife, but allowing the U.S. Government to continue purchasing land under the name of wildlife without benefit of the local citizens is wrong.

Please do NOT support the land acquisition by the U.S. Fish and Wildlife Service.

LETTER SUBMITTED FOR THE RECORD FROM RANDY COOK

U.S. DEPARTMENT OF THE INTERIOR,
FISH AND WILDLIFE SERVICE,
DYERSBURG, TN, DECEMBER 4, 2012.

WEST TENNESSEE NATIONAL WILDLIFE REFUGE COMPLEX

DEAR SIR OR MADAM:

To meet the approved wildlife management and public use goals and objectives of Chickasaw and Lower Hatchie National Wildlife Refuges, the U.S. Fish and Wildlife Service (Service) is proposing to expand the acquisition boundaries of these two Refuges. The proposed acquisition boundary generally extends from the eastern boundary of Hatchie Refuge westward along the Hatchie River (encompassing the 5 year floodplain) to Lower Hatchie Refuge, then north from Lower Hatchie Refuge to the Obion and Forked Deer Rivers north of Chickasaw Refuge. We are contacting you, as well as other landowners in the proposed acquisition area, to inform you that your property appears to lie within the proposed expansion area.

Approval of the proposed expansion will give the Service the opportunity, depending on funding, to negotiate with you for the purchase of your property *should* you decide to sell. Please be advised that the policy of the Service is to acquire land *only from willing sellers;* this is not a plan to take land through condemnation or by any other means other than purchasing lands from willing sellers.

To ensure that all interested parties have the opportunity to gather additional information and or comment on the proposed acquisition boundary expansion, we will be conducting two public meetings in December; the first meeting will be held on December 11, 2012, at the Tennessee Technology Center in Ripley, TN at 6 p.m., and the second meeting will be conducted in the basement of the Brownsville Chamber of Commerce in Brownsville. TN at 6 p.m. on December 12, 2012. If you would like to learn more or comment on the proposed expansion, please plan to attend one of the meetings and or contact this office at the above address. I can also be reached at 731–287–0650 or by email at *randy_cook@fws.gov*.

Sincerely,

RANDY COOK,
Project Leader,
West Tennessee Refuges.

PREPARED STATEMENT OF LARRY DAVIS, COVINGTON, TENNESSEE

DEAR CONGRESSMAN, I feel strongly that the USFW plan to purchase Tipton County land is a long term disaster which does not need to happen! This is productive farm and forest land which should stay in private hands. We have too much control by the U.S. Government already! This eminent domain policy should be tabled forever! Please do all you can to prevent this action. Thank you for efforts.

PREPARED STATEMENT OF BONNIE FEATHERSTONE

PROPOSED EXPANSION PLAN FOR NATIONAL HATCHIE WILDLIFE PRESERVE

I know that a lot of farmers and landowners, like your family are against this expansion but there are a lot of us who own land along the Hatchie which is within the expansion plan would like to see this plan go forward and get funding by Washington for this expansion plan. Please consider everyone in your decision to vote on this and let this pan be approved for funding.

LETTER SUBMITTED FOR THE RECORD FROM JAMES F KNOX

1635 POPLAR GROVE RD,
HALLS, TN 38040,
March 23, 2013.

Honorable STEVEN FINCHER,
117 North Liberty Street,
Jackson, TN 38301.

DEAR REPRESENTATIVE FINCHER:

I oppose the expansion of the Chickasaw and lower Hatchie National Wildlife Refuges. I do believe that the Federal Government owns more than enough land. I understand that the U.S. Fish and Wildlife Service has made public a proposal with the intent to buy from willing sellers 120,078 acres, primarily in Lauderdale, Tipton and Haywood counties, with the largest percentage being in Lauderdale County (my County). If this purchase becomes reality, over ⅓ of Lauderdale County will be owned by Federal and State governments, whom do not pay property taxes on lands they acquire. Instead, counties are paid money in lieu of or instead of taxes. As more and more land is owned by the Federal Government, less and less, of a fixed fund that is divided among all federally purchased land will be available. Unless legislation is put in place to change this, as USFW purchases more land the amount paid per acre (in lieu of taxes) will be less and less.

If the County has less per acre of "in lieu of" monies this will mean that my property taxes will be increased to help fund the county. I just wanted to let you know that I oppose this.

Sincerely,

JAMES F KNOX.

[From the Lauderdale County Enterprise, Ripley, Tennessee, March 21, 2013]

DID YOU KNOW?

