

**H.R. 524, H.R. 615, H.R. 2689, AND  
H.R. 2872**

---

---

**LEGISLATIVE HEARING**

BEFORE THE

SUBCOMMITTEE ON WATER, WILDLIFE AND  
FISHERIES

OF THE

COMMITTEE ON NATURAL RESOURCES  
U.S. HOUSE OF REPRESENTATIVES

ONE HUNDRED EIGHTEENTH CONGRESS

FIRST SESSION

—  
Wednesday, May 10, 2023  
—

**Serial No. 118-23**

—  
Printed for the use of the Committee on Natural Resources



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

or

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

—  
U.S. GOVERNMENT PUBLISHING OFFICE

## COMMITTEE ON NATURAL RESOURCES

BRUCE WESTERMAN, AR, *Chairman*  
DOUG LAMBORN, CO, *Vice Chairman*  
RAÚL M. GRIJALVA, AZ, *Ranking Member*

Doug Lamborn, CO	Grace F. Napolitano, CA
Robert J. Wittman, VA	Gregorio Kilili Camacho Sablan, CNMI
Tom McClintock, CA	Jared Huffman, CA
Paul Gosar, AZ	Ruben Gallego, AZ
Garret Graves, LA	Joe Neguse, CO
Aumua Amata C. Radewagen, AS	Mike Levin, CA
Doug LaMalfa, CA	Katie Porter, CA
Daniel Webster, FL	Teresa Leger Fernández, NM
Jennifer González-Colón, PR	Melanie A. Stansbury, NM
Russ Fulcher, ID	Mary Sattler Peltola, AK
Pete Stauber, MN	Alexandria Ocasio-Cortez, NY
John R. Curtis, UT	Kevin Mullin, CA
Tom Tiffany, WI	Val T. Hoyle, OR
Jerry Carl, AL	Sydney Kamlager-Dove, CA
Matt Rosendale, MT	Seth Magaziner, RI
Lauren Boebert, CO	Nydia M. Velázquez, NY
Cliff Bentz, OR	Ed Case, HI
Jen Kiggans, VA	Debbie Dingell, MI
Jim Moylan, GU	Susie Lee, NV
Wesley P. Hunt, TX	
Mike Collins, GA	
Anna Paulina Luna, FL	
John Duarte, CA	
Harriet M. Hageman, WY	

Vivian Moeglein, *Staff Director*  
Tom Connally, *Chief Counsel*  
Lora Snyder, *Democratic Staff Director*  
<http://naturalresources.house.gov>

---

## SUBCOMMITTEE ON WATER, WILDLIFE AND FISHERIES

CLIFF BENTZ, OR, *Chairman*  
JEN KIGGANS, VA, *Vice Chair*  
JARED HUFFMAN, CA, *Ranking Member*

Robert J. Wittman, VA	Grace F. Napolitano, CA
Tom McClintock, CA	Mike Levin, CA
Garret Graves, LA	Mary Sattler Peltola, AK
Aumua Amata C. Radewagen, AS	Kevin Mullin, CA
Doug LaMalfa, CA	Val T. Hoyle, OR
Daniel Webster, FL	Seth Magaziner, RI
Jennifer González-Colón, PR	Debbie Dingell, MI
Jerry Carl, AL	Ruben Gallego, AZ
Lauren Boebert, CO	Joe Neguse, CO
Jen Kiggans, VA	Katie Porter, CA
Anna Paulina Luna, FL	Ed Case, HI
John Duarte, CA	Raúl M. Grijalva, AZ, <i>ex officio</i>
Harriet M. Hageman, WY	
Bruce Westerman, AR, <i>ex officio</i>	

## CONTENTS

---

	Page
Hearing held on Wednesday, May 10, 2023 .....	1
Statement of Members:	
Bentz, Hon. Cliff, a Representative in Congress from the State of Oregon	2
Huffman, Hon. Jared, a Representative in Congress from the State of California .....	3
Panel I:	
Wittman, Hon. Robert J., a Representative in Congress from the Commonwealth of Virginia .....	5
Porter, Hon. Katie, a Representative in Congress from the State of California .....	6
Rouzer, Hon. David, a Representative in Congress from the State of North Carolina .....	7
Statement of Witnesses:	
Panel II:	
Strickler, Matt, Principal Deputy Assistant Secretary, Fish and Wildlife and Parks, Department of the Interior, Washington, DC .....	19
Prepared statement of .....	21
Questions submitted for the record .....	26
Mills, Hon. Darryl, Mayor of Wrightsville Beach, Wrightsville Beach, North Carolina .....	28
Prepared statement of .....	29
McClinton, Bryan, Undersecretary, Louisiana Department of Wildlife and Fisheries, Baton Rouge, Louisiana .....	31
Prepared statement of .....	32
Whitehouse, Timothy, Executive Director, Public Employees for Environmental Responsibility, Poolesville, Maryland .....	34
Prepared statement of .....	35
Adkins, Todd, Vice President of Government Affairs, The Sportsmen's Alliance, Columbus, Ohio .....	41
Prepared statement of .....	42
Additional Materials Submitted for the Record:	
Submissions for the Record by Representative Rouzer	
Greater Wilmington, NC, Chamber of Commerce, Letter dated March 14, 2023 .....	9
City of Wilmington, NC, City Council, Resolution R-2023-28, dated March 7, 2023 .....	10
Wrightsville Beach, NC, Chamber of Commerce, Resolution dated April 9, 2023 .....	11
Pleasure Island, NC, Chamber of Commerce, Letter dated March 16, 2023 .....	12
Carolina Beach Inlet Association, Resolution dated March 8, 2023 .....	12
New Hanover County, Board of Commissioners, Resolution dated March 6, 2023 .....	13
Wilmington-New Hanover, Port, Waterway, & Beach Commission, Resolution dated April 12, 2023 .....	14
Town of Kure Beach, NC, Town Council, Resolution R23-03, dated March 20, 2023 .....	15
Town of Wrightsville Beach, NC, Board of Aldermen, Resolution (2023) 2294, dated March 15, 2023 .....	16
Town of Carolina Beach, NC, Town Council, Resolution 23-2279, dated March 14, 2023 .....	17

IV

	Page
Additional Materials Submitted for the Record—Continued	
Submissions for the Record by Representative Rouzer—Continued	
New Hanover County, Tourism Development Authority, Resolution dated March 29, 2023 .....	18

**LEGISLATIVE HEARING ON H.R. 524, TO AMEND THE COASTAL BARRIER RESOURCES ACT TO CREATE AN EXEMPTION FOR CERTAIN SHORELINE BORROW SITES; H.R. 615, TO PROHIBIT THE SECRETARY OF THE INTERIOR AND THE SECRETARY OF AGRICULTURE FROM PROHIBITING THE USE OF LEAD AMMUNITION OR TACKLE ON CERTAIN FEDERAL LAND OR WATER UNDER THE JURISDICTION OF THE SECRETARY OF THE INTERIOR AND THE SECRETARY OF AGRICULTURE, AND FOR OTHER PURPOSES, “PROTECTING ACCESS FOR HUNTERS AND ANGLERS ACT OF 2023”; H.R. 2689, TO IMPROVE THE SERVICE DELIVERY OF AGENCIES AND PUBLIC PERCEPTION OF AGENCY INTERACTIONS, AND FOR OTHER PURPOSES, “TRUST IN GOVERNMENT ACT OF 2023”; AND H.R. 2872, TO AMEND THE PERMANENT ELECTRONIC DUCK STAMP ACT OF 2013 TO ALLOW STATES TO ISSUE ELECTRONIC STAMPS UNDER SUCH ACT, AND FOR OTHER PURPOSES**

---

**Wednesday, May 10, 2023  
U.S. House of Representatives  
Subcommittee on Water, Wildlife and Fisheries  
Committee on Natural Resources  
Washington, DC**

---

The Subcommittee met, pursuant to notice, at 2:07 p.m., in Room 1324 Longworth House Office Building, Hon. Cliff Bentz [Chairman of the Subcommittee] presiding.

Present: Representatives Bentz, Wittman, Graves, LaMalfa, González-Colón, Carl, Kiggans, Luna, Westerman; Huffman, Hoyle, and Porter.

Also present: Representative Rouzer.

Mr. BENTZ. The Subcommittee on Water, Wildlife, and Fisheries will come to order.

Good afternoon, everyone. I want to welcome Members, witnesses, and our guests in the audience at today's hearing.

Without objection, the Chair is authorized to declare a recess of the Subcommittee at any time.

Under Committee Rule 4(f), any oral opening statements at hearings are limited to the Chairman and the Ranking Minority Member. I therefore ask unanimous consent that all other Members' opening statements be made part of the hearing record if they are submitted in accordance with Committee Rule 3(o).

Without objection, so ordered.

I also ask unanimous consent that the gentleman from North Carolina, Mr. Rouzer, be allowed to participate in today's hearing.

Without objection, so ordered.

We are here today to consider four legislative measures: H.R. 524, a bill to amend the Coastal Barrier Resources Act to create an exemption for certain shoreline borrow sites, sponsored by Representative Rouzer; H.R. 615, the Protecting Access for Hunters and Anglers Act of 2023, sponsored by Representative Wittman; H.R. 2689, the Trust in Government Act of 2023, sponsored by Representative Porter; and H.R. 2872, a bill to amend the Permanent Electronic Duck Stamp Act of 2013 to allow states to issue electronic stamps under such Act, and for other purposes, sponsored by Representative Graves of Louisiana.

I now recognize myself for a 5-minute opening statement.

**STATEMENT OF THE HON. CLIFF BENTZ, A REPRESENTATIVE  
IN CONGRESS FROM THE STATE OF OREGON**

Mr. BENTZ. Today's hearing is about protecting people's access to our natural resources and about modernizing slightly our government.

Mr. Wittman's bill would prohibit a blanket U.S. Fish and Wildlife ban on lead ammunition and fishing tackle on land under the jurisdiction of the Secretary of the Interior and Secretary of Agriculture, and instead require the agency to use a focused, data-based analysis specific in causation if it is to propose a prohibition, and only if it is in conformance with applicable State fish and wildlife laws.

This bill is necessary because the Biden administration, reacting to serial litigants, is suggesting a system-wide, one-size-fits-all ban. Such a ban on lead ammunition and fishing tackle will have serious consequences for sportsmen who contribute to conservation through their purchases: \$962 million was generated and made available in Fiscal Year 2023 for wildlife restoration through manufacturer levy and excise taxes on hunting equipment such as ammunition; \$425 million was generated and made available in Fiscal Year 2023 for fisheries conservation through manufactured levied excise taxes on fishing equipment.

Non-lead ammunition alternatives cost, on average, 25 percent more than traditional lead ammunition. Increased costs will limit sportsmen's participation and will decrease such revenue for conservation.

State fish and wildlife agencies and sportsmen groups know that hunters and anglers contribute substantially to conservation under the user pay system, and they understand why a blanket ban is

unscientific and will drive up costs. That is why they are supporting Mr. Wittman's bill.

Mr. Graves' bill, H.R. 2872, State fish and wildlife agencies and sportsmen's groups are also supporting Mr. Graves' bill that would improve upon how waterfowl hunters obtain Federal duck stamps. The duck stamp is a user pay system that has generated over \$1 billion for conservation since its inception.

The current system allows for a hunter to buy a stamp electronically, but only during a 45-day window. This is an improvement from the antiquated system, but this bill would allow a hunter to use the electronic means of purchase for the entire season. This will make it easier for people to purchase duck stamps and bring the Duck Stamp Program fully into the 21st century.

Ms. Porter's bill, H.R. 2689, would require that the Department of the Interior issue permits electronically. This is a broad mandate that would impact all agencies at the Department. So, we look forward to hearing how the Administration would implement this bill.

Mr. Rouzer's bill, H.R. 524, would restore reason to the process of how we maintain and restore beaches. The 2021 Biden administration's interpretation of the Coastal Barrier Resources Act is limiting the ability of coastal communities to maintain beaches that are critical for habitat conservation and protection of infrastructure and tourism. Wrightsville Beach, North Carolina, for example, has been able to use the same borrow site for 60 years to maintain its beach.

Now, under the Biden administration interpretation, it is left scrambling to find another, more expensive source. As we get closer to the hurricane season, communities are looking for certainty and the ability to address necessary beach maintenance. This bill would provide that certainty.

I thank the Members for their work on these bills and the witnesses for testifying today.

I now recognize Ranking Member Huffman for his opening statement.

**STATEMENT OF THE HON. JARED HUFFMAN, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF CALIFORNIA**

Mr. HUFFMAN. Thank you, Mr. Chairman.

Today, there are two bills that I support, one bill that I would like to support, and I think with some technical improvements I could, and one that I, unfortunately, must oppose.

Let's start with Representative Porter's bill, H.R. 2689 and Representative Graves' bill, H.R. 2872. Both of these would modernize permit access by allowing applicants to do more online. These bills will help improve access for applicants, ease paperwork for agencies, and promote opportunities for recreation and conservation across our country. So, I am happy to support both of these bills.

Sportsmen and women are important partners in species protection and habitat conservation, of course. The purchase of hunting and fishing permits and taxes paid on hunting and fishing equipment does help pay for maintenance and conservation of our

national wildlife refuges, our public lands, and State, Federal, and tribal wildlife programs.

However, hunting and fishing must be done in a way that encourages science-based conservation of wildlife. And that is precisely my concern with H.R. 615, which wrongfully implies that recreational access is threatened by Federal, State, and local regulations that protect wildlife from lead poisoning. The bill undermines the ability of Federal land managers to make science-based decisions that protect species by regulating the use of lead-based tackle and ammunition.

When many wildlife species forage for food, they inadvertently consume lead as spent shot or tackle that is left in the environment. This can lead to the accumulation of lead in animals' tissues, where it causes neurological impairment, anemia, and immune system impairment, and slowly poisons these animals until they die.

When one animal dies of lead poisoning, the lead then bioaccumulates, because it is in its tissue. It becomes a hazard to scavenging animals. And we see this in species like the bald eagle and the California condor. In a study from USGS, nearly half of all surveyed bald eagles exhibited lead toxicity, and the California condor was nearly driven to extinction by lead poisoning, leading the Republican governor of California at the time to implement a lead ammunition restriction in condor habitat.

So, some states, such as Maine, Vermont, and California have already instituted lead ammunition and fishing tackle restrictions. This bill would make it very difficult for Federal land managers in those states to simply carry out those same restrictions on Federal lands.

Banning lead products when we know they pose harm is not a radical idea. We have banned lead in paint, in pipes, and household items because we know that it is a serious problem, and scientists are continuing to discover further evidence of its harm to people and wildlife. There are ample alternatives to lead-based tackle and ammunition that people can use and that people do use in areas where lead is banned. No one is losing recreational activity due to lead bans, but our wildlife and habitats are safer for it.

Turning to H.R. 524, the Coastal Barrier Resource Act, or CBRA, this is an example of really successful Federal land management legislation. When President Reagan signed CBRA in 1982, he explained that the Federal Government was subsidizing risky development in some areas, and subsequently was on the hook for disaster costs when storms inevitably hit these vulnerable regions. He noted that the Act would "halt the Federal subsidy spiral" by discouraging Federal investments in development on storm-prone coastal land, which, if developed, would put human lives and property at risk and cost taxpayers billions of dollars in disaster relief. And he was right. In the years since CBRA was enacted, taxpayers have saved over \$9.5 billion in disaster costs alone, and the Act has protected millions of acres of habitat.

I will just close by noting that I am not unsympathetic to the situation that Mr. Rouzer is trying to address in his district. I would like to learn a little more about the specific issue, and see if we can't find ways to more narrowly target a solution to that problem without unintended consequences that could compromise



CBRA in ways that would be an unfortunate precedent, and would begin to undo all of the good bipartisan progress we have had over many, many years with that important legislation.

With that, Mr. Chairman, I yield back and look forward to hearing from our witnesses.

Mr. BENTZ. Thank you, Ranking Member Huffman. I will now introduce our first panel.

As is typical with legislative hearings, the bills' sponsors are recognized for 5 minutes each to discuss their bills. With us today, or soon to be joining us, and listed in order of House seniority are Congressman Rob Wittman; Congressman Garret Graves; Congressman David Rouzer; and Congresswoman Katie Porter.

I now recognize Mr. Wittman for 5 minutes.

**STATEMENT OF THE HON. ROBERT J. WITTMAN, A REPRESENTATIVE IN CONGRESS FROM THE COMMONWEALTH OF VIRGINIA**

Mr. WITTMAN. Thank you, Mr. Chairman. I appreciate you bringing up today's bill, Protecting Access for Hunters and Anglers Act.

Let's make no mistake about it. There are instances where we see conflict with lead and wildlife that has clearly been taken care of with banning lead shot for hunting waterfowl. But the other instances where we are going to carte blanche provide the opportunity for the agencies to ban lead in all instances.

So, you are using it for fishing tackle? I haven't seen a single bit of evidence that says that a lead fishing sinker that is at the bottom of 100 feet of water somehow is going to be detrimental to the California condor. As far as I know, California condor can't dive, can't go hundreds of feet down. I have failed to see how that sort of carte blanche regulation is going to affect the assertions that the gentleman from California makes.

I think we ought to make sure that decisions are made based on sound science, where there is a relationship between the use of lead, whether it is for ammunition, or for fishing sinkers, or, for that matter, for lures. Remember, a lot of fishing lures use lead. It is used in a number of different circumstances. To just carte blanche say that we are going to allow agencies to ban lead across the spectrum just doesn't make good sense.

And remember, there are revenues generated from the sale of these fishing lures from this ammunition that go to support wildlife. So, making good public policy decisions requires that we actually have some thoughtful limits on the Secretary of the Interior and Secretary of Agriculture that would arbitrarily, under this current law, make rulings on hunting and fishing materials.

It also keeps the cost of those from skyrocketing. I mean, all of those are about also access for our hunters and fishermen. We want to make sure that they are able to enjoy the outdoors. Making sure, too, that they have access to these affordable materials for fishing is incredibly important.

I would prefer that we use lead for fishing lures and for bullets versus tungsten. I would prefer us use tungsten in our fighter aircraft versus for fishing sinkers. It just doesn't seem to be a thoughtful use of those materials, especially since those critical

minerals are in short supply and, by the way, where we have an Administration that also wants to ban the mining of those materials. So, we are going to be competing between fishing sinkers and materials for jet aircraft or for commercial aircraft. I certainly hope that that is not where our public policy is going with this.

Mr. Chairman, today is an opportunity for us to hear about how do we make sure we make thoughtful, science-based decisions on how we allow different materials like lead to be used in fishing tackle, in ammunition in ways that are not harmful, that don't create risks to humans or to animals. I think that we can do that. To me, it is a very thoughtful way to go about that. This bill allows us to make sure that there are the necessary science-based guardrails on how these decisions are made.

With that, Mr. Chairman, I thank you for the opportunity, and I encourage my colleagues to support the protecting Access for Hunters and Anglers Act.

Mr. BENTZ. Thank you, Mr. Wittman. The Chair now recognizes Ms. Porter for 5 minutes.

**STATEMENT OF THE HON. KATIE PORTER, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF CALIFORNIA**

Ms. PORTER. Thank you very much, Mr. Chairman. A 21st century nation deserves a 21st century government. Whether you are a Democrat, Republican, or Independent, we all benefit when government works the way it is supposed to.

But too many Federal agencies rely on outdated systems not designed for the people that they are supposed to serve. This leaves millions looking for help, stuck in a tangled web of confusing application processes, clunky government websites, and poor customer support. Long delays and processing times often follow, adding to the frustration that millions of Americans feel. It is why so many of them turn to us, their Member of Congress, for help. Our case-work teams work hard every day to cut through the red tape, but it shouldn't have to come to that.

When we fail to modernize government, we are wasting tax dollars on inefficiencies, and we are plunging Americans' low trust in government even lower. That is why I proposed the Trust in Government Act of 2023. This bill would require over two dozen Federal agencies, including those in the jurisdiction of this Committee, to modernize how they bring their services to the American people. It outlines over 30 reforms to reduce waste, improve confidence in government, and get our tax dollars to work better for us. These reforms codify and build on President Biden's Executive Order 14058, signed in December 2021. They touch on everything from reducing passenger wait times at airports to creating a centralized system for student loan repayments.