Lauderdale County covers over 305,000 acres. The United States Government owns approximately 28,000 acres and the State of Tennessee approximately 25,000 acres for a total of 53,173 acres or app. 17.4 percent of Lauderdale Co.

The U.S. Fish and Wildlife Service (USFW) has made public a proposal with the intent to buy from willing sellers 120,078 acres, primarily in Lauderdale, Tipton and Haywood counties, the largest percentage being in Lauderdale County (according to their map). If this purchase becomes reality, over ⅓ of Lauderdale County will be owned by Federal and State governments, whom *DO NOT* pay property taxes on lands they acquire. Instead, counties are paid money "In Lieu of" or instead of taxes.

According to U.S. Congressman Stephen Fincher's office, last year these three counties received approximately 24 percent of the amount they were due for the in lieu of property taxes payment. The in lieu of payment is less than the property taxes had the land been privately owned, thereby raising everyone's taxes. According to information Mayor Rod Schuh received, "In lieu" monies come from a fixed fund that is divided among all federally purchased lands. Unless legislation is put in place to change this, as USFW purchases more land the amount paid per acre will be less and less.

What does this mean to residents of Lauderdale County? Property taxes account for the majority of the revenue our county operates on. Local government, education, law enforcement, highway maintenance, along with many other public services will have to continue to be funded. How we ask?

By the only means available, *HIGHER TAXES*. Higher real estate taxes will only serve to raise the cost of living for every person in the county, both property owner and renter.

Agriculture is the largest industry in our county. The income lost from the removal of 40,000 + acres of farmland would take millions of dollars of spendable income from our local economy, not only affecting farmers, but businesses, and jobs,

Lauderdale County has one of the lowest per capita income levels in the State, therefore we do not need the effects of the reduced revenues or higher taxes to further hinder our economic well being.

At this time, when our Federal economic situation is in such a crucial state, we need to voice our opinions about the funds that our governmental agencies spend foolishly, The USFW proposal states they will pay market value for the property within the expansion proposal, yet haven't the funding to man, police, or manage the lands they currently own. This appears to be a typical case of the right hand not knowing what the left is doing.

We encourage everyone as citizens of our county to contact your legislators and let them know we are opposed to the expansion of the "Chickasaw and Lower Hatchie National Wildlife Refuges." *There will be petitions opposing the proposal at the Lauderdale County Farm Bureau in Ripley as well as the Farmer's Co–OP in Halls. Feel free to sign one of these. The comment period ends on March 29 so please act quickly.*

COMMENTS TO U.S. FISH AND WILDLIFE MAY BE SENT TO:

TOM GREENE

U.S. Fish and Wildlife Service
61389 Hwy. 434
Lacombe, LA 70445
Or emailed to: *Chicasaw-lowerhatchleexpansion@fws.gov*

We also encourage everyone to contact their legislators concerning thisissue.

Representative Steven Fincher
Dyersburg Office: (731) 285–0910
Jackson Office: (731) 423–4848

Senator Lamar Alexander
Jackson Office: (731) 423–9344
Memphis Office: (901) 544–4224

Senator Bob Corker
Jackson Office: (731) 424–9655
Memphis Office: (901) 683–1910

ROD SCHUH
County Mayor

THOMAS CALDWELL
County Attorney

LAUDERDALE COUNTY GOVERNMENT

100 Court Square
Ripley, Tennessee 38063

RESOLUTION IN OPPOSITION TO THE PROPOSED 120,000 ACRE EXPANSION OF CHICKASAW AND LOWER HATCHIE NATIONAL WILDLIFE REFUGES IN LAUDERDALE COUNTY AND SURROUNDING COUNTIES

WHEREAS, the Lauderdale County Commission is concerned about our citizens future quality of life and economic well-being; and

WHEREAS, the stated purpose of this land acquisition is to reduce soil erosion and silt build up in the Gulf of Mexico plus improve fish and wildlife resources; and

WHEREAS, this legislative body feels that the purchase of 120,000 acres of primarily excellent farmland will be a significant detriment to Lauderdale, Tipton, Haywood and Dyer counties economic future; and

WHEREAS, we agree that landowners have the right to sell their land to the highest bidder, we feel the U.S. Government has an unfair advantage over the individual citizen in purchasing these lands; and

WHEREAS, the U.S. Fish and Wildlife Service has only paid about 25 percent of the true calculated "In Lieu of Tax Fee" formula on the 28,300 acres they currently own in Lauderdale County with the State of Tennessee possessing 25,000 additional acres which totals 17 percent of Lauderdale County; and

WHEREAS, when this proposed land expansion is finished the Government will own over ⅓rd of Lauderdale County resulting in higher property taxes for all citizens; and

WHEREAS, the income earned by farmers and their purchases turns over in our community four to seven times improving citizens quality of life through support of small business and directly related agricultural industry creating approximately 500 jobs for our county; and

WHEREAS, these government lands purchased with private money provides no allocation for maintenance of the land, its roads, water drainage issues, erosion problems and the lack of a quality tree plan do not show a love of the land currently possessed by the local farmer.

NOW, THEREFORE, BE IT RESOLVED by the Lauderdale County Board of Commissioners, that the Lauderdale County legislative body is in opposition to the proposed expansion of Chickasaw and Lower Hatchie National Wildlife Refuges and requests that the U.S. Department of the Interior reevaluate and remove this proposed 120,000 designated acre expansion off of the top 50 refuge target list.

BE IT FURTHER RESOLVED, that the County Clerk send a copy of this Resolution and Citizens Petition Against the Expansion to the U.S. Fish and Wildlife

Service in Lacombe, Louisiana and also to U.S. Representative Steven Fincher, Senator Lamar Alexander, and Senator Bob Corker.

RESOLVED this 25th day of March, 2013.

LAUDERDALE COUNTY, TENNESSEE

ATTEST:

ROD CHUH, COUNTY MAYOR

LINDA SUMMAR, COUNTY CLERK

PREPARED STATEMENT OF JEFF PHILLIPS, COVINGTON, TN

CONGRESSMAN FINCHER, I am writing you in regards to the further expansion of the Lower Hatchie National Wildlife Refuge as well as Chickasaw and any other lands purchased in west Tennessee to put into the refuge system. I am not a big land owner but I am a hunter and have three sons that hunt. We utilize both lower Hatchie and Chickasaw but it is no sportsman's paradise. As law abiding citizens we find access to the refuges to be difficult. Sure they are easy enough to simply access but so much of what the Government has is practically unusable because of what it takes to get there and get out with game. Because money to develop and maintain (that is to say properly manage the wildlife and ecosystem) the recently acquired lands are simply handed back over to nature to begin the primary stages of succession.

It is my understanding one or two of the pumps used to pump up the water at the waterfowl refuge are in need of replacement or reconditioning demonstrating the Government cannot maintain what it already has. Saying this is being done for sportsmen is not true. When it comes to big deer and large numbers of ducks, private lands far out perform Government held lands. There are several reasons for this. One is the development and maintenance of habitat. This work is done at the land owner's or lessee's expense not the Government and stimulates local economy by employing local people to work on it and buying local supplies to build on it. Turning it over to the U.S. Government only means nothing positive will ever happen again. Poachers will eliminate the good stuff and nature destroy the other work done on habitat. Private land owners take pride in there land because it is theirs! They clean it up and protect it because they own it. Further Government intrusion is like making our natural areas section 8 housing. When it is everybody's—it becomes nobody's and when it is not yours you just don't take care of it as well. The Fed's can't monitor and maintain what they have. If they are truly concerned about a sportsman's paradise, then quit taking land and empower and encourage private development while taking not of what they are doing and copy it on currently owned land with the money you save from a feeble attempt at management while grabbing as much as possible. The way I see it and I use the land we have, this is a complete waste of money unless there is an ulterior motive not being talked about. Congressman Fincher, I am against the further acquisitions of lands along the lower Hatchie River, the Mississippi and its tributaries in west Tennessee.

LETTER SUBMITTED FOR THE RECORD FROM DAVID TEMPLETON, TEMPLETON FARMS, BRIGHTEN, TENNESSEE

MARCH 20, 2013.

TOM GREENE, *Refuge Planner,*
61389 Hwy 434,
LaCombe, La, 70445.

DEAR SIR,

USFWS has recently proposed an expansion of the refuge system in west Tennessee. The proposal is to acquire some 121,000 acres of prime agricultural and forest land along the Hatchie River in Lauderdale, Tipton and Haywood Counties.

This letter is to state my *total opposition* to this project for a variety of reasons.

First, this land is prime farmland that by my estimate pumps $150 million annually in the economies of this area. My neighbors and I depend on this land for our livelihoods and this money is vital to the prosperity of these counties and to west Tennessee as well. I have heard it said that for every dollar a farmer receives for his production, that dollar will earn over three to seven times in the local economy,

therefore the negative impact to these counties could be as high as $750 million to $1 billion!