I applaud the Administration for prioritizing a government built for the people, and I am happy that many agencies are complying with the Executive Order and making significant progress on these reforms.

Now we need to codify the Executive Order to keep customer experience at the forefront of our government. This is something we should be able to agree on, regardless of party affiliation, and

that is why I am happy and grateful to see real interest in this from across the aisle.

The portion of the bill relevant to today's hearing is a provision to modernize the Federal permitting process. It would require the Department of the Interior to create a centralized electronic portal for accepting and processing permit applications.

Republicans' No. 1 priority this Congress is permitting reform. And let me tell you, we are not going to get the efficiency that both sides of the aisle want while protecting the environment unless we bring permits online. My bill would create the central repository that would get the process moving faster. It doesn't require the Department to bring all of its wide-ranging permits online at once, but it would create a one-stop-shop and get it scaling across the Department of the Interior.

How do we know that this is possible? The Executive Order is already working. The U.S. Fish and Wildlife Service has brought over 80 types of permits online, so expanding this platform to be open Department-wide should be a no-brainer. This simple move would increase public transparency and reduce the amount of paperwork mailed to the agency, helping to reduce processing times.

At a time when debate around permitting reform has become so charged, it is really encouraging to see Republicans and Democrats can find something to agree on. It is going to take all of us to modernize public service and fix this crisis in government confidence. I encourage my colleagues on both sides of the aisle to support this legislation.

I yield back.

Mr. BENTZ. Thank you, Ms. Porter. The Chair recognizes Mr. Rouzer for 5 minutes.

**STATEMENT OF THE HON. DAVID ROUZER, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF NORTH CAROLINA**

Mr. ROUZER. Thank you, Mr. Chairman, and I thank the Ranking Member. I appreciate the opportunity to highlight the importance of H.R. 524 to amend the Coastal Barrier Resources Act to create an exemption for certain shoreline borrow sites.

Wrightsville Beach, which is in my district, serves as one of North Carolina's most popular beaches, hosting visitors from all across the country and driving the significant job growth and economic activity for our local communities. We also count on a strong, robust coastline as the first line of defense against powerful storms. And it has worked by limiting the amount of flooding and damage inflicted.

Now for years, the process of replacing the sand on Wrightsville Beach, or beach renourishment, as we say, has worked exceptionally well, from all perspectives. As we all know, most beaches naturally erode over time. In the case of Wrightsville Beach, when the sand is added to the shore it solidifies the dunes and berms while protecting the property behind it. Over time, the sediment guided by the current deposits sand from the beach to Masonboro Inlet, just to the south.

[Slide.]

Mr. ROUZER. Abigail, can you come and show everybody where Wrightsville Beach is. So, there is Wrightsville Beach.

Masonboro Inlet, point to that. That is where Masonboro Inlet is. That is where the sand naturally migrates to, and then the sand is taken from the inlet and put back on the beach. I just wanted you to see the visual, because it really helps.

Now, the green area here, which I am going to talk about in a minute, is the CBRA zone. So, I just want everybody to get a feel for what I am describing.

Every 4 years, the U.S. Army Corps of Engineers dredges the inlet that you are looking at right there of its extra sand and returns it to Wrightsville Beach. For decades, for more than 50 years, in fact, Masonboro Inlet has served as a reliable, ecologically friendly borrow site for Wrightsville Beach.

As you know, CBRA zones were established by the Coastal Barrier Resources Act of 1982. This law prohibits the Federal Government from direct or indirect investment in these zones, as established by the U.S. Fish and Wildlife Service. The Masonboro Inlet exists within that coastal barrier resource system unit L09, the 50-plus-year borrowing source for Wrightsville Beach, which you can see on the map. With enactment of the Coastal Barrier Resources Act, an exemption was later made administratively to permit Wrightsville Beach to continue to use this borrow site. The Corps made permanent this exemption in 1998.

In 2019, this issue came up for review, and then-Secretary David Bernhardt reaffirmed this exemption. However, the Biden administration later reversed it, with the effect of prohibiting sand from being used from its traditional source, despite the decades of precedent.

Now, as it currently stands, Wrightsville Beach is long past its due date for much-needed renourishment. Seasonal storms have caused flooding to occur more quickly and more easily than in the past. In fact, if Wrightsville Beach experiences one more major storm, the devastation to property could be catastrophic, costing taxpayers as well as the National Flood Insurance Program significantly more.

[Slide.]

Mr. ROUZER. And as you can see from the picture behind me, at the very top is a bench. So, you can see how much the sand has eroded. It is quite remarkable.

Now show them the picture with you, Abigail. Oh, you didn't bring that one. OK.

Well, anyhow, the point there is there is a tremendous amount of sand that has been lost. And the only option left is to use an offshore borrow site, but this will only disrupt the natural flow of sediment deposit, disturb the current ecosystem, and cost significantly more.

Furthermore, Masonboro Inlet is going to continue to be dredged for navigational purposes, so it makes no sense not to use that sand for its traditional purpose of renourishing Wrightsville Beach.

Ironically, the offshore site identified for the beach has been found to have thousands and thousands of tires interlinked by rusty old chains that the Fish and Wildlife Service put out in the 1970s to try to create a fish estuary. Imagine that. Filtering

through tires and other debris to provide sand for renourishment obviously creates its own set of problems.

So, H.R. 524, the long and the short of it is, it fixes this problem in a very common-sense fashion by creating the exemption, making that permanent, which has been practiced for 50-plus years. It saves taxpayer dollars. It does not disrupt the ecological environment, which by the way, the birds love it there at Masonboro Inlet. We have an ecological system that works really well. There is no need to disturb it.

And Mr. Chairman, additionally, I have 11 local officials and entities that have sent letters of support or have passed resolutions of support for this bill. I ask unanimous consent to have those inserted for the record.

Mr. BENTZ. Without objection.

[The information follows:]

**Submissions for the Record by Rep. Rouzer**

**Greater Wilmington, NC  
Chamber of Commerce**

March 14, 2023

Hon. David Rouzer  
U.S. House of Representatives  
2333 Rayburn House Office Building  
Washington, DC 20515

Dear Congressman Rouzer:

On behalf of the board of directors and membership of the Greater Wilmington Chamber of Commerce, I am writing today to thank you for your continued service to our community. As you know, the Wilmington regional economy is quite diverse and includes manufacturing, financial services, technology, logistics and distribution and many other sectors. As diverse as our economy is, tourism and hospitality remain large contributors to the number of jobs and economic impact in New Hanover County. We consider our beaches a treasure, not only to our economy, but also to our quality of life. Our beaches support job growth as well as attracting and retaining talent.

We appreciate your introduction of H.R. 524 which would exempt from CBRA inlet borrow sites that have been used for at least 15 years. Two projects off the coast of New Hanover County, Masonboro Inlet and Carolina Beach Inlet, would be eligible for this exemption. The exemption would allow the projects to return to the successful, cost-effective model previously used that provided healthy coastal infrastructure for decades.

The Wilmington Chamber of Commerce supports the passage of H.R. 524.

Again, thank you for being a strong representative for our community. We always enjoy working with you.

Sincerely,

NATALIE HASKINS ENGLISH, CCE  
*President and CEO*

---

**CITY OF WILMINGTON, NORTH CAROLINA  
CITY COUNCIL  
RESOLUTION R-2023-28**

**Introduced By: Anthony N. Caudle, City Manager**

**Resolution in Support of Allowing Carolina Beach and Wrightsville Beach  
to Use Traditional Sand Sources for Beach Renourishment**

**LEGISLATIVE INTENT/PURPOSE:**

WHEREAS, Wilmington's neighboring coastal infrastructure is critical to protecting public and private interests from storms and other natural disasters; and

WHEREAS, Wrightsville Beach, Carolina Beach, and Kure Beach require routine Coastal Storm Damage Reduction ("CSDR") projects to maintain their engineered shoreline templates, which provide essential protection to minimize damage caused by hurricanes and other storms; and

WHEREAS, Wilmington supports federal participation in CSDR projects; and

WHEREAS, projects designed by the U.S. Army Corps of Engineers for Wrightsville Beach and Carolina Beach have utilized engineered inlet borrow sites for sand from Masonboro Inlet and Carolina Beach Inlet for more than 50 years; and

WHEREAS, sand placed on the beach strands is transported, through natural coastal processes, back into the inlet borrow sites, resulting in an environmentally friendly, cost-effective project that reuses and recycles beach-quality sand; and

WHEREAS, the Coastal Barrier Resources Act ("CBRA") of 1982 created zones identified for restriction of federal funds to support development; and

WHEREAS, Masonboro Inlet and Carolina Beach Inlet are inside CBRA zones, and the adjacent beach strands are not, resulting in a recent interpretation that advised that federal funds could not be used to support beach nourishment projects that use inlets within CBRA zones as borrow sources for beaches outside CBRA zones; and

WHEREAS, the interpretation has resulted in projects for Wrightsville Beach and Carolina Beach that would use borrow sources in the Atlantic Ocean, resulting in increased costs and the potential for harm to the environment; and

WHEREAS, the proposed Atlantic Ocean borrow site for Wrightsville Beach is adjacent to an area of a remnant artificial reef created in the 1970s using hundreds of thousands of tires, resulting in a potentially compromised borrow site that would significantly increase costs and harm to the environment; and

WHEREAS, the offshore site used for Carolina Beach is the approved borrow site for Kure Beach, resulting in a shorter life span of the site if it is continued to be used to nourish both beaches; and

WHEREAS, by not utilizing the inlet borrow sites, Masonboro Inlet and Carolina Beach Inlet will continue to be infilled by sand that naturally flows to them, resulting in increased costs that would be incurred to maintain navigable inlets, while also impacting the region's programmatic approach to beach and inlet dredge material management; and

WHEREAS, Congressman David Rouzer has introduced H.R. 524, which would exempt inlet borrow sources that were used to support beach nourishment projects for at least 15 years from CBRA; and

WHEREAS, Masonboro Inlet and Carolina Beach Inlet would be eligible for this exemption, should H.R. 524 become law, allowing the projects to return to the successful, cost-effective, model that provided healthy coastal infrastructure for decades.

**NOW, THEREFORE, BE IT RESOLVED:**

THAT, the Wilmington City Council supports the passage of H.R. 524.

Adopted at a regular meeting on March 7, 2023

Bill Saffo, Mayor

ATTEST: Penelope Spicer-Sidbury, City Clerk

---

**WRIGHTSVILLE BEACH  
CHAMBER OF COMMERCE**

**Wrightsville Beach Chamber of Commerce support of US House Bill 524**

**WHEREAS**, Wrightsville Beach, NC public coastal infrastructure is critical to the public safety interests, it's beaches financial assets, and economy and must be protected from the effects of storms and other natural disasters and to the whole of New Hanover County, North Carolina's wellbeing; and

**WHEREAS**, Coastal tourism is a major economic generator for Wrightsville Beach in New Hanover County, providing recreational opportunities for North Carolinian's and tourists from across the nation

**WHEREAS**, Wrightsville Beach, Carolina Beach and Kure Beach require routine Coastal Storm Damage Mitigation projects to maintain their engineered shoreline templates that provide essential protection to minimize damage caused by hurricanes and other storms; and

**WHEREAS**, projects designed by the U.S. Army Corps of Engineers for Wrightsville Beach have utilized Corps. of Engineers designed and constructed navigational structures to protect inlet access and provide for inland borrow sites for sand from the Masonboro Inlet for more than 50 years; and

**WHEREAS**, the sand placed on the Wrightsville Beach strand is transported, through the natural coastal north south sand migration processes, back into the inlet borrow sites, resulting in an environmentally friendly, cost-effective project that reuses and recycles beach quality sand at the most cost effective process; and

**WHEREAS**, Masonboro Inlet is inside CBRA zones and the adjacent beach strand is not, resulting in a recent interpretation that advised that federal funds could not be used to support Wrightsville Beach nourishment projects that use inlets within its CBRA zone as borrow sources for the beach outside CBRA zone; and

**WHEREAS**, the interpretation has resulted in projects for Wrightsville Beach that would use borrow off shore sites, resulting in increased costs and the potential for more harm to the environment; and

**WHEREAS**, the proposed Atlantic Ocean borrow site for Wrightsville Beach is adjacent to an area of a remnant artificial reef created in the 1970s using hundreds of thousands of tires, which at the time of creation was approved by the US Army Corps of Engineers, US Fish and Wildlife, and the Audubon Society, local governmental agencies, and other officials resulting in a potentially compromised borrow site that would significantly increase costs and harm to the environment; and

**WHEREAS**, by not utilizing the inlet borrow sites, Masonboro Inlet continues to be infilled by sand that naturally flows to them therefore resulting in major increased costs that would be incurred to maintain navigable inlets and the dumping the inlet dredged sand on spoil islands, while also impacting the region's programmatic approach to beach and inlet dredge material management; and

**WHEREAS**, the loss of the critical exemption ruling protecting the onshore borrow site is caused by a legislative change in law years after the Corps. of Engineers design of Masonboro Inlet navigation and sand saving infrastructure jetties on the North and South sides of the inlet;

**WHEREAS**, Congressman David Rouzer has introduced H.R. 524, which would restore the exemption from CBRA inlet borrow sources that were used to support beach nourishment projects for decades; and

**WHEREAS**, Wrightsville Beach with its Masonboro Inlet would be eligible for continuance of its former 50 year exemption should H.R. 524 become law, allowing the projects to return to the successful, cost-effective model that provided healthy coastal infrastructure for decades.

**NOW, THEREFORE, BE IT RESOLVED**, that the Wrightsville Beach Chamber of Commerce Board of Directors supports the passage of H.R. 524.

**ADOPTED** this 9th day of April, 2023.

Susan K Bulluck, Chairman

---

**Pleasure Island  
Chamber of Commerce**

March 16, 2023

Dear Congressman Rouzer:

On behalf of the Pleasure Island Chamber of Commerce, I am writing to express our support of H.R. 524.

The PICC believes this piece of legislation to play a vital role in the coastal infrastructure in New Hanover County. In addition, this resolution allows for the continued coastal storm damage mitigation that is critical to protecting public and private interests from storms and other natural disasters. Our local tourism economy and a majority of our 240+ business members count on these current protections for the ensured health of their businesses.

For these reasons, the PICC extends our support of H.R. 524 voted on by our Board of Directors.

Sincerely and respectfully,

JAMES DEGILIO,  
*Executive Director*

---

**CAROLINA BEACH INLET ASSOCIATION  
CAROLINA BEACH, NC**

NEW HANOVER COUNTY BOARD OF COMMISSIONERS

RESOLUTION IN SUPPORT OF H.R. 524

WHEREAS, New Hanover County's coastal infrastructure is critical to protecting public and private interests from storms and other natural disasters and to North Carolina's tourism economy; and

WHEREAS, Wrightsville Beach, Carolina Beach and Kure Beach require routine Coastal Storm Damage Mitigation projects to maintain their engineered shoreline templates that provide essential protection to minimize damage caused by hurricanes and other storms; and

WHEREAS, New Hanover County supports federal participation in Coastal Storm Damage Reduction (CSDR) projects; and

WHEREAS, projects designed by the U.S. Army Corps of Engineers for Wrightsville Beach and Carolina Beach have utilized engineered inlet borrow sites for sand from Masonboro Inlet and Carolina Beach Inlet for more than 50 years; and

WHEREAS, the sand placed on the beach strands are transported, through natural coastal processes, back into the inlet borrow sites, resulting in an environmentally friendly, cost-effective project that reuses and recycles beach quality sand; and

WHEREAS, the Coastal Barrier Resources Act (CBRA) of 1982 created zones identified for restriction of federal funds to support development; and

WHEREAS, Masonboro Inlet and Carolina Beach Inlet are inside CBRA zones and the adjacent beach strands are not, resulting in a recent interpretation that advised that federal funds could not be used to support beach nourishment projects that use inlets within CBRA zones as borrow sources for beaches outside CBRA zones; and

WHEREAS, the interpretation has resulted in projects for Wrightsville Beach and Carolina Beach that would use borrow sources in the Atlantic Ocean, resulting in increased costs and the potential for more harm to the environment; and

WHEREAS, the proposed Atlantic Ocean borrow site for Wrightsville Beach is adjacent to an area of a remnant artificial reef created in the 1970s using hundreds of thousands of tires, resulting in a potentially compromised borrow site that would significantly increase costs and harm to the environment; and

WHEREAS, the offshore site used for Carolina Beach is the approved borrow site for Kure Beach, resulting in a shorter life span of the site if it is continued to be used to nourish both beaches; and



WHEREAS, by not utilizing the inlet borrow sites, Masonboro Inlet and Carolina Beach Inlet will continue to be infilled by sand that naturally flows to them, resulting in increased costs that would be incurred to maintain navigable inlets while also impacting the region's programmatic approach to beach and inlet dredge material management; and

WHEREAS, Congressman David Rouzer has introduced H.R. 524, which would exempt from CBRA inlet borrow sources that were used to support beach nourishment projects for at least 15 years; and

WHEREAS, Masonboro Inlet and Carolina Beach Inlet would be eligible for this exemption should H.R. 524 become law, allowing the projects to return to the successful, cost-effective model that provided healthy coastal infrastructure for decades.

NOW, THEREFORE, BE IT RESOLVED, that the New Hanover County Board of Commissioners supports the passage of H.R. 524.

ADOPTED this the 8th day of March, 2023.

CARLTON A. BROWN,  
President

---

**NEW HANOVER COUNTY BOARD OF COMMISSIONERS  
RESOLUTION IN SUPPORT OF H.R. 524**

**WHEREAS**, New Hanover County's coastal infrastructure is critical to protecting public and private interests from storms and other natural disasters and to North Carolina's tourism economy; and

**WHEREAS**, Wrightsville Beach, Carolina Beach and Kure Beach require routine Coastal Storm Damage Mitigation projects to maintain their engineered shoreline templates that provide essential protection to minimize damage caused by hurricanes and other storms; and

**WHEREAS**, New Hanover County supports federal participation in Coastal Storm Damage Reduction (CSDR) projects; and

**WHEREAS**, projects designed by the U.S. Army Corps of Engineers for Wrightsville Beach and Carolina Beach have utilized engineered inlet borrow sites for sand from Masonboro Inlet and Carolina Beach Inlet for more than 50 years; and

**WHEREAS**, the sand placed on the beach strands are transported, through natural coastal processes, back into the inlet borrow sites, resulting in an environmentally friendly, cost-effective project that reuses and recycles beach quality sand; and

**WHEREAS**, the Coastal Barrier Resources Act (CBRA) of 1982 created zones identified for restriction of federal funds to support development; and

**WHEREAS**, Masonboro Inlet and Carolina Beach Inlet are inside CBRA zones and the adjacent beach strands are not, resulting in a recent interpretation that advised that federal funds could not be used to support beach nourishment projects that use inlets within CBRA zones as borrow sources for beaches outside CBRA zones; and

**WHEREAS**, the interpretation has resulted in projects for Wrightsville Beach and Carolina Beach that would use borrow sources in the Atlantic Ocean, resulting in increased costs and the potential for more harm to the environment; and

**WHEREAS**, the proposed Atlantic Ocean borrow site for Wrightsville Beach is adjacent to an area of a remnant artificial reef created in the 1970s using hundreds of thousands of tires, resulting in a potentially compromised borrow site that would significantly increase costs and harm to the environment; and

**WHEREAS**, the offshore site used for Carolina Beach is the approved borrow site for Kure Beach, resulting in a shorter life span of the site if it is continued to be used to nourish both beaches; and

**WHEREAS**, by not utilizing the inlet borrow sites, Masonboro Inlet and Carolina Beach Inlet will continue to be infilled by sand that naturally flows to them, resulting in increased costs that would be incurred to maintain navigable inlets

while also impacting the region's programmatic approach to beach and inlet dredge material management; and

**WHEREAS**, Congressman David Rouzer has introduced H.R. 524, which would exempt from CBRA inlet borrow sources that were used to support beach nourishment projects for at least 15 years; and

**WHEREAS**, Masonboro Inlet and Carolina Beach Inlet would be eligible for this exemption should H.R. 524 become law, allowing the projects to return to the successful, cost-effective model that provided healthy coastal infrastructure for decades.

**NOW, THEREFORE, BE IT RESOLVED**, that the New Hanover County Board of Commissioners supports the passage of H.R. 524.

**ADOPTED** this the 6th day of March, 2023.

**NEW HANOVER COUNTY**

William E. Rivenbark, Chair

**ATTEST:**

Kymerleigh G. Crowell, Clerk

---

**WILMINGTON-NEW HANOVER  
PORT, WATERWAY & BEACH COMMISSION  
RESOLUTION IN SUPPORT OF H.R. 524**

**WHEREAS**, New Hanover County's coastal infrastructure is critical to protecting public and private interests from storms and other natural disasters and to North Carolina's tourism economy; and

**WHEREAS**, Wrightsville Beach, Carolina Beach and Kure Beach require routine Coastal Storm Damage Mitigation projects to maintain their engineered shoreline templates that provide essential protection to minimize damage caused by hurricanes and other storms; and

**WHEREAS**, New Hanover County supports federal participation in Coastal Storm Damage Reduction (CSDR) projects; and

**WHEREAS**, projects designed by the U.S. Army Corps of Engineers for Wrightsville Beach and Carolina Beach have utilized engineered inlet borrow sites for sand from Masonboro Inlet and Carolina Beach Inlet for more than 50 years; and

**WHEREAS**, the sand placed on the beach strands are transported, through natural coastal processes, back into the inlet borrow sites, resulting in an environmentally friendly, cost-effective project that reuses and recycles beach quality sand; and

**WHEREAS**, the Coastal Barrier Resources Act (CBRA) of 1982 created zones identified for restriction of federal funds to support development; and

**WHEREAS**, Masonboro Inlet and Carolina Beach Inlet are inside CBRA zones and the adjacent beach strands are not, resulting in a recent interpretation that advised that federal funds could not be used to support beach nourishment projects that use inlets within CBRA zones as borrow sources for beaches outside CBRA zones; and

**WHEREAS**, the interpretation has resulted in projects for Wrightsville Beach and Carolina Beach that would use borrow sources in the Atlantic Ocean, resulting in increased costs and the potential for more harm to the environment; and

**WHEREAS**, the proposed Atlantic Ocean borrow site for Wrightsville Beach is adjacent to an area of a remnant artificial reef created in the 1970s using hundreds of thousands of tires, resulting in a potentially compromised borrow site that would significantly increase costs and harm to the environment; and

**WHEREAS**, the offshore site used for Carolina Beach is the approved borrow site for Kure Beach, resulting in a shorter life span of the site if it is continued to be used to nourish both beaches; and

**WHEREAS**, by not utilizing the inlet borrow sites, Masonboro Inlet and Carolina Beach Inlet will continue to be infilled by sand that naturally flows to them, resulting in increased costs that would be incurred to maintain navigable inlets

while also impacting the region's programmatic approach to beach and inlet dredge material management; and

**WHEREAS**, Congressman David Rouzer has introduced H.R. 524, which would exempt from CBRA inlet borrow sources that were used to support beach nourishment projects for at least 15 years; and

**WHEREAS**, Masonboro Inlet and Carolina Beach Inlet would be eligible for this exemption should H.R. 524 become law, allowing the projects to return to the successful, cost-effective model that provided healthy coastal infrastructure for decades.

**NOW, THEREFORE, BE IT RESOLVED**, that the New Hanover County Port, Waterway & Beach Commission supports the passage of H.R. 524.

**ADOPTED** this the 12th day of March, 2023.

**Port, Waterway & Beach Commission**

Dennis Barbour, Chair

---

**TOWN COUNCIL  
TOWN OF KURE BEACH, NC**

**RESOLUTION R23-03**

**A RESOLUTION IN SUPPORT OF H.R. 524**

**WHEREAS**, New Hanover County's coastal infrastructure is critical to protecting public and private interests from storms and other natural disasters and to North Carolina's tourism economy; and

**WHEREAS**, Wrightsville Beach, Carolina Beach and Kure Beach require routine Coastal Storm Damage Mitigation projects to maintain their engineered shoreline templates that provide essential protection to minimize damage caused by hurricanes and other storms; and

**WHEREAS**, Kure Beach supports federal participation in Coastal Storm Damage Reduction (CSDR) projects; and

**WHEREAS**, projects designed by the U.S. Army Corps of Engineers for Wrightsville Beach and Carolina Beach have utilized engineered inlet borrow sites for sand from Masonboro Inlet and Carolina Beach Inlet for more than 50 years; and

**WHEREAS**, the sand placed on the beach strands are transported, through natural coastal processes, back into the inlet borrow sites, resulting in an environmentally friendly, cost-effective project that reuses and recycles beach quality sand; and

**WHEREAS**, the Coastal Barrier Resources Act (CBRA) of 1982 created zones identified for restriction of federal funds to support development; and

**WHEREAS**, Masonboro Inlet and Carolina Beach Inlet are inside CBRA zones and the adjacent beach strands are not, resulting in a recent interpretation that advised that federal funds could not be used to support beach nourishment projects that use inlets within CBRA zones as borrow sources for beaches outside CBRA zones; and

**WHEREAS**, the interpretation has resulted in projects for Wrightsville Beach and Carolina Beach that would use borrow sources in the Atlantic Ocean, resulting in increased costs and the potential for more harm to the environment; and

**WHEREAS**, the proposed Atlantic Ocean borrow site for Wrightsville Beach is adjacent to an area of a remnant artificial reef created in the 1970s using hundreds of thousands of tires, resulting in a potentially compromised borrow site that would significantly increase costs and harm to the environment; and

**WHEREAS**, the offshore site used for Carolina Beach is the approved borrow site for Kure Beach, resulting in a shorter life span of the site if it is continued to be used to nourish both beaches; and

**WHEREAS**, by not utilizing the inlet borrow sites, Masonboro Inlet and Carolina Beach Inlet will continue to be infilled by sand that naturally flows to them, resulting in increased costs that would be incurred to maintain navigable inlets

while also impacting the region's programmatic approach to beach and inlet dredge material management; and

**WHEREAS**, Congressman David Rouzer has introduced H.R. 524, which would exempt from CBRA inlet borrow sources that were used to support beach nourishment projects for at least 15 years; and

**WHEREAS**, Masonboro Inlet and Carolina Beach Inlet would be eligible for this exemption should H.R. 524 become law, allowing the projects to return to the successful, cost-effective model that provided healthy coastal infrastructure for decades.

**NOW, THEREFORE**, the Kure Beach Town Council do hereby supports the passage of H.R. 524.

Adopted by the Kure Beach Town Council this 20th day of March, 2023.

Craig Bloszinsky, Mayor

Attest: Mandy Sanders, Clerk

---

**TOWN OF WRIGHTSVILLE BEACH, NC  
BOARD OF ALDERMEN**

**RESOLUTION NO. (2023) 2294**

**A RESOLUTION OF THE BOARD OF ALDERMEN OF THE TOWN OF  
WRIGHTSVILLE BEACH, NORTH CAROLINA  
SUPPORTING THE PASSAGE OF H.R. 524**

**WHEREAS**, New Hanover County's coastal infrastructure is critical to protecting public and private interests from storms and other natural disasters and to North Carolina's tourism economy; and

**WHEREAS**, Wrightsville Beach, Carolina Beach and Kure Beach require routine Coastal Storm Damage Mitigation projects to maintain their engineered shoreline templates that provide essential protection to minimize damage caused by hurricanes and other storms; and

**WHEREAS**, the Town of Wrightsville Beach supports federal participation in Coastal Storm Damage Reduction (CSDR) projects; and

**WHEREAS**, projects designed by the U.S. Army Corps of Engineers for Wrightsville Beach and Carolina Beach have utilized engineered inlet borrow sites for sand from Masonboro Inlet and Carolina Beach Inlet for more than 50 years; and

**WHEREAS**, the sand placed on the beach strands are transported, through natural coastal processes, back into the inlet borrow sites, resulting in an environmentally friendly, cost-effective project that reuses and recycles beach quality sand; and

**WHEREAS**, the Coastal Barrier Resources Act (CBRA) of 1982 created zones identified for restriction of federal funds to support development; and

**WHEREAS**, Masonboro Inlet and Carolina Beach Inlet are inside CBRA zones and the adjacent beach strands are not, resulting in a recent interpretation that advised that federal funds could not be used to support beach nourishment projects that use inlets within CBRA zones as borrow sources for beaches outside CBRA zones; and

**WHEREAS**, the interpretation has resulted in projects for Wrightsville Beach and Carolina Beach that would use borrow sources in the Atlantic Ocean, resulting in increased costs and the potential for more harm to the environment; and

**WHEREAS**, the proposed Atlantic Ocean borrow site for Wrightsville Beach is adjacent to an area of a remnant artificial reef created in the 1970s using hundreds of thousands of tires, resulting in a potentially compromised borrow site that would significantly increase costs and harm to the environment; and

**WHEREAS**, the offshore site used for Carolina Beach is the approved borrow site for Kure Beach, resulting in a shorter life span of the site if it is continued to be used to nourish both beaches; and

**WHEREAS**, by not utilizing the inlet borrow sites, Masonboro Inlet and Carolina Beach Inlet will continue to be filled by sand that naturally flows to them, resulting in increased costs that would be incurred to maintain navigable inlets

while also impacting the region's programmatic approach to beach and inlet dredge material management; and

**WHEREAS**, Congressman David Rouzer has introduced H.R. 524, which would exempt from CBRA inlet borrow sources that were used to support beach nourishment projects for at least 15 years; and

**WHEREAS**, Masonboro Inlet and Carolina Beach Inlet would be eligible for this exemption should H.R. 524 become law, allowing the projects to return to the successful, cost-effective model that provided healthy coastal infrastructure for decades.

**NOW, THEREFORE, BE IT RESOLVED**, that the Board of Aldermen of the Town of Wrightsville Beach supports the passage of H.R. 524.

**ADOPTED** this the 15th day of March, 2023.

ATTEST:

F. Darryl Mills, Mayor

Lance G. Heater, Clerk

---

**TOWN OF CAROLINA BEACH, NC  
TOWN COUNCIL**

**RESOLUTION NO. 23-2279**

**RESOLUTION IN SUPPORT OF H.R. 524**

**WHEREAS**, New Hanover County's coastal infrastructure is critical to protecting public and private interests from storms and other natural disasters and to North Carolina's tourism economy; and

**WHEREAS**, Wrightsville Beach, Carolina Beach and Kure Beach require routine Coastal Storm Damage Mitigation projects to maintain their engineered shoreline templates that provide essential protection to minimize damage caused by hurricanes and other storms; and

**WHEREAS**, New Hanover County and Carolina Beach supports federal participation in Coastal Storm Damage Reduction (CSDR) projects; and

**WHEREAS**, projects designed by the U.S. Army Corps of Engineers for Wrightsville Beach and Carolina Beach have utilized engineered inlet borrow sites for sand from Masonboro Inlet and Carolina Beach Inlet for more than 50 years; and

**WHEREAS**, the sand placed on the beach strands are transported, through natural coastal processes, back into the inlet borrow sites, resulting in an environmentally friendly, cost-effective project that reuses and recycles beach quality sand; and

**WHEREAS**, the Coastal Barrier Resources Act (CBRA) of 1982 created zones identified for restriction of federal funds to support development; and

**WHEREAS**, Masonboro Inlet and Carolina Beach Inlet are inside CBRA zones and the adjacent beach strands are not, resulting in a recent interpretation that advised that federal funds could not be used to support beach nourishment projects that use inlets within CBRA zones as borrow sources for beaches outside CBRA zones; and

**WHEREAS**, the interpretation has resulted in projects for Wrightsville Beach and Carolina Beach that would use borrow sources in the Atlantic Ocean, resulting in increased costs and the potential for more harm to the environment; and

**WHEREAS**, the proposed Atlantic Ocean borrow site for Wrightsville Beach is adjacent to an area of a remnant artificial reef created in the 1970s using hundreds of thousands of tires, resulting in a potentially compromised borrow site that would significantly increase costs and harm to the environment; and

**WHEREAS**, the offshore site used for Carolina Beach is the approved borrow site for Kure Beach, resulting in a shorter life span of the site if it is continued to be used to nourish both beaches; and

**WHEREAS**, by not utilizing the inlet borrow sites, Masonboro Inlet and Carolina Beach Inlet will continue to be infilled by sand that naturally flows to them, resulting in increased costs that would be incurred to maintain navigable inlets

while also impacting the region’s programmatic approach to beach and inlet dredge material management; and

**WHEREAS**, Congressman David Rouzer has introduced H.R. 524, which would exempt from CBRA inlet borrow sources that were used to support beach nourishment projects for at least 15 years; and

**WHEREAS**, Masonboro Inlet and Carolina Beach Inlet would be eligible for this exemption should H.R. 524 become law, allowing the projects to return to the successful, cost-effective model that provided healthy coastal infrastructure for decades.

**NOW, THEREFORE, BE IT RESOLVED**, that the Carolina Beach Town Council supports the passage of H.R. 524.

**ADOPTED** this the 14th day of March, 2023.

**TOWN OF CAROLINA BEACH**

**ATTEST:**

Albert L. Barbee, Mayor

Kimberlee Ward, Clerk

---

**NEW HANOVER COUNTY TOURISM DEVELOPMENT AUTHORITY  
RESOLUTION IN SUPPORT OF H.R. 524**

**WHEREAS**, New Hanover County’s coastal infrastructure is critical to protecting public and private interests from storms and other natural disasters and to North Carolina’s tourism economy; and

**WHEREAS**, Coastal tourism is a major economic generator for New Hanover County, providing more than \$930 million in annual visitor spending and nearly \$730 million in state/local taxes. Tourism in New Hanover County also supports more than 6,142 jobs.

**WHEREAS**, wide sandy beaches are a major draw that attracts and inspires people to visit New Hanover County.

**WHEREAS**, Wrightsville Beach, Carolina Beach and Kure Beach require routine Coastal Storm Damage Mitigation projects to maintain their engineered shoreline templates that provide essential protection to minimize damage caused by hurricanes and other storms; and

**WHEREAS**, projects designed by the U.S. Army Corps of Engineers for Wrightsville Beach and Carolina Beach have utilized engineered inlet borrow sites for sand from Masonboro Inlet and Carolina Beach Inlet for more than 50 years; and

**WHEREAS**, the sand placed on the beach strands are transported, through natural coastal processes, back into the inlet borrow sites, resulting in an environmentally friendly, cost-effective project that reuses and recycles beach quality sand; and

**WHEREAS**, Masonboro Inlet and Carolina Beach Inlet are inside CBRA zones and the adjacent beach strands are not, resulting in a recent interpretation that advised that federal funds could not be used to support beach nourishment projects that use inlets within CBRA zones as borrow sources for beaches outside CBRA zones; and

**WHEREAS**, the interpretation has resulted in projects for Wrightsville Beach and Carolina Beach that would use borrow sources in the Atlantic Ocean, resulting in increased costs and the potential for more harm to the environment; and

**WHEREAS**, the proposed Atlantic Ocean borrow site for Wrightsville Beach is adjacent to an area of a remnant artificial reef created in the 1970s using hundreds of thousands of tires, resulting in a potentially compromised borrow site that would significantly increase costs and harm to the environment; and

**WHEREAS**, the offshore site used for Carolina Beach is the approved borrow site for Kure Beach, resulting in a shorter life span of the site if it is continued to be used to nourish both beaches; and

**WHEREAS**, by not utilizing the inlet borrow sites, Masonboro Inlet and Carolina Beach Inlet will continue to be infilled by sand that naturally flows to them, resulting in increased costs that would be incurred to maintain navigable inlets

while also impacting the region's programmatic approach to beach and inlet dredge material management; and

**WHEREAS**, Congressman David Rouzer has introduced H.R. 524, which would exempt from CBRA inlet borrow sources that were used to support beach nourishment projects for at least 15 years; and

**WHEREAS**, Masonboro Inlet and Carolina Beach Inlet would be eligible for this exemption should H.R. 524 become law, allowing the projects to return to the successful, cost-effective model that provided healthy coastal infrastructure for decades.

**NOW, THEREFORE, BE IT RESOLVED**, that the New Hanover County Tourism Development Authority Board of Directors supports the passage of H.R. 524.

**ADOPTED** this the 29th day of March, 2023.

**ATTEST:**

Nicole Jones, Chair

Kim Hufham, CEO

Mr. ROUZER. With that, I yield back my time.

Mr. BENTZ. Thank you for testifying. I will introduce our second panel.

Mr. Matthew Strickler, Deputy Assistant Secretary for Fish and Wildlife and Parks at the Department of the Interior in Washington, DC; The Honorable Darryl Mills, Mayor of Wrightsville Beach, North Carolina; Mr. Bryan McClinton, Undersecretary for the Louisiana Department of Wildlife and Fisheries in Baton Rouge, Louisiana; Mr. Timothy Whitehouse, Executive Director of Public Employees for Environmental Responsibility in Poolesville, Maryland; and Mr. Todd Adkins, Vice President of Government Affairs for the Sportsmen's Alliance, based in Columbus, Ohio.

Let me remind the witnesses that under Committee Rules, they must limit their oral statements to 5 minutes, but their entire statement will appear in the hearing record.

To begin your testimony, please press the talk button on the microphone.

We use timing lights. When you begin, the light will turn green. When you have 1 minute remaining, the light will turn yellow. And at the end of 5 minutes, the light will turn red, and I will ask you to please complete your statement.

I will also allow all witnesses to testify before Member questioning.

I now recognize Mr. Strickler for 5 minutes.

**STATEMENT OF MATT STRICKLER, PRINCIPAL DEPUTY ASSISTANT SECRETARY, FISH AND WILDLIFE AND PARKS, DEPARTMENT OF THE INTERIOR, WASHINGTON, DC**

Mr. STRICKLER. Good afternoon, Chairman Bentz, Ranking Member Huffman, and members of the Subcommittee. My name is Matt Strickler, and I serve as Deputy Assistant Secretary for Fish and Wildlife and Parks at the United States Department of the Interior. Thank you for the opportunity to testify today on four bills related to wildlife conservation, hunting and fishing, and delivery of government services.

The mission of the U.S. Fish and Wildlife Service is working with others to conserve, protect, and enhance fish, wildlife, plants, and their habitats for the continuing benefit of the American people. That mission drives the Service's position on these bills, which I will discuss briefly.

I will begin with H.R. 524, which would amend the Coastal Barrier Resources Act, or CBRA, to create an exemption for certain shoreline borrow sites.

When President Reagan signed CBRA into law in 1982, the statute designated relatively undeveloped coastal barriers as part of the Coastal Barrier Federal Resource System. CBRA restricts Federal subsidies that encourage development in these risky areas that are vulnerable to storm damage and erosion. These sites serve as natural storm buffers, provide habitat for fish and wildlife species, support recreational and commercial fisheries, improve water quality, and provide tourism opportunities.

It is important to note that CBRA does not prohibit activities such as those contemplated in the legislation before you today. States, localities, and private entities are free to use their resources to fund such work. But CBRA protects Federal taxpayers from exposure to the great risk and expense of developing in these hazard-prone areas.

H.R. 524 would amend CBRA to allow the use of Federal funds to dredge sand within the system and use that sand for beach nourishment outside the system. This is counter to the purposes of CBRA, not only because of the direct impacts to fish, wildlife, and their habitats, but also because of the potential to disrupt sediment budgets along barrier island chains and make these areas less resilient to coastal hazards. For those reasons, the Administration cannot support the legislation as written.

The Administration also opposes H.R. 615, which would prohibit the Department of the Interior and Agriculture from banning or regulating the use of lead ammunition or fishing tackle on Federal lands and waters. The Service recognizes the crucial role sportsmen and sportswomen play in protecting and managing our nation's wildlife resources. Nearly 80 percent of Service stations currently offer hunting or fishing, and we continue to look for new opportunities.

With that said, we need to be cautious about lead in the environment. We have known for decades that lead poses risks to fish and wildlife, and research shows that ingested lead from carcasses of hunted wildlife is negatively impacting raptors, including bald and golden eagles across the country. If the best available science shows that lead is harming fish or wildlife in the National Wildlife Refuge System, the Service needs to retain the flexibility to protect the American people's interest in fish and wildlife and their habitats.

We recognize the concerns of some of our partners over a transition to non-lead ammunition and tackle, particularly with respect to availability and affordability, and we are actively discussing the issue with the community, including through the Association of Fish and Wildlife Agencies and the Hunting and Wildlife Conservation Council. The Service is committed to following the



best available science and ensuring an open, transparent, and inclusive public process to inform future policy decisions.