In addition, I estimate nearly $1 billion (greenbelt only) will come off the property tax rolls of the affected counties and in Tennessee our counties are heavily dependent on property taxes to fund operations, primarily schools. The amount of income received by counties in lieu of taxes is paltry by comparison and dwindling as it gets divided over more and more acres!

The Federal and State refuge systems are a success story of which I am proud. I hunt on them regularly and I see relatively few hunters, ect. on them. The nearly 150,000 acres of Federal refuge lands in west Tennessee (along with 150 million acres nationally) and 1.5 million acres of Tennessee Wildlife Resource lands, (TWRA) owned by the State, are more than adequate to accomplish your stated goals of wildlife preservation, hunting, bird watching etc. When you add millions of acres owned by the Park Service and other agencies the Federal Government owns 30 percent of the land area and 67 percent of the marine area of this country!

In addition USFWS efforts to convert farmland back to hardwood forest in Lauderdale County have been unsuccessful. At a recent public meeting, pictures were shown promising beautiful cypress lakes, hardwood forests and very serene settings. In reality, on the land currently managed by USFWS cottonwood, willow, river birch and vines and briers have choked out any effort to establish hardwoods! The agency has ample equipment to maintain the land but allows the land to grow up in unsightly brier thickets. *USFWS should manage what the agency currently owns and make it usable by the public instead of buying more land* purportedly in the name of sound science!

As stated, the refuge system is a success story but it is "Mission Accomplished" at least in the west Tennessee. The act which established the refuge system gave it *perpetul funding* separate from general funds. Will USFWS *ever* have enough land?

With all of the acres currently owned by the USFWS, the Park Service, TWRA, other Federal and State agencies and the Nature Conservancy, we are past the point where the public good has been served an USFWS is becoming another overreaching arm of the Federal Government.

With our irresponsible Federal debt, the law needs to be changed to return procurement funds back to help balance our budget!

Lastly, a burgeoning world population, (admittedly the reason to set land aside) is reaching a level where every acre will be needed to feed the world's population. Population growth takes more and more farmland for housing, roads, buildings and recreation. This leaves less land on which to grow the food to feed the world. Farmers are being told they will have to grow more food in the next 40 years than has been grown in the last 10,000 years,

As a farmer, I see firsthand how close demand for food and fiber is getting to catching up with supply. This has been brought to light by the recent drought and resulting food shortages causing commodity and food prices to soar. This may be the new reality. Only technological improvements have helped the farmer to feed an increasing population on less and less acres to date.

In Summary, I am opposed to this project as the land is better used by providing continuing income to the farmer, the landowner, the equipment dealers, the county and city governments and I could go on. Thereby maintaining a strong rural economy in the area affected by this project proposal. Procurement funds would be better utilized to help reduce our national debt. Acquisition of this land and removing its potential to the local economies is *irresponsible* and should be removed from consideration.

In closing, I attended three meetings concerning this proposal (one by Rep. Stephen Fincher) and the attendees of each meeting were universally opposed to this project. West Tennessee does not want this.

Sincerely,

DAVID B. TEMPLETON,
West Tennessee Farmer, Hunter, and Sportsman.

LETTER SUBMITTED FOR THE RECORD FROM THE TENNESSEE SOYBEAN ASSOCIATION

JULY 1, 2013.

The Honorable STEPHEN FINCHER,
U.S. House of Representatives,
Washington, DC 20515.

DEAR REPRESENTATIVE FINCHER:

I am writing in regards to the Initiative by the U.S. Fish and Wildlife Service to expand the boundaries of the Chickasaw and Lower Hatchie Refuges, The Tennessee Soybean Association is against enlarging the refuge, taking productive farm land out of operation, and reducing the tax roll for those counties,

The arguments by Mrs, Charlotte Kelley, Lauderdale County Mayor Rod Schuh, and Jeff Aiken were very compelling and expressed the farm sentiment precisely, We also share your and Representative Duncan's concerns about increasing our national debt.

Thank you for requesting the hearing, It was wonderful to see the Committee work through the hearing by the Internet.

Please stand firm in your and our opposition in the expansion of these refuges,

Sincerely,

MIKE HOLMAN,
President, Tennessee Soybean Association.