Regarding H.R. 2689, among its provisions relating to other Federal agencies the bill directs the Department of the Interior to design and deliver a centralized electronic permitting system. Since Fiscal Year 2020, the Fish and Wildlife Service has been developing such a system called ePermits. Currently ePermits has more than 50,000 user accounts, with 85 different permit applications, and additional development of the system is planned through Fiscal Year 2028 as we look to build that out.

I look forward to working with the bill's sponsor and the Subcommittee to learn more about this legislation and how the Service can contribute to increase trust in government.

Finally, the Administration supports the goals of H.R. 2872, which would allow states to issue Federal duck stamps for the entire hunting season. We would fully support this bill with some technical changes to address copyright issues and to protect duck stamp artists, as well as issues with stamp distribution.

Thank you again for the opportunity to testify before the Subcommittee today. I look forward to your questions, and I am happy to provide any additional information you may need on the Administration's positions on these bills. Thank you.

[The prepared statement of Mr. Strickler follows:]

PREPARED STATEMENT OF MATTHEW J. STRICKLER, DEPUTY ASSISTANT SECRETARY  
FOR FISH AND WILDLIFE AND PARKS, DEPARTMENT OF THE INTERIOR  
ON H.R. 524, H.R. 615, H.R. 2689, AND H.R. 2872

### **Introduction**

Good morning, Chairman Bentz, Ranking Member Huffman, and Members of the Subcommittee. I am Matthew J. Strickler, Deputy Assistant Secretary for Fish and Wildlife and Parks within the Department of the Interior (Department). I appreciate the opportunity to testify before you today on four bills regarding wildlife conservation, hunting and fishing, and delivery of government services.

The mission of the U.S. Fish and Wildlife Service (Service) is working with others to conserve, protect, and enhance fish, wildlife, plants, and their habitats for the continuing benefit of the American people. The Service's efforts to achieve this mission span a wide variety of programs, including those established to conserve coastal resources, wildlife species and habitat, and migratory waterfowl. A number of those programs are relevant to the legislation before the Subcommittee today.

#### *Coastal Barrier Resources Act*

Established by the Coastal Barrier Resources Act (CBRA) of 1982, the Coastal Barrier Resources System (CBRS) consists of geographic units that were relatively undeveloped at the time they were designated under CBRA. In general, undeveloped coastal barriers and their associated aquatic habitat provide a number of benefits to the economy and society. These lands and waters serve as natural storm buffers; provide habitat for countless fish and wildlife species, including many at-risk species; support recreationally- and commercially-important fisheries; improve water quality; and create tourism opportunities that help support local economies. The CBRS encompasses approximately 3.5 million acres along the Atlantic, Gulf of Mexico, Great Lakes, U.S. Virgin Islands, and Puerto Rico coasts. The Service is responsible for administering CBRA, which includes maintaining and updating the official maps of the CBRS and consulting with federal agencies that propose to spend funds or provide financial assistance within the CBRS.

#### *The National Wildlife Refuge System*

The National Wildlife Refuge System (Refuge System) plays a fundamental role in conserving many of our nation's species and their habitats, particularly migratory birds. The Refuge System's mission 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 the habitats within the United States for the benefit of present and future generations of Americans. Today, the Refuge System spans nearly 100 million acres of lands and waters. It includes 568 national wildlife refuges, 38 wetland management districts, 49 coordination areas, and five national marine monuments (that cover an additional 760 million acres of submerged lands and waters). The Refuge System includes a diversity of ecosystems and species, and provides wildlife dependent recreational opportunities to millions of Americans each year.

*Migratory Bird Hunting and Conservation Stamp*

Since 1934, waterfowl hunters 16 years of age or older have been required by the Migratory Bird Hunting and Conservation Stamp Act (16 U.S.C. 718(a) et al.) to purchase and possess a valid Migratory Bird Hunting and Conservation Stamp (Federal Duck Stamp) to hunt migratory waterfowl such as ducks. Ninety-eight percent of the receipts from stamp sales go to the Migratory Bird Conservation Fund, which the Service uses to acquire and conserve migratory bird habitat, including land for the Refuge System. Over the course of almost ninety years, Federal Duck Stamps have raised more than \$1.1 billion dollars to support the conservation of over six million acres of valuable habitat.

Federal Duck Stamp sales are critical for waterfowl and habitat conservation, which in turn ensures sustainable populations of waterfowl for hunters and recreational bird enthusiasts alike. In this way, hunters are contributing directly to conservation. In addition, many non-hunters also voluntarily purchase the stamp to contribute to migratory bird and habitat conservation, and others purchase Duck Stamps for free entry into national wildlife refuges that charge a fee. The Service's Federal Duck Stamp Program is also valued among artists and stamp collectors, with thousands of adult and junior artists competing annually for their original artwork to grace the stamps.

We appreciate the Subcommittee's interest in the Service's mission. We offer the following comments on the four bills under consideration today and look forward to discussing our views with the Subcommittee.

**H.R. 524, To amend the Coastal Barrier Resources Act to create an exemption for certain shoreline borrow sites**

The Administration opposes H.R. 524, which would amend CBRA to create an exemption allowing federal expenditures or financial assistance for certain projects that would dredge sand from CBRS units to renourish beaches outside the CBRS.

CBRA removes federal financial incentives for risky development along our coasts. This free-market approach saves taxpayer dollars, saves lives, and conserves coastal ecosystems because removing federal subsidies reduces development pressure in dynamic coastal areas. In his 1982 signing statement, President Reagan stated that CBRA "simply adopts the sensible approach that risk associated with new private development in these sensitive areas should be borne by the private sector, not underwritten by the American taxpayer." CBRA has been highly successful in its 40-year history by reducing the intensity of development on these important coastal barriers. Prohibiting federal subsidies in designated CBRA areas has resulted in over \$9.5 billion in savings to the federal government. Cost savings are projected to grow in the future as the impacts of climate change increase along our coasts.<sup>1</sup>

CBRA prohibits most new federal expenditures and financial assistance within the CBRS, but does not restrict the use of private, state, or local funds or limit the issuance of federal permits. The Service is responsible for administering this law, which includes consulting with federal agencies that propose expenditures within the CBRS. Federal agencies, after consultation with the Service, may make expenditures only for activities that meet one of the exceptions under CBRA. The responsibility for complying with CBRA and the final decision regarding the expenditure of funds for a particular action or project rests with the federal funding agency.

In relation to federal sand dredging projects, federal funding for dredging *within* the CBRS to nourish beaches *outside* of the CBRS is considered counter to CBRA's purposes. Consistent with CBRA's plain language, structure, and legislative history, such federally funded dredging does not fall within the CBRA exception at 16 U.S.C. §3505(a)(6)(G) for "nonstructural projects for shoreline stabilization that are designed to mimic, enhance, or restore a natural stabilization system."

The Administration opposes H.R. 524, which would amend CBRA to create a new exemption in the law. This bill would allow the use of federal funds for borrow sites

<sup>1</sup>Coburn, A.S. and Whitehead, J.C., 2019. An analysis of federal expenditures related to the Coastal Barrier Resources Act (CBRA) of 1982. *Journal of Coastal Research*, 35(6), 1358–1361. Coconut Creek (Florida), ISSN 0749-0208.

located within the CBRS that have been in use as a borrow site by a coastal storm risk management project, including those outside the CBRS, for more than 15 years.

CBRA seeks to discourage federal projects within the CBRS that may be damaging to these sensitive ecosystems. Dredging can significantly alter the natural coastal processes and habitats that many species depend upon. Sand removal upsets the natural equilibrium and may reduce the system's ability to maintain a full suite of inlet habitats as sea level continues to rise. The affected inlets are important habitat areas for many breeding and migratory shorebirds, including the piping plover and the rufa red knot, both listed as threatened species under the Endangered Species Act. Benthic habitats, and the organisms that live in and on the seabed, are also directly and immediately impacted by sediment removal. While some of the sand taken from CBRS units for beach renourishment activities may return to the unit over time, the overall impacts of dredging in these areas protected by CBRA are detrimental to coastal species and their habitats.

Sediment placement is often, by design, a short-term strategy that can help protect coastal infrastructure and critical habitats from storm inundation. While beach nourishment can lead to improved sea turtle and shorebird use by widening severely eroded beaches, these projects may attract further development in vulnerable areas, thus requiring greater need for future sand replenishment, or more drastic stabilization measures.

Furthermore, unlike most CBRA exceptions, H.R. 524 would not require consultation between the action agency and the Service. The consultation process allows other federal agencies to utilize the Service's biological expertise to evaluate the anticipated effects on fish and wildlife, review the project for consistency with the purposes of CBRA, and identify conservation measures that can minimize damage to these important resources.

As the nation prepares for more severe coastal flooding, erosion, and other anticipated effects associated with climate change and sea level rise, the foresight of Congress and President Reagan over 40 years ago is thoroughly confirmed. Taxpayers bear a burden in constructing, maintaining, and repeatedly rebuilding infrastructure and privately owned structures in increasingly vulnerable and unstable areas along our coasts. But within the CBRS, these taxpayer expenditures are avoided. The purposes of CBRA to save taxpayers' money, keep people out of harm's way, and remove federal incentives to develop environmentally important coastal barriers remain as important and far-reaching today as they were 40 years ago.

#### **H.R. 615, Protecting Access for Hunters and Anglers Act of 2023**

The Administration opposes H.R. 615. This bill prohibits the Departments of the Interior and Agriculture from banning or regulating the use of lead ammunition or fishing tackle on federal lands and waters that are under the jurisdiction of the Service, Bureau of Land Management, or U.S. Forest Service and are open to hunting or fishing. The legislation provides an exception for lead prohibitions or regulations that are limited to a specific unit of federal land or water, provided that the applicable Secretary can demonstrate with field data that lead ammunition or tackle is driving a decline in a wildlife population at that unit. H.R. 615 requires that such unit-specific lead regulations be consistent with state law or policy or approved by the applicable state fish and wildlife agency. This legislation also provides an exception for existing regulations that prohibit the use of lead shot for waterfowl hunting.

The Service recognizes the important role that sportsmen and women play in protecting and sustainably managing our nation's wildlife resources. From generating funding for wetland habitat conservation through Federal Duck Stamp purchases to supporting state wildlife conservation programs through excise taxes on hunting and fishing equipment, hunters and anglers are key partners in helping the Service achieve its conservation mission.

We pride ourselves in offering high-quality and accessible hunting and fishing opportunities on the Refuge System and National Fish Hatchery System, where compatible with our wildlife conservation mission. Nearly 80 percent of Service stations currently offer hunting and/or fishing opportunities. We continue to seek opportunities to expand hunting and fishing access, including through our annual Station-Specific Hunting and Sport-Fishing regulations. In the past five years alone, we have opened or expanded hunting and fishing opportunities on nearly 6.1 million acres of Service lands and waters.

While providing access for wildlife-dependent recreation on the Refuge System is a priority for the Service, our primary mission in administering this national network of lands and waters is conserving, managing, and, restoring fish, wildlife, and plants, and their habitats for current and future generations. Under the

National Wildlife Refuge System Improvement Act of 1997, we must ensure that any proposed public use of a national wildlife refuge—including hunting and fishing—is compatible with the Refuge System’s conservation mission and the wildlife purposes for which an individual refuge was established.

This “wildlife first” mission makes the Refuge System distinct from other public lands. It also makes the Refuge System a uniquely important place for our nation’s fish and wildlife species, particularly as they face mounting threats from climate change, habitat loss, disease, and other stressors.

The impact of lead ammunition and fishing tackle on fish and wildlife health is one such threat that we are closely tracking. The Service has long known that lead presents risk to wildlife and human health. In the 1970s and 1980s, scientific evidence linked the use of lead shot for waterfowl hunting to declines in several waterfowl species. This prompted the Service to implement a nationwide, phased-in requirement for the use of non-lead ammunition for waterfowl hunting. Since 1991, hunters have been required to use non-lead shot to hunt waterfowl on federal, state, and private lands.

Over the past several decades, evidence of the negative effects of lead on fish and wildlife has only grown stronger. Peer-reviewed science indicates that lead ammunition and tackle negatively affect a range of fish and wildlife species, including shorebirds, loons, and raptors. Some species, such as common loons, may directly ingest lead tackle or ammunition while foraging for food. Others, such as bald eagles, may ingest lead secondhand when scavenging for animals shot with lead ammunition. Studies demonstrate that both direct and indirect lead ammunition and tackle consumption results in individual and population-level impacts to wildlife.

Given this growing body of evidence, the Service remains concerned about the use of lead ammunition and tackle on the Refuge System. Many partners and stakeholders share these concerns. In addition to the federal regulations requiring the use of non-lead shot for waterfowl hunting, at least 38 states currently have some non-lead hunting or fishing requirements in place. The state of California fully banned the use of lead ammunition for all hunting activities in 2019. Further, we received thousands of public comments on our 2022–2023 Station-Specific Hunting and Sport Fishing Rule supporting a Refuge System-wide ban on lead ammunition and tackle use.

Other partners and stakeholders have different perspectives on this issue. Many stakeholders, including some hunters and anglers, are concerned about the impacts of non-lead regulations on hunters’ access, as well as impacts on the effectiveness and affordability of hunting and fishing.

We recognize this is a significant issue for many stakeholders, and we want to better understand these diverse perspectives. While it is not yet clear how we will address the long-term use of lead on the Refuge System, one thing is for certain: any decision we make will not be made in a vacuum. The Service is fully committed to facilitating an open, transparent, and inclusive public process to inform future policy decisions.

We are advancing these dialogues with partners and stakeholders through two primary venues. First, we are working with state partners through the Association of Fish and Wildlife Agencies, where we recently stood up a team of State Directors and Service leadership to work together on this issue. This team is providing the Service and states with a forum to exchange information and perspectives on the use of lead, including potential recommendations moving forward.

We are also seeking input from the Hunting and Wildlife Conservation Council (HWCC), a Federal Advisory Council, whose members represent diverse wildlife conservation and outdoor recreation constituencies. Lead was a key topic of discussion at the HWCC’s inaugural meeting in December 2022, and we anticipate that a newly formed subcommittee on wildlife health will provide the Secretaries of the Interior and Agriculture with advice on this issue.

As we work through this issue, we are taking a cautionary approach to the expansion of hunting and fishing opportunities on the Refuge System. We do not intend to propose any hunting or fishing opportunities that would increase the use of lead on Service lands and waters.

While we appreciate and share the sponsor’s interest in ensuring accessible hunting and fishing opportunities on public lands, the Administration opposes H.R. 615. Where the best available science indicates a need for Service regulations on lead use, it is imperative that the Service has the flexibility to manage recreational activities to support our wildlife conservation mission and statutory obligations. This legislation would categorically prevent us from taking action to achieve that mission in response to new science, changing environmental conditions, and evolving threats.

Although H.R. 615 provides an exception for unit-specific lead regulations, the legislation requires those regulations to align with state law or policy or be approved by the State fish and wildlife agency. Although we strive to adopt hunting and fishing regulations on Service lands and waters that align with state regulations, our statutory management responsibilities sometimes necessitate more restrictive federal regulations. Imposing a statutory obligation on the Service to seek state approval to protect wildlife would hinder our ability to effectively manage the Federal lands and waters under our jurisdiction to achieve our conservation mission.

Finally, while states are key partners in discussions regarding hunting and fishing regulations on the Refuge System, so too are Tribes, external stakeholders, and the general public. The Service solicits public comment at the national and local levels through the rulemaking process whenever we seek to open new or expand existing hunting and fishing opportunities or modify regulations. This legislation narrowly focuses on ensuring state engagement and input on refuge-specific regulations at the expense of broader public engagement.

We look forward to continued dialogue with Congress, States, Tribes, and all interested stakeholders as we chart a path forward together on the future of lead ammunition and tackle in the Refuge System.

**H.R. 2689, Trust in Government Act of 2023**

H.R. 2689 includes provisions related to the processes, functions, and systems for the delivery of services by numerous federal agencies. Section 2(b)(1)(C) of H.R. 2689 directs the Secretary of the Interior to design and deliver a centralized, modernized electronic permitting system to accept and process applications for permits.

As a federal agency, the U.S. Fish and Wildlife Service is committed to continually improving our service delivery and the public's trust in the federal government. In Fiscal Year 2020, the Service began creating a centralized, electronic system for permits called ePermits. Since then, we have been incrementally improving the system and increasing its capacity. Continued development of ePermits is planned through 2028. Currently, ePermits has over 50,000 user accounts across 85 different permit application forms and feedback has been positive overall. Examples of permits currently available on ePermits include Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) permits, Endangered Species Act incidental take permits, and Migratory Bird Treaty Act depredation permits. At full capacity, ePermits will provide an easy to use, modern, and secure system that streamlines the permitting process for Service stakeholders.

One consideration is that the Service's permitting processes vary greatly between programs, a difference that is only wider across bureaus within the Department of the Interior. Any system or systems would need to be designed to facilitate permitting decisions that are made in accordance with different regulatory, statutory, and treaty requirements. Working with Congress on solutions to develop a system that addresses ranging programmatic needs and aligns with authorities for permitting decisions will be important for successful implementation.

The Service notes that H.R. 2689 aligns with many of the provisions contained in the President's December 13, 2021, Executive Order on Transforming Federal Customer Experience and Service Delivery to Rebuild Trust in Government. The Service is making progress on compliance with the EO through the Service's ePermits system. We look forward to working with the sponsor and the Subcommittee to learn more about H.R. 2689 and how the Service can contribute to increased trust in government.

**H.R. 2872, To amend the Permanent Electronic Duck Stamp Act of 2013 to allow States to issue electronic stamps under such Act, and for other purposes**

The Administration supports the goals of H.R. 2872, and with certain changes, as described below, we would support the bill. H.R. 2872 would amend the Permanent Electronic Duck Stamp Act of 2013 to allow States to issue electronic Federal Duck Stamps for the entire hunting season. The bill would remove the 45-day limit on current electronic Federal Duck Stamps and make valid any electronic stamps sold for the entirety of the stamp year, which runs from July 1 in the preceding year to June 30 of the following year. H.R. 2872 would also amend the Migratory Bird Hunting and Conservation Stamp Act of 1934, by making it an option to either have an electronic stamp or a physical signed stamp as the license required for hunting waterfowl.

The Electronic Duck Stamp Act of 2005 directed the Secretary to conduct and evaluate a pilot program of electronic stamps, which the Service started in 2007 in

partnership with the eight States of Arkansas, Colorado, Florida, Idaho, Maryland, Minnesota, Texas, and Wisconsin. After the pilot concluded in 2010, Congress later passed the Permanent Electronic Duck Stamp Act of 2013, authorizing the Service to allow any eligible State to provide electronic Federal Duck Stamps. The Service currently partners with 29 States to offer electronic stamps, which are valid for up to 45 days.

The Service supports the goals of H.R. 2872 to improve the hunter experience and access to waterfowl hunting, which in turn support waterfowl conservation. We recognize that many States have already, or may in the future, transition to electronic licensing. Electronic stamps, including via e-wallets, are a practical method for hunters to obtain and carry their permit. The Service recognizes that some hunters may find the current 45-day period for electronic stamps confusing. Making the electronic stamp valid through the entire hunting season would provide greater clarity and certainty to hunters and law enforcement regarding the permit requirements.

The Service would welcome the opportunity to work with the sponsor and the Subcommittee to address a few provisions of H.R. 2872. First, the Service would like to discuss the provision authorizing use of the image of the actual stamp on the electronic version. The Federal Duck Stamp and Duck Stamp artwork are copyrighted, and insufficient security measures may make the artwork vulnerable to copyright violations or result in lost royalties for the artist. Second, the Service notes that Federal Duck Stamps are considered accountable property and are secured at all times by the Service. We recommend giving authority to the Secretary for distribution of actual stamps, as States do not have access to the actual stamps and therefore would be unable to distribute them to purchasers. A successful transition to a permanent E-stamp will require additional resources beyond current capacity. Finally, it will be important for the Service to monitor the implementation of this action to evaluate purchases of electronic and physical stamps and determine whether a full-season electronic stamp has the potential to change stamp sales, and available conservation funding. The Administration would support H.R. 2872 if changes are made that address these issues.

### Conclusion

We appreciate the Subcommittee's interest in wildlife conservation, hunting and fishing, and the delivery of government services. Thank you for your continued interest in the Service's mission and we look forward to working with you on these and future legislative efforts.

---

QUESTIONS SUBMITTED FOR THE RECORD TO MR. MATT STRICKLER, DEPUTY  
ASSISTANT SECRETARY, FISH AND WILDLIFE AND PARKS,  
DEPARTMENT OF THE INTERIOR

### Questions Submitted by Representative Bentz

*Question 1. In 2020, the Service launched phase one of a new electronic permitting system that enables applicants to apply for their permits online. According to the Service, they anticipate completing the full buildout of the ePermits system by FY2028. How much did it cost the Service to launch phase one of the ePermits system?*

Answer. In FY 2020, the U.S. Fish and Wildlife Service (FWS) released ePermits, a modern, secure, customer-facing online permit system with a \$3.4 million investment. Since FY 2020, the FWS has invested \$20.3 million to improve and expand ePermits to achieve technical milestones such as integrating with Pay.gov and Login.gov, building a library of 85 PDF customer-facing application forms, migrating 71,000 records from the legacy system, launching a technical support feature to help customers using the system, standardizing common application fields, and upgrading the platform. In August 2023, the Service conducted a public satisfaction survey of ePermits users and found that 69% were satisfied with the electronic process, a number the Service aims to increase with continued improvements.

*Question 2. The Services' FY24 budget request for ePermits is \$13.5 million, almost double the 2023 enacted levels. Does the Service have an estimate of the total cost of building out the ePermits system?*

Answer. The FWS requires \$13.5 million in FY 2024 to support build out and required maintenance for the base system of over 80 permit application types, as

well as enhancements to include Migratory Birds Program regulatory changes, certain National Wildlife Refuge System Special Use Permits in ePermits, and to transition U.S. permitting under the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) from security paper-dependent to fully electronic permits. The FWS will continue to work with the President and Congress to evaluate future needs for successful expansion of ePermits.

*Question 3. The Services' ePermits system currently has 50,000 user accounts for 85 available permits, that's just one agency. Does the Department have a sense as to how many permits would need to be made available online to comply with H.R. 2689?*

Answer. The Department of the Interior does not have an estimate as to the number of permits that would be impacted by H.R. 2689.

*Question 4. Does the Department have an estimated as to how much it would cost to implement the provisions of H.R. 2689?*

Answer. The Department of the Interior does not have an estimate as to how much it would cost to implement the provisions of H.R. 2689. We would anticipate that a new system would require significant funding and substantial agency staffing.

#### Questions Submitted by Representative Carl

*Question 1. Why is the U.S. Fish and Wildlife Service pursuing a ban of lead fishing tackle and ammunition provisions under the guise of human health impacts, when a Center for Disease Control (CDC) study released by the North Dakota Department of Health show none of those tested had unsafe blood lead levels?*

1a) [https://www.nps.gov/pinn/learn/nature/upload/Iqbal\\_2008\\_Assessment%20of%20human%20health%20risk%20from%20consumption%20of%20wild%20game%20meat%20with%20possible%20lead.pdf](https://www.nps.gov/pinn/learn/nature/upload/Iqbal_2008_Assessment%20of%20human%20health%20risk%20from%20consumption%20of%20wild%20game%20meat%20with%20possible%20lead.pdf)

Answer. The U.S. Fish and Wildlife Service (FWS) is not pursuing a ban of lead fishing tackle and ammunition. The FWS mission, which is grounded in the laws that mandate our work, is to work with others to conserve, protect, and enhance fish, wildlife, and plants and their habitats for the continuing benefit of the American people. Consistent with our mission, the FWS' primary basis for any decisions regarding lead ammunition and tackle is the negative impact of lead ammunition and tackle on fish and wildlife health, based on the best available, peer-reviewed science. At the handful of specific stations where the FWS has decided to require the use of non-lead ammunition and tackle, we have made those decisions to reduce a known threat to wildlife species while still providing access to hunters and anglers.

Although it is not the primary basis for FWS decision-making related to lead ammunition and tackle use on specific national wildlife refuges, we note that the Center for Disease Control (CDC) study cited in the question does not support an assertion that lead ammunition and tackle are without harm to human health. On the contrary, the study, together with others, provides clear evidence that there are human health impacts from bioaccumulated lead, and thus reason to be cautious about the use of lead ammunition from that perspective.

---

Mr. BENTZ. Thank you, Mr. Strickler. I now recognize Congressman Rouzer to introduce our next witness, Mayor Darryl Mills.

Mr. ROUZER. Thank you, Mr. Chairman. It is a great honor and pleasure to have my friend and the Mayor of Wrightsville Beach, Darryl Mills, here to testify today, who has been a resident of Wrightsville Beach for a long time, in fact, grew up there.

Anyhow, he is a great citizen, a great, great mayor serving in his second term, and I present to you Mayor Darryl Mills.

Mr. BENTZ. Mr. Mayor, you are recognized for 5 minutes.

**STATEMENT OF THE HON. DARRYL MILLS, MAYOR OF  
WRIGHTSVILLE BEACH, WRIGHTSVILLE BEACH, NORTH  
CAROLINA**

Mr. MILLS. Thank you, Chairman Bentz, Ranking Member Huffman, members of the Committee. I appreciate the opportunity to come before you and speak in support of H.R. 524, relative to amending the Coastal Barrier Resources Act.

Since Federal funds have been first available to spend to protect coastal areas, which was in the 1960s, Wrightsville Beach has been the beneficiary on a 4-year cycle of those funds. That has allowed Wrightsville Beach to protect valuable coastal infrastructure, property, and indeed, life.

In over 50 years of these cycle events, as Congressman Rouzer has ably described, there has been no evidence of any detrimental impact on the ecosystem around Masonboro Inlet or the sound areas around Wrightsville Beach. None.

The recent interpretation of CBRA which prohibits us from using Masonboro Inlet is part of a broad-sweeping, you-can't-do-this approach. I recognize in some places that may be appropriate. But we have over 50 years of active, ongoing activity that shows it is not the case for us. There is no evidence.

To the contrary, Masonboro Inlet is actively used for fishing, boating, swimming. And the Audubon Society has a huge bird sanctuary right there beside it. It is not negatively impacting anything from an environmental point of view, which is, as we have already said, one of the main goals of CBRA. We don't argue with that. We support that. We very much cooperate with Audubon and their bird sanctuary. A significant part of their sanctuary is on our property. Our dredging, which again, we have been doing since 1960s, has not affected that at all. There is zero negative environmental impact.

The other concern, as ably described by Mr. Strickler, is cost. These events are expensive. But they serve a valuable purpose. They protect valuable infrastructure, valuable property.

Your Army Corps of Engineers does an economic analysis every time a beach nourishment event is on the horizon. Wrightsville Beach continually, every time, is at the top or near the top of that return on investment. The return on the Federal dollar spent is significantly higher than many projects that you continue to fund. I am not saying that to criticize those projects; I am saying that to reinforce that the concern about the expenditure of Federal funds, and I am a taxpayer, I share that concern, is being well spent at Wrightsville Beach.

The cost of these events, as we have now discussed with the marine dredging contractors that do this work and have been doing this work every cycle, we are looking at doubling or tripling or even more what it costs us to get the sand out of Masonboro Inlet. So, if you want a wise expenditure of Federal funds, don't go sending us miles offshore. Let us continue a proven, logical, expeditious, and efficient system of recycling sand. We recycle: Wrightsville Beach, Masonboro Inlet, Wrightsville Beach—it has worked beautifully for over 50 years at much less cost than going offshore.

Couple that with the unknown of mining sand out in the ocean. How will that affect the ocean floor? What is the impact on marine



life? We don't know. It is an unknown. What we do know is it has not impacted Masonboro Inlet and the ecosystem there. We know that. We have decades of proof.

So, I implore you, I ask you, I request from you respectfully to support H.R. 524. It is the smart thing to do. I thank you for your attention and for your time.

[The prepared statement of Mr. Mills follows:]

PREPARED STATEMENT OF DARRYL MILLS, MAYOR, TOWN OF WRIGHTSVILLE BEACH,  
NORTH CAROLINA

H.R. 524, TO AMEND THE COASTAL BARRIER RESOURCES ACT TO CREATE AN  
EXEMPTION FOR CERTAIN SHORELINE BORROW SITES

Chairman Bentz, Ranking Member Huffman and Members of the Subcommittee:  
My name is Darryl Mills and I am the Mayor of the Town of Wrightsville Beach, North Carolina (the Beach). The Beach is a municipality incorporated under the laws of the State of North Carolina. I am a resident of the Beach and have been for a majority of my life including the last almost 30 years.

Thank you for the opportunity to appear before the Subcommittee today. While I am here officially in my capacity as Mayor of the Beach, I can confidently state that I am also speaking for the thousands of nearby residents and tourists that visit our beautiful beach annually.

I am here to voice my support and that of my constituents for H.R. 524 to amend the Coastal Barrier Resources Act (CBRA) to create an exemption for certain shoreline borrow sites.

#### **BACKGROUND**

CBRA was enacted in 1982 with the primary dual purposes of limiting federal funding relative to activity in certain protected zones and attempting to protect natural resources within those zones. Pursuant to that, the United States Army Corps of Engineers (the USACE) has conducted certain storm damage reduction activities at the Beach using an immediately adjacent borrow site to procure compatible sand to replace sand washed away by storm activity. The most recent interpretation of CBRA has prevented the continued use of this historical borrow site. The proposed exemption pursuant to H.R. 524 would reinstate the use of the historical borrow site.

The Beach is a beautiful beach town located on the Southeastern coast of North Carolina. The Beach has served as a primary economic driver for eastern North Carolina and the State as a whole. The Beach has also provided critical protection for coastal infrastructure, property and human life by serving as a buffer from hurricanes and other coastal storms. Maintaining the Beach from the damage resulting from hurricanes and other storms has occurred through the implementation of coastal storm damage reduction activities commonly referred to as "beach nourishment events" or "beach nourishment" that consist of placing compatible sand on the beach proper and maintaining berms or dunes located thereon.

For approximately 50 years these coastal storm damage reduction projects have occurred under the direction and guidance of the USACE. The USACE has planned, designed, engineered and supervised the placement of compatible sand onto the Beach. This compatible sand has come from a borrow site which was originally selected and approved by the USACE. The borrow site for the Beach is located in Masonboro Inlet (the borrow site) which connects the Atlantic Ocean to the sound and lagoon areas surrounding Wrightsville Beach and then further connects to the Intracoastal Waterway. Masonboro Inlet runs along the southernmost end of the Beach.

This borrow site has been used numerous times as the Beach has been on a 4 year cycle for beach nourishment events since the initial authorization in the 1960s. Please note that many other beaches are on 3 year cycles. The borrow site functions as a source of recycled sand that migrates from the Beach and nearby islands in accordance with natural sand migration processes. The borrow site's proximate location to the Beach expedites the entire beach nourishment process and serves to keep the costs down—one of the stated goals of CBRA.

Moreover, in the approximately 50 years of this beach nourishment activity there has not been any discernable prejudicial effect on the quality of water nor on the wildlife or marine life that inhabit the surrounding area. Evidence of this is that the area is a popular spot for fishing. Further evidence that the beach nourishment

activities using the borrow site do not harm the environment is that for many years the Audubon Society has maintained a migratory bird sanctuary at the Beach. The Beach has cooperated fully with the Audubon Society in this endeavor and indeed has allowed a huge tract of land to be used for that purpose.

The result is a logical, efficient, properly functioning recycling system of compatible sand for the Beach while helping to maintain the viability and navigability of Masonboro Inlet which is an access to the Atlantic Ocean for commercial and recreational purposes. Of additional interest is that the United States Coast Guard has a station located in the immediate area and has a clear need of maintaining the navigability of the inlet and sound.

In addition, the USACE performs an economic analysis to ensure the prudent expenditure of federal funds in furtherance of beach nourishment events. The Beach has consistently been determined to display a return on investment greater than the vast majority of beaches and inlets receiving similar funding and the Beach well exceeds the minimum required return to garner approval of funding.

**Present situation:**

Notwithstanding the above, the latest interpretation of the CBRA statute by the Department of the Interior has resulted in the USACE and the Beach not being able to continue to use the historically efficient borrow site and instead go miles offshore to attempt to find compatible sand for beach nourishment.

Having to go offshore flies in the face of the stated goals of efficient use of federal funds and environmentally sound decisions. While common sense immediately tells you that procuring sand from just yards away from the southern end of the Beach has to be less expensive than going offshore miles away, the preliminary estimates indicate easily doubling or even tripling the historical cost of a single beach nourishment event. For example, for the last beach nourishment event which in 2018, the total cost was approximately \$11.9 million. While no official bids have been tendered as the project using the offshore borrow site has not been placed on the street for bid, the available information from marine contractors is that the cost will at a minimum be in the \$25–30 million range and possibly higher once all factors are considered.

The environmental impact utilizing the offshore site is no better than the historical borrow site as there has been little to no discernable impact on the environment from use of the historical site as explained above. Plus, using the historical borrow site would continue the recycling of proven compatible sand and does not require mining the ocean floor where there would be little to no natural recycling of sand involved. Clearly, transporting the sand from miles offshore involves using much greater energy resources.

In contrast, given the substantial financial savings and the negligible, if any, impact on the surrounding ecosystem, including but not limited to marine life and migratory birds, the use of the historical borrow site as designed by the USACE has proven to be the most cost effective, ecologically sound method to protect the Beach including infrastructure, property and human life from the damages of coastal storms.

**H.R. 524**

Congressman Rouzer's H.R. 524 proposes that certain borrow sites be exempted if these sites have been used by a coastal storm risk management program for more than 15 years.

The historically used borrow site by Wrightsville Beach would qualify as all storm damage reduction activities have been pursuant to the program directed and supervised by the USACE and have been so for more than 15 years.

With this exemption, the federal government and the Beach could save an enormous amount of money versus using an offshore site. In the process, the federal government and the Beach could be confident of compliance with the environmental concerns raised in CBRA. In sum, the USACE and the Beach can achieve the primary goals of CBRA.

I respectfully request that you support and approve H.R. 524. You can do so with the knowledge that you are, in fact, adhering to and meeting the goals of CBRA both in spirit and fact.

Thank you for your consideration.

---

Mr. BENTZ. Thank you, Mr. Mayor. I now recognize Mr. Bryan McClinton for 5 minutes.

**STATEMENT OF BRYAN McCLINTON, UNDERSECRETARY,  
LOUISIANA DEPARTMENT OF WILDLIFE AND FISHERIES,  
BATON ROUGE, LOUISIANA**

Mr. McCLINTON. Thank you, Chairman Bentz, Ranking Member Huffman, members of the Subcommittee. My name is Brian McClinton. I am the Undersecretary for the Louisiana Department of Wildlife and Fisheries. I am here today to talk about H.R. 2872.

I am going to offer sort of a state's perspective, or just our state's perspective. And also, as an Undersecretary, I am the CFO of Wildlife and Fisheries, so I am coming to this more of a finance and funding than the biological implications of this.

Just for a little history, the Federal Duck Stamp Program was signed by Franklin Delano Roosevelt in 1934. As mentioned earlier by the Chairman, it has generated over \$1 billion of wetland habitat restoration protection. That happened, actually, 3 years before the first wildlife restoration. The Pittman-Robinson Act was signed in 1937. And that Act was one that established an excise tax on guns, ammunition, later amended archery into that, and that money is allocated to the states.

I can't tell you how important that grant program is for the state of Louisiana. Our Office of Wildlife uses that to manage the million-and-a-half acres that we provide the public. We use it to implement our education courses, hunter education and other. We use it to run our forestry program and private lands. In the match that is used by that is the hunting licenses that come from the users within the state. So, we are user-supported, and any time we can make their lives easier and give our gratitude for their support, that is important to us.

I will tell you in the 15 years I have been at Wildlife and Fisheries, only twice have we had general fund from the state to supplement our operations. We try to be self-contained. We try to do things ourselves. For that reason, we have been technology-forward. We have an application that is available that shows all your hunting and fishing licenses, your hunter education, your boater safety course. It even has offshore fishing permits, and you can even track your deer or turkey harvest tags or harvest reporting through that app. The one thing that we are not allowed to do is the Federal duck stamp, because of the current way that the electronic duck stamp is postured.

We became members of this program in 2014. You buy the stamp online through our vendor, it goes to a contractor called Amplex, they mail you the stamp. The receipt that you get from us is good for 45 days. When you receive the actual stamp, you are to sign it with an ink pen across the face and carry it on your person. It is a great program. It has done a lot of good things, but we would like to be able to have this thing to be able to offer that to our hunters, the convenience of having everything in one spot.

So, what H.R. 2872 does is it takes that 45 days and extends it throughout the season. It requires that the stamp is still sent to the individual, and that is important because every single art collector, every single waterfowl hunter, every single person that supports conservation of this stamp will get that stamp. So, the artists that are putting their names out there and supporting one of the oldest wildlife restoration programs I am familiar with is

still having that same exposure, and it protects the heritage of that program.

The other thing is, even if you are in Louisiana and we have an electronic stamp now, if you don't want to use the electronic stamp, you can still go to the post office, you can come to our office, we will sell you the actual stamp. It doesn't degrade the validity of the actual stamp, as well, either. It simply is a convenience for those people that want to utilize it.

But what is really brilliant about this legislation is it is voluntary. The states that do not use electronic stamps are not compelled to do so. They can continue to operate the way that they are. And those that choose to already have that, it just gives them a little bit of a feather in their cap for their users that support their programs, as well.

I am here representing Louisiana, but this legislation goes well beyond our borders. The Association of Fish and Wildlife Agencies, all four Flyway Councils, Delta Waterfowl Foundation, Ducks Unlimited, and Congressional Sportsmen's Foundation all support this legislation. And I sort of feel guilty being here today because those guys have been meeting on this, talking about this topic for some time, and I feel like I am kind of standing on their shoulders, and I hope this testimony does justice to the work that they have been doing over the years, trying to develop a program that will benefit the users, but also protect the heritage of the Federal Duck Stamp Program.

So, I would like to thank Congressman Graves for introducing H.R. 2872. I would like to thank the Chairman and the Ranking Member again for having me here. I will happily answer any questions you have, and thank you for this time.

[The prepared statement of Mr. McClinton follows:]

PREPARED STATEMENT OF BRYAN MCCLINTON, UNDERSECRETARY, LOUISIANA  
DEPARTMENT OF WILDLIFE AND FISHERIES

ON H.R. 2872

Chairman Bentz, Ranking Member Huffman, and members of the subcommittee. My name is Bryan McClinton, and I am the Undersecretary for the Louisiana Department of Wildlife and Fisheries. I appreciate the opportunity to testify on behalf of our customers and constituents, the hundreds of thousands of sportsmen and women of Louisiana. I also thank the Chairman and Ranking Member for the invitation to be here today to share the view of State Fish and Wildlife Agencies regarding H.R. 2872, which would amend the Permanent Electronic Duck Stamp Act of 2013. This bill will allow states to use the most current technology to improve the user experience while maintaining the conservation legacy of the federal duck stamp program.

For a little bit of background, in the early 1930s our country experienced our most devastating drought in history, not only wreaking havoc on our nation's Midwest farmers and ranchers but also turning vital wetlands into barren wastelands and decimating waterfowl populations. Fortunately, waterfowl hunters rallied behind the Migratory Bird Hunting and Conservation Stamp Act, which created what is commonly known as the "Federal Duck Stamp". Signed into law by Franklin D. Roosevelt in 1934, the duck stamp provided a crucial, permanent source of funding for purchasing and restoring wetlands across the country. With the proceeds from this stamp, we began to turn the tide in favor of waterfowl conservation, along with the invaluable benefits that healthy wetlands provide for the nation. Since that first stamp, sales have raised more than \$950 million to help filter surface and ground water, aid in flood control, reduce soil erosion and sedimentation, and enhance outdoor recreation opportunities for both waterfowl hunters and the general public.