Total Deferred Maintenance by State

State	# Projects	Sum of Costs
AK	307	102,887,543
AL	206	85,210,091
AR	581	182,396,127
AZ	89	36,048,484
CA	435	62,113,172
CO	122	14,553,176
CT	10	807,787
DE	48	10,873,000
FL	609	196,337,659
GA	251	58,803,638
GU	11	2,232,764
HI	129	197,102,322
IA	58	180,600,085
ID	140	22,284,097
IL	626	103,581,356
IN	174	12,671,174
KS	108	5,578,913
KY	23	4,346,098
LA	474	91,821,392
MA	45	11,310,090
MD	139	100,128,372
ME	57	10,753,610
MI	172	29,897,655
MN	1,190	100,518,305
MO	241	37,127,950
MS	333	61,513,927
MT	466	212,301,524
NC	459	117,712,868
ND	751	41,919,566
NE	329	22,396,326
NH	79	13,118,194
NJ	104	14,551,155
NM	102	11,638,048
NV	80	19,377,942
NY	85	10,386,662
OH	68	6,736,773
OK	163	18,704,745
OR	513	86,905,676
PA	26	2,616,413
PR	137	46,732,840
RI	25	1,904,514
SC	275	85,466,307
SD	418	17,436,884
TN	357	93,899,507
TX	352	66,331,376
UT	91	10,953,759
VA	133	30,007,245
VT	15	1,533,385

Total Deferred Maintenance by State—Continued

State	# Projects	Sum of Costs
WA	433	80,757,021
WI	377	30,154,745
WV	20	2,987,730
WY	56	9,315,072
Total	12,492	2,706,402,236

Total RONS Funding Needs by State

State	# Projects	Total $ Need
AK	351	$51,019,621
AL	95	$9,547,225
AR	120	$11,892,704
AZ	111	$12,522,761
CA	384	$49,671,548
CO	67	$6,811,128
CT	11	$2,08S,663
DE	23	$2,779,309
FL	288	$36,142,123
GA	86	$9,450,372
GU	14	$1,295,510
HI	177	$30,990,029
IA	83	$9,706,000
ID	70	$6,241,873
IL	101	$10,793,604
IN	38	$4,424,587
KS	38	$4,075,733
KY	11	$1,432,898
LA	217	$26,146,625
MA	107	$14,020,835
MD	47	$9,046,034
ME	54	$5,045,948
MI	37	$4,067,428
MN	270	$39,662,997
MO	65	$6,344,744
MS	132	$15,051,151
MT	130	$15,207,980
NC	99	$9,902,499
ND	360	$38,548,481
NE	57	$5,796,603
NH	36	$3,971,669
NJ	62	$7,619,108
NM	61	$6,427,922
NV	94	$13,980,950
NY	46	$4,742,674
OH	31	$4,537,861
OK	91	$9,197,957
OR	190	$21,651,460
PA	19	$1,920,495
PR	48	$5,547,697
RI	26	$2,586,932
SC	69	$7,571,886
SD	122	$12,694,620
TN	80	$8,629,218
TX	195	$22,006,211
UT	32	$3,268,421
VA	79	$8,489,316
VI	9	$871,100
VT	13	$1,121,566
WA	228	$30,217,642
WI	117	$14,631,311
WV	17	$1,411,003

Total RONS Funding Needs by State—Continued

State	# Projects	Total $ Need
WY	27	$3,260,924
Total	5,349	$647,692,102

REFUGE REVENUE SHARING PAYMENTS

COUNTY	REFUGE	AUTHORIZED	RECEIVED
DYER	CHICKASAW	$10,782	$2,646
HAYWOOD	HATCHIE	$453,675	$113,312
LAUDERDALE	CHICKASAW	$801,576	$199,445
LAUDERDALE	LOWER HATCHIE	$275,398	$65,980
TIPTON	LOWER HATCHIE	$181,746	$44,023
TOTALS		$1,723,177	$425,406
DID NOT RECEIVE		$1,299,160	
PERCENTAGE RECEIVED		24 PERCENT	

TENNESSEE NATIONAL WILDLIFE REFUGES

UNIT	FEE TITLE ACRES	EASEMENTS
CHICKASAW	20,374.61	5,387.90
CROSS CREEKS	91.72	
HATCHIE	11,556.10	
LAKE ISOM	360.84	
LOWER HATCHIE	10,388.48	1,872.96
REELFOOT	560.43	7,847.27
TENNESSEE	527.67	1.49
TOTALS	43,859.85	15,109.62
COST TO ACQUIRE PROPERTY BY FEE TITLE IN TENNESSEE	$39,606,497	
TOTAL NATIONWIDE COST TO ACQUIRE BY FEE TITLE 4,350,945 ACRES	$2,083,355,384	

The document listed below has been retained in the Committee's official files

—Peition Against FWS/Hatchie Expansion Proposal, dated March 12, 2013