I know some of you are familiar with the North American Model of Wildlife Conservation, which among other tenants, holds our fish and wildlife in public trust, ensures that everyone has an equal opportunity to participate in hunting and fishing, and that fish and wildlife conservation must be based on sound science. What is perhaps lesser appreciated is that the model is primarily supported by hunters and anglers through what is known as the American System of Conservation Funding. Hunting and fishing license sales, and various permits and stamps, including the Federal Duck Stamp, combined with excise taxes on firearms, ammunition, archery equipment, fishing tackle, trolling motors, and motorboat and small engine fuels, provides the bulk of funding for state fish and wildlife agencies. This system of funding is unlike any other program in the world and is the primary source of fish and wildlife conservation funding in the country. It is a “user pay—public benefit” system, and since the inception of the Louisiana Department of Wildlife and Fisheries, has been funded and supported by our licensed hunters and anglers to the benefit of all Louisianans who enjoy our abundant fish and wildlife resources. Our dedicated hunters and anglers believe in this proven model, gladly bear the financial burden for fish and wildlife conservation, and remain the reason we are still here today.

This legislation is our opportunity to do something for them. Technology has improved the ability of hunters and anglers to have success in the field or water. It stands to reason that we should use technology to improve their licensing experience, as well.

In Louisiana, we have been early adopters of electronic hunting and fishing licenses. We accept electronic offshore permits for fishing. We even allow electronic tagging or harvest reporting for deer and turkey. Louisiana hunters and anglers have appreciated the convenience and utility of this new technology. We have maximized our ability to offer electronic licensing under our jurisdiction. However, the one item that we cannot offer our hunters under current law is a Federal Duck Stamp, valid for the entire waterfowl season.

Louisiana is proud to be part of the pilot program. We implemented an electronic federal duck stamp system in 2014. It is administered by state fish and wildlife agencies, valid for 45 days, or until the actual stamp is received by mail. The law maintained the requirement, that once the individual receives their actual federal duck stamp, they were to physically sign it across the face with an ink pen and keep it on their person.

H.R. 2872 will extend this 45-day period through the end of the waterfowl hunting season. A state will be able to incorporate their issued federal duck stamp into their own secure online electronic applications or platforms, which will streamline the customer experience. For Louisiana, this means the hunter will possess all the required licenses, stamps, and permits on their smartphone. It also allows the physical stamp to be delivered to an individual after the season is closed. Why is this important? This means all waterfowl hunters and stamp collectors would still receive their actual federal duck stamp in the mail, thereby maintaining the artistic integrity of the federal duck stamp. As many of you know, the duck stamp art contest is one of the oldest and absolutely the most unique conservation art contests in the United States. Therefore, this legislation allows the contest and its rich heritage to remain strong.

The proposed legislation before you provides a voluntary opportunity for states, not a unilateral requirement. According to a 2022 report by the Association of Fish and Wildlife Agencies, 44 of 49 states that allow waterfowl hunting (Hawaii being the exception) provide a means for electronic self-purchasing of licenses, and 42 of 49 states allow either digital or physical proof of licensure.<sup>1</sup> While a majority of states do offer an electronic stamp option, states who do not wish to offer the electronic version of the stamp are not compelled to do so. For states that offer an electronic duck stamp, hunters can still acquire an actual stamp. Therefore, this legislation preserves the value of a physical stamp and the art that helped secure the wetland conservation success of the program while offering the hunter a convenient, electronic version when going into the field.

On a final note, the Association of Fish and Wildlife Agencies, all four Flyways Councils, Delta Waterfowl Foundation, Ducks Unlimited, and the Congressional Sportsmen’s Foundation support this legislation. I am here to represent Louisiana, but the benefits of this legislation will extend beyond our sportspeople. This will serve as a sincere thank you to all American waterfowlers, who have always supported conservation.

<sup>1</sup> [https://www.fishwildlife.org/application/files/3216/6333/2968/Duck\\_Stamp\\_Report\\_Final\\_2-28-22.pdf](https://www.fishwildlife.org/application/files/3216/6333/2968/Duck_Stamp_Report_Final_2-28-22.pdf)

Once again, I deeply appreciate the opportunity to provide our perspective on this simple but important legislation. We look forward to working with the Committee and our partners as this bill moves forward.

Mr. Chairman, thank you again for the opportunity to speak in support of this bill, and I welcome any questions.

---

Mr. BENTZ. Thank you, Mr. McClinton, and I now recognize Mr. Timothy Whitehouse for 5 minutes.

**STATEMENT OF TIMOTHY WHITEHOUSE, EXECUTIVE DIRECTOR, PUBLIC EMPLOYEES FOR ENVIRONMENTAL RESPONSIBILITY, POOLESVILLE, MARYLAND**

Mr. WHITEHOUSE. Thank you, Chairman Bentz, Ranking Member Huffman, members of the Subcommittee. I appreciate all the hard work this Subcommittee does on the difficult issues you face, and I welcome the opportunity to offer our perspective on the bills before us.

My name is Tim Whitehouse. I am the Executive Director of Public Employees for Environmental Responsibility. We are a national environmental group located in Silver Spring, Maryland that works with current and former public employees to improve the environmental and public health outcomes of the agencies they worked with or are currently working with. I am here to speak in favor of H.R. 2689 and H.R. 2872, and to offer our opposition to H.R. 524 and H.R. 615.

We oppose H.R. 524 because it would allow federally subsidized sand mining in the Coastal Barrier Resource System. This will cost taxpayers millions of dollars, harm critical coastal habitats, and reduce resiliency in coastal communities. For communities that need sediment placement on their beaches and coastlines outside the CBRS, there are alternatives, perhaps not always the best, but there are alternatives to receiving Federal subsidies to use sand that is mined in CBRS areas.

The CBRA is the only Federal law designed to reduce coastal development by prohibiting most Federal expenditures that support and fund coastal development. This is an important public policy to protect our coastlines, as coastal development costs are skyrocketing and threatening the U.S. Treasury with sea level rise and increased hurricane dangers which are driving costs even higher.

We also oppose H.R. 615 because it would effectively bar the Secretaries from being able to protect and steward the lands and wildlife under their purview. We now know that there are virtually no safe levels of lead in the human body and, in most cases, in wildlife. It is well documented how lead ammunition in the human body and in wildlife can affect both our development and the development and well-being of the wildlife around us.

There are alternatives to lead ammunition and tackle that are becoming widely used in the United States, Europe, and elsewhere, including on Federal lands. We believe the Secretary should make the final decision about whether to bar the use of lead ammunition in the units they manage based upon the public input and consultation and the science that they received during that process of determining whether this type of ammunition and tackle is allowed.

In terms of H.R. 2689, we strongly support it. It would, among other things, require the Secretary of the Interior to design and deliver a centralized, modernized electronic permitting system to accept and process permit applications, and is designed to improve the overall efficiency and management of government operations.

Given the world's rapidly changing technological landscape, the public expects Federal agencies to keep up with the private sector in how it interacts with the public, such as how it provides the public with information and allows access to information, as well as how it accepts and receives information such as permit applications from the public. Progress is being made. For example, we have noticed that the Fish and Wildlife Service has already done significant work to improve its customer experience by updating its website and making it more accessible, as well as addressing online permitting issues. This act would help accelerate these improvements throughout the Federal Government.

I also wanted to speak in support of H.R. 2872, which would allow the states to issue duck stamps. Hunters have always played an integral part in conserving America's natural resources. The success of the Federal Duck Stamp Program illustrates this commitment. Allowing states to issue electronic duck stamps will make duck stamps more accessible to people, and help raise revenue that will benefit hunters and wildlife.

Mr. Chairman, again, thank you for the opportunity to be here. Thank you, Ranking Member Huffman, and I appreciate the ability and willingness to speak to you about these four bills.

[The prepared statement of Mr. Whitehouse follows:]

PREPARED STATEMENT OF TIM WHITEHOUSE, EXECUTIVE DIRECTOR, PUBLIC  
EMPLOYEES FOR ENVIRONMENTAL RESPONSIBILITY  
ON H.R. 524, H.R. 615, H.R. 2689, AND H.R. 2872

**H.R. 524: To amend the Coastal Barrier Resources Act to create an exemption for certain shoreline borrow**

**Summary**

Public Employees for Environmental Responsibility (PEER) opposes H.R. 524, which would amend Section 6 of CBRA by adding a new subsection to allow federal funds to be used to mine a CBRS area "if such a site has been in use as a borrow site by a coastal storm risk management project for a period of more than 15 years."

The CBRA is an economic and environmental success story because it saves taxpayers money, protects property values, supports the outdoor recreation industries, and conserves essential wildlife habitat. We oppose H.R. 524 because it would allow sand mining in CBRS areas, cost taxpayers millions of dollars, harm critical coastal habitats, and reduce resiliency in coastal communities. For communities that need sediment placement on their beaches and coastlines, there are alternatives to receiving federal subsidies to use sand mined in CBRA areas.

**Background: The CBRA**

The CBRA established the Coastal Barrier Resources System that now encompasses about 3.5 million acres along the Atlantic, Gulf of Mexico, Great Lakes, U.S. Virgin Islands, and Puerto Rico coasts.

CBRA prohibits most new federal expenditures and financial assistance for projects and activities within the CBRS, including projects to prevent the erosion of, or to otherwise stabilize, any inlet, shoreline, or inshore area (16 U.S.C. 3504(a)(3)). The law does not restrict the use of private, state, or local funds or limit the issuance of federal permits within the CBRS.

The CBRA approach to conservation does not prevent development and imposes no restrictions on development conducted with nonfederal funds. CBRS units may

be developed, but federal taxpayers largely do not underwrite the investments. The law aims to protect natural resources, save taxpayer money, and keep people out of harm's way by removing the federal incentive to develop ecologically sensitive and storm-prone coastal barriers. These areas provide important habitats for wildlife, including fish and shellfish, that support the nation's multi-billion-dollar fishing industry.

**The CBRA is an economic and environmental success story.**

The CBRA has saved billions of taxpayer dollars. For example, a 2019 economic analysis by professors at Western Carolina University and Appalachian State University estimates that the CBRA reduced federal coastal disaster expenditures by \$9.5 billion between 1989 and 2013 and will save an additional \$11–108 billion by 2068.<sup>1</sup>

These savings primarily come about because CBRA areas provide vital natural resources and ecological functions. For example, the CBRA System protects barrier islands and inlets that, in turn, protect coastal wetlands. Nationwide, coastal wetlands provide over \$23 billion in storm protection services.<sup>2</sup> The National Audubon Society reports that a 2.5-acre decrease in wetlands corresponds to a \$33,000 increase in storm damage.<sup>3</sup> Undeveloped coastal areas along the mid-Atlantic coast helped to prevent more than \$625 million worth of additional damage from the 2012 Hurricane Sandy.

CBRA areas also provide vital and increasingly rare habitats for fish birds. Nationwide, bird watching is a \$107 billion a year industry that positively impacts 47 million people per year and<sup>4</sup> \$6.5 billion is spent on bird hunting each year.<sup>5</sup> Coastal wetlands and estuaries support commercial and recreational fisheries, which provide 1.7 million jobs, generate \$238 billion in sales, and provide \$108 billion in value-added services.<sup>6</sup> In South Carolina, the commercial saltwater fishing industry lands more than 9.7 million pounds of fish, contributing more than \$26 million annually to the state's economy. Recreational fishing lands another 8 million pounds of fish.<sup>7</sup>

**This proposed amendment would undermine this success.**

Allowing taxpayer-funded sand mining in CBRS areas would put a financial burden on taxpayers around the country to fund enormously costly sand mining operations. Sand mining in nearshore areas, like inlets, has been shown to disrupt sand supplies to downdrift communities, making them more vulnerable to hurricanes, storms, and erosion. A 2021 report by the USGS & F.W.S. documented harm to downdrift communities from sand mining, which impacts short- and long-term coastal resilience. Sea level rise is compounding these impacts.<sup>8</sup> A study on beach renourishment projects for Folly Beach, SC, and Wrightsville Beach, NC, found that "significant quantities" of sand migrate offshore and do not re-enter the near coastal environment.<sup>9</sup>

In addition, sand mining in nearshore areas has been shown to harm the environment in the short- and long term. Sand mining in nearshore areas can harm habitats vital to overwintering and migrating shore- and waterbirds, with harm to the food chain persisting for months to several years.<sup>10</sup> In South Carolina, the Corps

<sup>1</sup> [https://shoreline.wcu.edu/Andy/Coburn&Whitehead\\_2019\\_JCR.pdf](https://shoreline.wcu.edu/Andy/Coburn&Whitehead_2019_JCR.pdf)

<sup>2</sup> NOAA, "Fast Facts: Natural Infrastructure." <https://coast.noaa.gov/states/fast-facts/natural-infrastructure.html#:~:text=Coastal%20wetlands%20in%20the%20U.S.,storm%20protection%20services%20every%20year>.

<sup>3</sup> National Audubon Society, "Natural Infrastructure Report: How natural infrastructure can shape a more resilient coast for birds and for people." January 2018. P. 3. [https://nas-national-prod.s3.amazonaws.com/audubon\\_infrastructure\\_jan192018.pdf](https://nas-national-prod.s3.amazonaws.com/audubon_infrastructure_jan192018.pdf)

<sup>4</sup> U.S. North American Bird Conservation Initiative Committee, "Clean Air And Water, Human Health, And Economic Benefits Go Hand-In-Hand With Bird Conservation." <https://nabci-us.org/wp-content/uploads/2020/01/NABCI-linking-bird-conservation-to-human-benefits-3.pdf>

<sup>5</sup> Ibid.

<sup>6</sup> NOAA Fisheries, "Fisheries Economics of the United States." <https://www.fisheries.noaa.gov/national/sustainable-fisheries/fisheries-economics-united-states>; [https://nas-national-prod.s3.amazonaws.com/audubon\\_infrastructure\\_jan192018.pdf](https://nas-national-prod.s3.amazonaws.com/audubon_infrastructure_jan192018.pdf)

<sup>7</sup> NOAA Fisheries, "Landings." <https://www.fisheries.noaa.gov/foss/f?p=215:200:2611030725916::NO:RP::>

<sup>8</sup> United States Geological Survey & United States Fish and Wildlife Service, "Impacts of Sediment Removal from and Placement in Coastal Barrier Island Ecosystems." June 2021. <https://pubs.usgs.gov/of/2021/1062/ofr20211062.pdf>

<sup>9</sup> Thieler, E. Robert, Gayes, Paul T., et al., "Tracing Sediment Dispersal on Nourished Beaches: Two Case Studies," in *Coastal Sediments 1999*. New York, ASCE, pp. 2118–2136.

<sup>10</sup> USGS & F.W.S. Report, op cit.



reported that sand mining in CBRS units by Folly Beach, SC, destroyed bottom-living organisms that form the base of the food chain for shorebirds and fish. These CBRS areas are crucial to imperiled shorebirds like Least Terns and American Oystercatchers.<sup>11</sup> In North Carolina, the Corps reported that sand mining in CBRA units in Masonboro Inlet/Banks Channel reduced down drift sediments reaching Masonboro Island, contributing to erosion of the island, which is vitally important to sea turtles and shorebirds like the American Oystercatcher and Wilson's Plovers.<sup>12</sup>

**There are alternatives to using federal funds to mine for sand in CBRS areas.**

In Wrightsville Beach, NC, the Corps reported that the CBRS areas in Masonboro Inlet/Banks Channel cannot provide enough sand for Wrightsville Beach's renourishment project. The "volume of sand available from Masonboro Inlet and Banks Channel is declining, and the inlet is not recharging sufficiently to meet the long-term demands of the beach renourishment project." Therefore, the Corps identified a potential offshore area outside a CBRS unit with 70 million cubic yards of usable sand.<sup>13</sup>

In Carolina Beach, NC, The Corps reported an existing offshore borrow site not located within a CBRS area that can be mined for sand, removing the need to mine sand in CBRA areas.<sup>14</sup>

In Folly Beach, SC, the Corps reported that 8.1 million cubic yards of sand would be needed to renourish Folly Beach through 2060. The Corps has already identified four offshore, non-CBRS sand borrow sites containing 7.34 million cubic yards of beach-compatible sand. The CBRS sites near Folly Beach have only 2–3 million cubic yards.<sup>15</sup>

**H.R. 524 is the Wrong Approach Financially**

CBRA is the only federal law designed to reduce coastal development by prohibiting most federal expenditures that support and fund coastal development. This is an important public policy to protect as coastal development costs are skyrocketing and threatening the U.S. Treasury, with sea level rise and increased hurricane damages driving the costs even higher.

The National Flood Insurance Program is in massive debt, owing more than \$20.5 billion to the U.S. Treasury. The majority of flood insurance policies are for coastal properties. The federal taxpayer has repeatedly bailed out the NFIP.<sup>16</sup>

Beach renourishment projects around the country have cost more than \$11 billion to date.<sup>17</sup> The federal taxpayer typically pays 65% of the projects, placing the U.S. taxpayer on the hook for billions of dollars to place sand on beaches that hurricanes, storms, erosion, and sea level rise often wash away.

**H.R. 615: Protecting Access for Hunters and Anglers Act of 2023**

**Summary**

Public Employees for Environmental Responsibility (PEER) strongly opposes H.R. 615, which, with very limited exceptions, bars the Department of the Interior and the Department of Agriculture from prohibiting or regulating the use of lead ammunition or tackle on federal land or water that is under the jurisdiction of such departments and made available for hunting or fishing.

<sup>11</sup>U.S. Army Corps of Engineers, Wilmington (N.C.) District. *Draft Integrated General Reevaluation Report and Environmental Assessment for Coastal Storm Risk Management, Folly Beach, Charleston County, South Carolina, October 2020*. Pp. 61–63.

<sup>12</sup>U.S. Army Corps of Engineers, Wilmington (N.C.) District. *Wrightsville Beach, NC, Draft Validation Study*. June 2019. P. 62. Also North Carolina Department of Environmental Quality, "Masonboro Island Reserve." <https://deq.nc.gov/about/divisions/coastal-management/nc-coastal-reserve/reserve-sites/masonboro-island-reserve>

<sup>13</sup>U.S. Army Corps of Engineers, Wilmington (N.C.) District. *Wrightsville Beach, NC, Validation Study Appendices*. June 2019. Appendix B-i and B-33.

<sup>14</sup>U.S. Army Corps of Engineers, Wilmington (N.C.) District. *Carolina Beach NC Beach Renourishment Evaluation Report*. June 2019. P. ii.

<sup>15</sup>U.S. Army Corps of Engineers, Wilmington (S.C.) District. *Draft Integrated General Reevaluation Report and Environmental Assessment for Coastal Storm Risk Management, Folly Beach, Charleston County, South Carolina*. October 2020. Pp. 106–113.

<sup>16</sup>Congressional Research Service, "Introduction to the National Flood Insurance Program (NFIP)." November 19, 2021. <https://sgp.fas.org/crs/homesec/R44593.pdf> <https://sgp.fas.org/crs/homesec/R44593.pdf>

<sup>17</sup>Program for the Study of Developed Shorelines, Western Carolina University. *Beach Nourishment Viewer*. <https://beachnourishment.wcu.edu/>

### Reasons for Our Opposition

H.R. 615 would effectively bar the Secretaries from being able to protect and steward the lands and wildlife under their purview. This is because H.R. 615 would bar the Secretaries from prohibiting the use of lead and ammunition of tackle on federal land or water or issuing regulations related to lead levels in ammunition or tackle unless the applicable Secretary determines that a decline in wildlife populations is primarily caused by the use of lead ammunition or tackle in that unit based on data from that unit, and is consistent with state laws and the Secretary's actions are approved by the state.

We know there are virtually no safe lead levels in the human body and in wildlife. It is well documented how lead ammunition and tackle used in other forms of hunting and fishing poisons the birds and other wildlife that ingest it—either swallowing it like waterfowl or scavenging on carcasses and gut piles containing embedded lead shot or fragments of lead ammunition.

The ecological stakes are profound. Wildlife species are exposed to or killed by ingesting lead or prey contaminated with lead. For example:

- Lead is a leading threat to birdlife, especially bald eagles, hawks, and other raptors, as well as other birds from loons to condors;
- Lead fragments from spent shells remain lodged throughout the wildlife food chain; and
- Lost lead fishing tackle leads to elevated levels of lead in fish and amphibians.

Beyond the harm to wildlife, human consumption of lead-shot game poses significant health risks. The public now has a much better understanding that lead exposure is a significant public health concern due to its persistence in the environment and places where we work and recreate, its presence in our communities and homes, and that lead poisoning can affect children, especially in underserved communities. We are also concerned that children in underserved communities may be consuming wild game contaminated with lead or possibly be exposed during fishing activities.

The reasons for our opposition to H.R. 615 are further spelled out in a letter that PEER and nine other organizations have submitted to this committee. The attached letter is below as part of PEER's testimony.

\*\*\*\*\*

### Attachment

29 March 2023

Subject: Organizations Oppose H.R. 615, Support Sportspeople-Led Conservation and Secretarial Land Stewardship

Dear Representative,

The undersigned conservation groups are writing in staunch opposition to H.R. 615—Protecting Access for Hunters and Anglers Act of 2023. H.R. 615 would prohibit the Secretaries of Interior and Agriculture from regulating the use of lead ammunition or tackle on certain Federal land or water under their jurisdiction. In short, it would bar the Secretaries from being able to protect and steward the lands and wildlife under their purview, and protect hunters and anglers from dangerous lead ammunition and fishing tackle.

The title of H.R. 615 wrongly creates the illusion that it protects access for hunters and anglers on Federal lands, but in reality, it restricts the ability to replace lead ammunition with commonly used non-lead ammunition.

Moreover, hampering the authority of the Secretaries to carry out their duties could put endangered species such as the California Condor, and protected species such as Bald and Golden Eagles at risk.

Lead has been banned from our gasoline, paint, and pipes. Millions of dollars are spent annually combatting its effects in our homes and businesses. In 1991 the U.S. Fish & Wildlife Service banned the use of lead ammunition for hunting waterfowl nationwide, preventing the unnecessary killing of millions of waterfowl, which ingest spent ammunition alongside the pebbles they swallow to aid digestion. Lead ammunition and tackle

used in other forms of hunting and fishing still poisons the birds and other wildlife that ingest it—either swallowing it like waterfowl or scavenging on carcasses and gut piles containing embedded lead shot or fragments of lead ammunition.

The bill does carve out an exception for declines in wildlife populations on a specific unit of land caused discretely by lead ammunition or tackle. However, this is an impossible standard to meet as population monitoring data is not available at the unit scale in most cases.

The bill also allows for the handful of actions taken by a State wildlife agency to control lead ammunition and tackle to continue. However, State wildlife agencies have historically not taken adequate measures to protect wildlife or educate sportspeople about lead alternatives (with a very few notable exceptions). State wildlife agencies, however, have no jurisdiction over National Parks, National Forests, the National Landscape Conservation System, the Public Lands System, or National Wildlife Refuges—it is an inherently federal responsibility to manage and conserve these areas.

- In a survey of all 50 State wildlife agency websites in 2022, only 8 had easily accessible information about lead toxicity and alternatives
- The National Parks Service lists lead ammunition as the greatest threat to the California Condor
- The United States Geological Survey lists lead ammunition as a population-level threat to Bald and Golden Eagles
- Lead has been shown to impair the recovery of the still-fragile Bald Eagle
- Lead poisoning affects over 75 species of bird annually
- An estimated 16 million US birds are killed annually by lead poisoning (though this figure is likely an underrepresentation)
- Mammalian carnivores are also at risk; poisonings are documented in Black Bears, Grizzly Bears, Cougars among many others

The Presidential Memorandum on Restoring Trust in Government Through Scientific Integrity and Evidence-Based Policymaking directs the heads of all departments and agencies to “make evidence-based decisions guided by the best available science and data.” The best available science and data are clear; lead poisoning is a major threat for wildlife. We urge you to defer to the expertise of the government scientists and experts that are enmeshed in the issue.

Non-toxic steel, copper, and alloy bullets and non-lead fishing tackle are affordable and available in all 50 states. Hunters and anglers in states and areas that have restrictions or have already banned lead have made successful transitions to non-toxic ammunition and tackle. Over a dozen manufacturers of bullets have designed and now market many varieties of non-lead, non-toxic bullets and shot with satisfactory to superior ballistic characteristics. Moreover, sportspeople that use non-lead ammunition carry on the proud tradition of wildlife conservation by preventing animals from being exposed to lead.

We believe the pathway to less-toxic environments and fewer wildlife poisonings is paved with more sportsperson education, widely accessible non-toxic ammunition and tackle exchange programs, informed decisions by individuals and communities, and regulatory action where applicable.

Decisions on public lands lead prohibitions fall squarely within the responsibilities of the Secretaries of Interior and Agriculture. H.R. 615 is not a bill which would protect sportspeople; it is legislation which encumbers conservation personnel and comes at the cost of millions of needless wildlife poisonings every year. The Citizens, State Wildlife Agencies, States, and Federal Agencies of America should all act within the best interests of wildlife health. H.R. 615 is not in service of any of them.

We strongly urge you to oppose H.R. 615 and consider any legislation or regulation which creates toxic ammunition and tackle exchange programs, sportsperson education initiatives, or decreases the likelihood of wildlife poisonings from lead.

Sincerely,

American Bird Conservancy Center for Biological Diversity	Earthjustice
Hawk Migration Association of North America	International Bird Rescue
National Wildlife Refuge Association	National Wildlife Rehabilitators Association
Public Employees for Environmental Responsibility	Sierra Club

\*\*\*\*\*

#### **H.R. 2689: Trust in Government Act of 2023**

Public Employees for Environmental Responsibility (PEER) strongly supports H.R. 2689, which would, among other things, require the Secretary of the Interior to design and deliver a centralized, modernized electronic permitting system to accept and process permit applications.

H.R. 2689 also expresses Congress' intent that federal agencies shall improve the overall economy, efficiency, and management of government, operations, and activities, reduce the paperwork of agencies, and provide high-quality services to the public. It directs the Office of Management and Budget to provide oversight of these efforts by providing guidance to implement and achieve the purposes of this Act and by providing oversight of agency efforts to improve federal services and the customer experience.

Building trust in government is a multi-faceted and challenging task. This bill would address an essential part of this task—ensuring federal agencies continually work to improve the customer experience. According to recent research, as much as 67% of trust in government can be explained by customer experience.<sup>18</sup> This means improving the public's trust in government happens interaction by interaction.

Given the world's rapidly changing technological landscape, the public expects federal agencies to keep up with the private sector in how it interacts with the public, such as how it provides the public with information and allows access to information, as well as how it accepts and receives information, such as permit applications, from the public.

The Fish and Wildlife Service has already done a significant amount of work to improve its customers' experience by updating its website and to make it more accessible. For example, the Services and Permits sections of their website have steadily improved over the past several years and provide a much better customer experience than existed not too long ago.

This work is based on the White House Executive Order on transforming the federal customer experience.<sup>19</sup> This Executive Order also calls on the Fish and Wildlife Service to provide more of their transactions online, including for special use permits for National Wildlife Refuge System locations and several high-volume application forms required for businesses that import, export, or re-export animals, plants, and their products internationally. These transactions can take weeks or months to process and require multiple paper forms to be mailed.

We strongly support the Trust in Government Act because it focuses on improving the design and delivery of services, focusing on the actual experience of the people it is meant to serve.

<sup>18</sup> <https://www.mckinsey.com/industries/public-and-social-sector/our-insights/Customer-Experience-in-the-Public-Sector>

<sup>19</sup> <https://www.whitehouse.gov/briefing-room/presidential-actions/2021/12/13/executive-order-on-transforming-federal-customer-experience-and-service-delivery-to-rebuild-trust-in-government/>

**H.R. 2872: To amend the Permanent Electronic Duck Stamp Act of 2013 to allow States to issue electronic stamps under such Act, and for other purposes**

Public Employees for Environmental Responsibility (PEER) strongly supports H.R. 2872, which would allow more people to get Duck Stamps electronically.

Hunters have always played an integral part in conserving America's natural resources. The success of the Federal Duck Stamp Program illustrates this commitment. For nearly 90 years, by buying Duck Stamps, waterfowl hunters have supported the conservation of more than 6 million acres of strategic wetland habitat.

As the Fish and Wildlife Service notes on their website, while waterfowl hunters 16 years of age or older are required to purchase them, anyone can contribute to conservation by buying Duck Stamps. In addition to serving as a hunting license and conservation tool, a current Federal Duck Stamp is a free pass into any national wildlife refuge that charges an entry fee. Because nearly all the proceeds are used to conserve habitat for birds and other wildlife, birders, nature photographers, and other outdoor enthusiasts buy Duck Stamps to help ensure that they can always see wildlife at their favorite outdoor spots.

Allowing States to issue electronic duck stamps will make Duck Stamps more accessible to people and help raise revenue that will benefit hunters and wildlife.

---

Mr. BENTZ. Thank you, Mr. Whitehouse. I now recognize Mr. Todd Adkins for 5 minutes.

**STATEMENT OF TODD ADKINS, VICE PRESIDENT OF GOVERNMENT AFFAIRS, THE SPORTSMEN'S ALLIANCE, COLUMBUS, OHIO**

Mr. ADKINS. Chairman Bentz, Ranking Member Huffman, members of the Committee, it is my absolute pleasure to be here today to voice my organization's strong support for H.R. 615, the Protecting Access for Hunters and Anglers Act of 2023. My name is Todd Adkins. I am Vice President of Government Affairs for the Sportsmen's Alliance.

We have already heard a lot about the story I am going to tell today, and that is a story where hunters and anglers have served as the conservation backbone of this country for now well over a century. I am not going to go into the details I provide in my written testimony, but H.R. 615 provides critical safeguards that Representative Wittman talked about when agencies contemplate the idea of banning lead ammunition and fishing tackle, thereby limiting access to our public lands.

It is a very simple bill. It is not really complex. It doesn't suggest the answer one way or another on whether or not lead will be banned. But what it says is the science to support that move has to come from the specific site that you are seeking the ban upon.

Again, this isn't denying science. This is admitting that we have to put sideboards on it when, as Representative Wittman said, occasionally you will see justifications thousands of miles away.

We have been down this road before. Often in rulemakings regarding the lead issue, Fish and Wildlife Service will cite 1991 as the first year of the nationwide ban on lead ammunition for waterfowl hunting; 1976 is a better year to look at, that is actually the first year of the initial phase-in of lead bans on lead ammunition for hunting waterfowl, 1976.

I lived through two of the phase-ins, both as a recreational hunter in my home state of Michigan in 1977 and as a professional hunting guide on Maryland's Eastern Shore years later. I can tell

you what the community said, and I know members of the community that left the field.

I am not saying that that issue is dispositive, one way or the other. But what I am saying is Representative Wittman's bill puts these critical sideboards on this decision-making process so that we know, when we limit access by limiting hunters because of rising costs, that decision is made with clear science, of evidence that is occurring at the site where we actually have a concern.

You look at duck hunter numbers in this country, beginning in 1976. A terrible slide in duck hunting numbers, waterfowl hunting numbers took place, upwards of 45 percent over a 15-year period. Now, that is anecdotal evidence. There were lots of reasons that waterfowl hunters left the field. We understand that. But it is interesting to note that overall hunter numbers peaked in 1982, while waterfowl hunters had been dropping off the face of the map because the initial phase-in of those lead bans was 1976.

H.R. 615 is really important. And when we look at the most recent hunt fish rule, the station-specific rule where Patoka River National Wildlife Refuge was the initial refuge that will implement the lead ban in 2026, managers at the site within their environmental assessment point out, "We are aware of no problems associated with lead exposure on this refuge over the last 20 years."

So, what H.R. 615 would do in that case, instead of citing to the best available science from thousands of miles away, it would simply say, "Let's establish science here at Patoka Refuge before we implement a policy that we know will discourage and stop hunters and anglers from going afield."

Many witnesses today have talked about the financial contributions made by hunters and anglers in this country. We can't imagine the system we have now without them. So, our recommendation is, this is why H.R. 615 should be supported, is that we have to put careful safeguards around this question. It is not about whether or not lead is toxic. That question has been answered. It is whether or not lead is a specific problem at a unit of public lands where we know we have to make a decision, and sometimes that decision will be difficult.

[The prepared statement of Mr. Adkins follows:]

PREPARED STATEMENT OF TODD ADKINS, VICE PRESIDENT OF GOVERNMENT AFFAIRS,  
THE U.S. SPORTSMEN'S ALLIANCE

ON H.R. 615, "PROTECTING ACCESS FOR HUNTERS AND ANGLERS ACT OF 2023"

Chairman Bentz, Ranking Member Huffman, and members of the Subcommittee, I thank you for the opportunity to testify in support of H.R. 615, the Protecting Access for Hunters and Anglers Act of 2023. My name is Todd Adkins, and I serve as Vice President of Government Affairs for the Sportsmen's Alliance, an organization that was founded in 1978 to protect and promote America's first and best conservationists, sportsmen and women.

To place the importance of H.R. 615 in proper context, it is critical to acknowledge the importance of America's hunters and anglers to our entire system of fish and wildlife management, often referred to as the North American Model. Although not recognized enough in today's tension-driven and combative 24-hour news cycle, the North American Model is an amazing success story. Restored fish and wildlife populations, a vast system of public lands for all to enjoy, critical habitat protection, and dedicated agencies devoted to protecting the great outdoors are just a few of the

countless benefits of the system we created here in America. Many refer to ours as the most successful conservation model in the world, and I agree.

This system—the North American Model—has its roots in the late 19th and early 20th century, when members of the hunting and fishing communities came together to help forge a new conservation ethos in America, one that would not only protect fish and wildlife, but also secure the robust funding mechanisms necessary to underwrite our commitment to conservation in perpetuity. It is a remarkable story. But this story can only be told by recognizing the critical role played by the hunting and fishing communities in pulling it all together.

It was hunters and anglers that were there to help establish the state fish and wildlife agencies at the outset. We were there to support the creation of licensing and permitting systems, along with regulating season lengths, bag limits, and methods of take. And yes, we were first in line to provide the funding to make it all work. Through state license fees, stamps, permits and federal excise taxes under the Pittman-Robertson<sup>1</sup> and Dingell-Johnson<sup>2</sup> Acts, hunters and anglers have directly contributed tens of billions of dollars to conservation efforts nationwide. In FY 2022 alone, Pittman-Robertson accounted for more than \$1.1B and Dingell-Johnson appx. \$400M for state fish and wildlife agencies. If we then add our countless hours of volunteering and ongoing financial support for conservation organizations nationwide, the total impact of sportsmen and women is at once incalculable and irreplaceable.

The Sportsmen’s Alliance recognizes and honors this history and proudly defends America’s hunters and anglers and the rich conservation tradition we helped build. At the same time, however, we fully recognize that there are some who don’t have the same view and seek to remove hunters and anglers from the landscape altogether. This is what brings us here today to voice our strong support of H.R. 615.

H.R. 615, with elegant simplicity, establishes important safeguards to protect access for hunters and anglers to our public lands. These safeguards are becoming increasingly critical as animal extremist groups continue to pressure federal land managers to restrict hunting and angling through whatever means possible. Although there are many attacks, among the issues favored by the animal extremist groups in recent times is to press for lead ammunition and fishing tackle bans on public lands. H.R. 615 addresses this issue directly.

The bill protects access by ensuring that the Departments of Agriculture and Interior engage in careful evaluation of the effects of lead exposure for a specific unit of public land (under agency control) before banning the use of lead ammunition or fishing tackle on such property. In addition, the bill requires the Departments to maintain consistency with state law/regulation and coordinate with state agencies as they develop such policies.

In this way, H.R. 615 only requires the Departments of Agriculture and Interior to engage in the type of scientific inquiry our community has always supported. A major pillar of the North American Model is that science drive fish and wildlife decision making, and H.R. 615 structures decisions to ban lead ammunition or fishing tackle with a specific fact-finding process before implementing such a policy change.

Moreover, as the primary managers of fish and wildlife resources, we believe that state fish and wildlife agencies should always be part of the decision-making process, including hunting and fishing policy on federal lands. By recognizing the importance of state agencies in this process, H.R. 615 rightly requires the Departments of Agriculture and Interior to include the state agencies or at least ensure that any policy to ban lead ammunition or fishing tackle is consistent with state law or policy where the unit is located.

The safeguards of H.R. 615 are critical going forward because we have been here before and know that lead ammunition and fishing tackle bans will result in the loss of hunters and anglers from the landscape. While animal extremists would applaud this loss, it is imperative that everyone who believes in fish and wildlife conservation understands that when we lose hunters and anglers, we lose the financial backbone of our entire system. A loss of even 5% of this nation’s hunters and

<sup>1</sup>16 U.S.C. 669 et seq. The Pittman-Robertson Act, also known as Federal Aid in Wildlife Restoration Act, established a federal excise tax on firearms, ammunition, and archery equipment to fund wildlife conservation in 1937.

<sup>2</sup>16 U.S.C. 777 et seq. The Dingell-Johnson Act, also known as the Federal Aid in Sport Fish Restoration Act, established a federal excise tax on fishing equipment to fund sport fish conservation in 1950. It was expanded to include recreational boats and motor boat fuel in 1984 with passage of the Wallop-Breaux Act.

anglers will have a profound and staggering effect on conservation funding at the federal and state levels.

Although it is common for many to refer to 1991 as the year lead ammunition was banned for waterfowl hunting in the United States, a better year to focus on is 1976, the first year of the initial “phase in” of a proposed lead ammunition ban by the U.S. Fish and Wildlife Service (FWS), starting on the Atlantic Flyway, or along the East coast. That was followed by the Mississippi Flyway in 1977, the Central Flyway in 1978, and the Pacific Flyway in 1979.

These “phase in” bans were initially limited within the states to “hot spots” where hunters congregated while waterfowl hunting, typically state or federal public lands where waterfowl hunting success was high, and thus, hunting pressure followed. For a state like Michigan, as an example, the majority of waterfowl harvested in any given year is from the “hot spots” where lead was banned beginning in 1977. So even though a “phase in,” these initial bans were felt across the entire waterfowl hunting community.

It is instructive to review waterfowl hunter numbers from this period forward to analyze the effect of the initial lead ammunition bans on hunter recruitment and retention. According to FWS, there were 2,207,318 duck stamps sold in 1975–76. Ten years later, that number had fallen to 1,680,972 (85–86), and by the time of the nationwide lead ban in 1991–92, the number had cratered to 1,298,649. While duck stamp sales are an imprecise method to count waterfowl hunter numbers in any given year, this stark trendline indicates that a very significant number of waterfowl hunters were leaving the community over the period, of this there can be no doubt. These numbers point to losses of approximately 24% over ten years and 42% over 15 years. This is striking when one considers that total hunter numbers peaked in 1982, after the extreme slide among waterfowl hunters was well underway.

I experienced two phase-in lead bans as a waterfowl hunter. I grew up in Michigan and regularly hunted at one of the “hot spots” identified for the initial lead ammunition ban in 1977. I was there on opening day in 1977 as all of us wondered what it would be like to hunt with steel shot. Then later, I was a professional waterfowl hunting guide on Maryland’s Eastern Shore during the “phase in” of the lead ban there. In both cases, I can attest that cost was a factor for many hunters in making the decision to give up waterfowl hunting. I don’t need a scientific study to know this, I was there, and it was the same in two very different parts of the country, hundreds of miles apart. This was particularly true for those I knew with limited income and resources.

We know this from our own experiences, not just for hunting and fishing, but all human activities and behavior. When you make something more expensive, people will do it less. Price sensitivity is real, and hunters and anglers aren’t unique in this respect, they are just like everyone else. The difference, of course, is that when hunters and anglers decide to give up going afield, the cost to conservation can be substantial. This is why our community insists on rigorous science and data supporting any policy decision that will drive hunters and anglers from the fold.

The “2022–23 Station-Specific Hunting and Sport Fishing Regulations,” (“*Hunt/Fish Rule*”) promulgated by FWS,<sup>3</sup> is an example of how H.R. 615 will protect hunters and anglers if the bill is passed, but allow me to explain. The *Hunt/Fish Rule* is an annual rulemaking conducted by FWS to propose, and then finalize, hunting and fishing rules for the nation’s National Wildlife Refuges (NWRs). FWS will often announce the new *Hunt/Fish Rule* in late spring or early summer, and then finalize the *Rule* early in the fall.

Within the 2022–23 *Hunt/Fish Rule*, FWS announced a plan to ban lead ammunition and fishing on several refuges in future years, while also suggesting that a more robust plan for broader implementation might be in the works, because the rule “. . . is not expected to add to the use of lead on refuges beyond 2026 . . .”<sup>4</sup> While FWS announced plans for a number of future bans on various NWRs, the 2023 *Hunt/Fish Rule* finalized the lead ammunition and fishing tackle ban at Patoka River NWR in Indiana, starting in 2026. Other NWR lead bans will be announced in the 2023–24 *Hunt/Fish Rule*.

As a critical part of the administrative record, the Environmental Assessment (EA) conducted by Patoka River NWR FWS personnel (September 2022)<sup>5</sup> is

<sup>3</sup> 2022–2023 Station-Specific Hunting and Sport Fishing Regulations, 87 Fed. Reg. 57108 (September 16, 2022)

<sup>4</sup> *Id.* at 57112.

<sup>5</sup> FWS-HQ-NWRS-2022-0055-16104; Patoka River NWRMA\_IN\_Hunt and Fish Package All Documents\_Final\_2022e



extremely helpful in reviewing the overall approach taken by FWS when the agency analyzes where a lead ban is necessary.

Although the Patoka River EA uses the phrase “the best available science” in describing the need to ban lead ammunition and fishing tackle, the EA contains admissions that directly undermine this chosen course of action:

“No documented wildlife or aquatic species deaths have been associated with lead poisoning on the refuge over the last 20 years, so it is unlikely that the impacts of lead entering the environment from fishing and hunting activities are causing direct mortality of wildlife and aquatic species” (page 29).

“. . . there have been no reports of wildlife that have been impacted by lead poisoning on the refuge for at least the last 20 years or longer, based on staff experience and records” (page 19).

And when discussing the 4-year gap between the final rule and 2026, when the lead ban will take effect:

“Until such time that the restrictions take place, added lead to the environment from the fishing and hunting activities is not expected to cause more than negligible impact to wildlife and aquatic species” (page 29).

“Given the hunting practices and amount of take estimated using lead ammunition, the amount of lead entering the environment is expected to be insignificant” (page 33).

“. . . impacts to migratory birds and eagles from the use of lead and hunting activities . . . are likely negligible” (page 33).

These statements illustrate that the lead ban rule at Patoka River NWR was not driven by the scientific realities on the ground, at the Refuge. The decision was made to implement the ban, even though the impact of lead use by hunters and anglers is “negligible” or “insignificant,” leading to “no documented wildlife or aquatic species deaths” over a 20-year time period.

Citing to “the best available science” doesn’t create a magic shortcut in the scientific method. Specific facts and real experience matters, especially when engaged in policy-making that has the potential to diminish conservation dollars by forcing hunters and anglers off the landscape, impacting the health and abundance of all fish and wildlife. Evidence derived from facts on the ground, when taken together with the experience of fish and wildlife professionals at the site, is decisively strongly than fish and wildlife management theory generated from afar or from unrelated “best available science.”

Equally as troubling is how the Patoka River EA raises but discards the “. . . negative economic impacts for socioeconomically disadvantaged hunters and anglers who must comply with the requirements.”<sup>6</sup> Although we appreciate the discussion, this section of the analysis is replete with problems, inaccuracies, and wishful thinking that fails to take into account the realities of the market now or how the market will react in response to lead ammunition and fishing tackle bans or restrictions in the future.

The EA states that “. . . the price of non-lead ammunition is the same or less than that of premium lead ammunition.”<sup>7</sup> This is at best very misleading. While it is true that a small handful of premium ammunition offerings can approach or even eclipse *a few* nonlead alternatives in price, lead ammunition across all classifications is much less expensive than nonlead alternatives. The point is not whether a hunter *may be able* to find nonlead ammunition that is less expensive than a small segment of the premium lead ammunition market, a price sensitive hunter *will always* find lead ammunition to be the least expensive.

The transition for anglers will be equally as problematic. Thankfully, the EA agrees with this, stating that “the cost of lead tackle is still much less than the lead-free alternatives.”<sup>8</sup> To counter these stated problems, however, the FWS cites mitigation measures which are neither fully defined nor described. An education campaign is discussed briefly, but how this will mitigate rising costs is unknown. A fair reading of FWS’ claims regarding this topic suggests the agency might not take the potential loss of hunter and anglers as seriously as we do. As hunters and

<sup>6</sup>Id. at 51.

<sup>7</sup>Id.

<sup>8</sup>Id.

anglers remain priority users of the entire NWR system, we remain hopeful this is not the case.

More importantly, however, there is a fatal limitation to FWS' entire line of reasoning on cost. In the Patoka River EA and numerous other rulemakings,<sup>9</sup> FWS continues to treat the question of cost as if the ammunition and fishing tackle market will retain current supply and demand dynamics between lead and nonlead offerings as the "phase in" of the proposed lead bans expand.

This cannot be so, however, because the cost of the underlying materials is so vastly different. As nonlead alternatives take up larger segments of the ammunition and fishing tackle markets due to additional bans, the cost of the nonlead alternatives will increase in response to rising demand. Lead is currently priced on the open market at around 44 cents a pound where copper (as one example of an alternative) is currently approaching almost four dollars a pound. This is an order of magnitude difference that will result in a significant burden on hunters and anglers as the "phase in" of lead bans is expanded by FWS. There can be little doubt that as this burden increases (rising cost), a number of hunters and anglers will simply be priced out of participating.

This is why H.R. 615 is so vitally important. The Patoka River NWR EA, as a foundational document to the entire 2022–23 Hunt/Fish rulemaking process, illustrates a number of glaring weaknesses in the scientific method deployed by FWS in developing the lead ammunition and fishing tackle ban for the Patoka River NWR, which presumably, will be repeated in the 2023–24 Hunt/Fish Rule for additional lead bans on other NWRs. By FWS' own words, exposure to lead ammunition and fishing tackle is not a problem for *any* aquatic or wildlife species at the Patoka River Refuge.

Instead, FWS' cites to the "best available science," where the agency favors a number of studies which tend to show that lead is indeed toxic but routinely fail to establish a causal relationship between lead ammunition or fishing tackle use and negative consequences for fish and wildlife populations.<sup>10</sup> As an example, FWS referenced one paper in the 2022–23 Hunt/Fish rule where the authors found, and FWS agreed, that while eagle populations are among our greatest success stories of wildlife recovery in the modern era, with the bald eagle population more than quadrupling since 2009,<sup>11</sup> lead ammunition and fishing tackle should be further restricted because lead is suppressing the overall growth curve of the population. Limiting, I might add, by an extremely small percentage point.

In many ways this comes down to a difference of priorities. If the "best available science" is utilized to regulate or prohibit activities even where a wildlife population has quadrupled in a short period of time and has reached what everyone agrees is a fully recovered status, then I'm not sure where we draw the line. We know that wind farms kill eagles and other raptors, we know that automobiles kill neotropical migratory birds, ungulates, and a multitude of other species. Bicycle riding, hiking, camping can all be described as "limiters" on population growth of one species or another when you get right down to it. Just about every policy choice made in these hallowed halls recognizes that priorities must be set. And in our view, unless you have the science clearly in hand, you must not promulgate regulations that will lead to the guaranteed loss of hunters and anglers from the landscape.

This is why the safeguards contained in the Protecting Access to Hunters and Anglers Act of 2023—H.R. 615—are vitally important going forward. This important legislation would remedy the failures I've described throughout my testimony. And by doing so, this bill will ensure that the increased costs associated with the alternatives to lead ammunition and fishing tackle—driving hunters and anglers from the field—will only be required when we know there are direct and negative consequences to fish and wildlife populations that will be mitigated by such a move.

I thank you Mr. Chairman, Ranking Member Huffman, and members of the Subcommittee for the opportunity to testify here today on this very important subject. I look forward to any questions you may have about my remarks.

---

Mr. BENTZ. Thank you for your testimony, and I want to thank all the witnesses for their testimony. I will now recognize Members for 5 minutes each for their questions. I will begin by recognizing

<sup>9</sup>Hunt/Fish Rule, *supra*, note 3.

<sup>10</sup>See, e.g., Fallon, J.A., P.T. Redig, T.A. Miller, M. Lanzone, and T.E. Katzner. 2017. Guidelines for evaluation and treatment of lead poisoning of wild raptors. *Wildlife Society Bulletin* 41:205–211.

<sup>11</sup><https://www.fws.gov/species/bald-eagle-haliaeetus-leucocephalus>

the Chair of the Natural Resources Committee, Bruce Westerman, for 5 minutes.

Mr. WESTERMAN. Thank you, Chairman Bentz, thank you to the witnesses for being here today to talk about some very important legislation that I know is not only important to me, but many Members of Congress.

And as we think about Mr. Wittman's bill and, Mr. Adkins, as you laid out in your testimony, sportsmen and women contribute hundreds of millions of dollars each year to wildlife conservation through the Pittman-Robinson and Dingell-Johnson programs.

And we also know that, from past experiences, that when the cost of sportsmen's activities go up, participation goes down. Kind of a supply and demand principle, which will inevitably have consequences for wildlife conservation funding through decreased license sales and reduced purchases.

In your opinion, do proponents of lead bans have viable alternatives to offset the loss in revenue from decreased sportsmen's participation?

Mr. ADKINS. Part of the problem is they won't talk about that as clearly as they need to. While we understand that increased costs will drive people from the field, that just has to be accepted as true. What the percentage is is unclear at this point. But when you look at some of these regulatory proposals, they pass over it, "Well, we did that with duck hunting, and there are still duck hunters around."

I believe because of the effects that any increase in costs will have on hunters and anglers, the financial backbone, we have to spend some time with that question and not just suggest that everything will remain static, and everything is going to be fine, and the world won't change. We know it will change if you increase costs.

And because of many of the issues that have already been raised, most of the lead ammunition used now, the vast majority of it, is recycled material, whereas copper, tungsten, all of these other materials have to be mined. Whether or not they will be banned in the future, we don't know. But the cost will go up, it will drive people from the field. The price of gas will drive people from their cars. It just will happen.

So, we ask, frankly, Fish and Wildlife Service or any of the regulatory agencies, spend some time on this question because the impact on Pittman-Robinson and Dingell-Johnson might be very significant.

Mr. WESTERMAN. All right. And just to go into this a little bit deeper, you talked about the incredible North American model, the American model for conservation, and how that has been copied in other places. Just explain again why hunting and fishing are important for the North American model.

Mr. ADKINS. Well, as I point out in my testimony, we don't like to talk about good news a lot. It is just the nature of the news cycle, right? But at the end of the day, we can rejoice in the North American wildlife model. Now, some groups may disagree with me, but we can rejoice in that story.

And it started in the late 19th century, and hunters and anglers were part of that story, a central part of that story, where we

moved into this new kind of ethos of conservation, being conservation-minded, with hunters and anglers agreeing right from the get-go we are going to be part of this and, most importantly, we are going to be a financial backer of this entire system.

So, citizens throughout this country now enjoy these abundant fish and wildlife resources and access to public lands and state agencies that do great work for all of us. Hunters and anglers have been there every step of the way. And a lot of Americans don't even understand that.

So, our central point is, if we are going to purposely raise the cost, putting the toxicity of lead on the side, we have to understand there will be other costs we have to take a look at.

Mr. WESTERMAN. I whole heartedly agree. I am going to have to move on, and I am adamantly opposed to blanket lead bans on national wildlife refuges, and I think it is going to hurt the system.

Mr. Strickler, I wanted to ask you quickly. In your testimony, you expressed reservations about this bill's requirement that Fish and Wildlife Service would need to consult and follow what states are doing when it comes to ammunition use. That requirement makes sense to me so hunters aren't stuck trying to navigate through a patchwork of regulations, and since states are the primary fish and wildlife agencies.

It also runs contrary to the Fish and Wildlife Service's proposal that Congress grant the ability to enter into Good Neighbor Authority agreements, which is something I think we really need to work on in Congress.

I am running out of time here, but the vegetation management, you are saying that Good Neighbor Authority is more about vegetation management, but I would say vegetation management is habitat management, which is recovering wildlife.

And we talk a lot about RAWA in this Committee, and we want to do a new bill, but I would probably propose to call it RAHA, Restoring America's Habitat Act, because that will do more to restore wildlife than anything else.

And I am out of time. Sorry I didn't get to the question. I yield back.

Mr. BENTZ. I thank you. The Chair recognizes Ranking Member Huffman for 5 minutes.

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

Mr. Strickler, I would like to start with you on this issue of CBRA. And, again, I am not unsympathetic to the situation that the Mayor and Mr. Rouzer are describing. I would like to find them a way to reliably, cost effectively, and sustainably get the dredging and sediment management that they need.

But why is it so important that we do that in consultation with the Federal agencies so that, as conditions change, we make sure that we are getting it right over time?

Mr. STRICKLER. Ranking Member Huffman, thank you for the question.

I come from the state level most recently, and when I was down in Virginia, part of my job was the Coastal Chief Resilience Officer for the state. Obviously, we had a lot of coastal area in Virginia, a lot of CBRA zones, and a lot of vulnerable coastal habitats. And those are, obviously, very important not just to protect coastal

communities, but to protect fish and wildlife resources that recreational and commercial operations depend on.

So, I think it is critically important that we have good consultation, good communication between folks who are doing projects that involve dredging and beach nourishment and agencies that are responsible for protecting wildlife and wildlife habitat.

Mr. HUFFMAN. And the flip side of that is if you create a blanket carve-out even for one area, that is sort of an ongoing lack of consultation, and might you run into situations where circumstances change and impacts that didn't used to be there are suddenly present, and you might have to modify things, and consultation can make that all work together? Am I missing something?

Mr. STRICKLER. No, sir. That is spot on. These are very dynamic systems. And, like you, I don't take Mayor Mills' comments and concerns lightly here. These are challenging circumstances for coastal communities, but we need to make sure that we are managing these systems in a responsible way that doesn't have unintended consequences.

Mr. HUFFMAN. OK, let's talk about lead. My understanding of this bill is that it is a rather sweeping prohibition on using restrictions on lead on these Federal lands, refuges, BLM lands, Forest Service lands. There is a section that provides an exception, theoretically, but it seems like an exception that would almost never apply. You would have to have unit-specific studies with unit-specific impacts narrowly tailored in your restriction to that unit only, and it would all have to be blessed by State wildlife officials and consistent with State laws.

Talk about why that would be problematic from the perspective of Federal land and resource managers.

Mr. STRICKLER. Yes, sir. Thank you. First let me just say the states are critical partners in the work that the Fish and Wildlife Service does in general, and specifically on the National Wildlife Refuge System. And we work very closely with the states to align rules and regulations to make things simple for the public.

But at the end of the day, there is a national interest in these conservation lands, even if they are located within a state or straddle a couple of states, that we need to be cognizant of, and that the Fish and Wildlife Service has a responsibility to steward those lands.

So, partnering with the states is one thing. Having to ask them for permission is quite another.

Mr. HUFFMAN. Yes. One other limitation on that exception that I saw is that I believe the finding that wildlife is being specifically impaired by lead would be necessary, that it would have to be the major contributor to the impairment of wildlife. We may have situations where other factors have driven an animal to the brink of extinction, and you can't afford to let them be exposed to lead, given that vulnerability. Isn't that right?

Mr. STRICKLER. Yes, sir, that is true.

Mr. HUFFMAN. All right. Well, thank you.

Mr. Whitehouse, let me just throw this over to you. Why would such a sweeping limitation on Federal land and wildlife managers be problematic?

Mr. WHITEHOUSE. Thank you, Ranking Member Huffman. From our perspective, I think there is no national lead ban on hunting on Federal lands. And from our perspective, the Federal land managers and the Federal agencies should be the ones to determine, based upon public input, how to manage that land. And as you mentioned, the studies that this bill would require just cannot be done. It would be impossible, given the parameters of those studies.

Mr. HUFFMAN. I thank you, Mr. Chairman. And Mr. Chairman, I would like to, as I yield back, just enter into the record a recent study involving—well, maybe not so recent, I think it is from 2003—but involving mortality of common loons who were exposed to fishing weights. Mr. Wittman is absolutely right that condors aren't known to dive. I think we can stipulate to that. But loons are. And this study showed that loons exposed to lead fishing weights had 50 percent mortality in the adults. And the funny or gross thing about it, depending on how you look at it, is condors will eat a dead loon. So, I will just request unanimous consent to enter this into the record.

Mr. BENTZ. Without objection.

Mr. HUFFMAN. Thank you.

Mr. BENTZ. Thank you. The Chair recognizes Mr. Wittman for 5 minutes.

Mr. WITTMAN. Thank you, Mr. Chairman, and I want to thank our witnesses for joining us today.

Mr. Strickler, I want to begin with you. You do have a state background. You talked about the importance of state inputs. Let me go back to 2010 and 2012, when the EPA entertained two petitions for the banning of the production and sale of lead-based ammunition and fishing tackle and denied both of those.

Do you believe the U.S. Fish and Wildlife Service then disagrees with the EPA's determination on denial of those bans on lead ammunition and fishing tackle?

Mr. STRICKLER. Congressman Wittman, it is good to see you. Thank you for the question. The Fish and Wildlife Service, I don't believe, would disagree with that. It is not in our purview. And, certainly, the manufacture of items isn't something that we have jurisdiction over.

Mr. WITTMAN. OK. So, you are not in opposition to their denial.

Second of all, you talked about the importance of state inputs. Obviously, coming from a state level, do you believe then, based on your experience in Virginia, that you are in agreement with a one-size-fits-all? So, something that may be adversarial to Virginia's interest and protecting its wildlife, do you believe then that a national standard imposed on Virginia, you would have been in agreement in your role there as Secretary of Natural Resources in Virginia that a Federal rule dictating something to Virginia that was against its interests, you would have been in favor of that?

Mr. STRICKLER. Congressman, speaking hypothetically, I think if there was something that we determined that was against our interest in Virginia, certainly we would have something to say about that with the Fish and Wildlife Service.

And I think we maintained a very good relationship between DWR and Fish and Wildlife when I was there. So, certainly, I

would expect for our concerns to be heard and have a legitimate conversation about it.

Mr. WITTMAN. So, now, within that context, within looking at it and saying, hey, states' ideas and thoughts about Federal regulation should have a role, it should be in some congruence with what states give input to the Federal Government, as the U.S. Fish and Wildlife, and you point in here that you are looking to input from—you speak about one particular body, you didn't speak about any others, and there are a lot of others out there that are commenting on this, the Hunting and Fishing Conservation Council, which is a Federal advisory council that is appointed by the U.S. Fish and Wildlife Service, so obviously, it is somewhat myopic in its scope. That is only one viewpoint.

Can you give me this perspective, then? So, that is the place where you are going for input. First of all, I want to know where are the other places that you are getting input from. And based upon, hopefully, a broad perspective of input, and placing the value on states' perspective on this, especially as it relates to instances where lead is specifically of issue in their state, lead fishing tackle and lead ammunition.

Can you give me an instance where the U.S. Fish and Wildlife Service has not promulgated a regulation based upon input from user groups, from constituents, from stakeholders, from states in relation to the perspective of what you speak about the importance of state input, and then at least the only single entity that you pointed to that you are seeking input from?

Give me your perspective about how those things come together.

Mr. STRICKLER. Yes, Congressman, thank you for that. That is a very important question. I apologize. When I made my opening statement, I meant to also say—and I thought I did, but I apologize if I didn't—we are working actively with the states on this through the Association of Fish and Wildlife Agencies. There is a separate subcommittee set up that Fish and Wildlife Service and leadership are working together to talk through the issue of lead broadly.

And it is not just about regulation. It is about voluntary approaches and incentives, and things like that. So, I think there is really good communication there. And we absolutely value the states' input on this, and certainly want to continue working with them.

Mr. WITTMAN. Can you give me an instance where the U.S. Fish and Wildlife Service has gone to public notice on promulgating a regulation and, based upon input from stakeholders or states or others, has not promulgated that regulation?

Mr. STRICKLER. Right off the top of my head, Congressman, I can't give you an example. I know this does happen—

Mr. WITTMAN. So, within that context, then, if you can't point to an instance there, and you say, well, we are going to take all this input, yet the input really doesn't make a difference once you go to public notification for a regulation, isn't the outcome sort of pre-determined? You go through the statutory requirements of saying, hey, we want your input, but really, the input doesn't have any impact on the final promulgation of that regulation. Is that correct?

Mr. STRICKLER. No, Mr. Wittman, I would disagree, and we would be happy to get you a list for the record of those instances.

Mr. WITTMAN. But if you disagree, then you should be able to point to an instance where at some point the public input has actually had an impact on the regulation. Either it changed or you didn't promulgate it.

I would love for the record for you to give us back an instance where there has been some change to a regulation or the non-promulgation of a regulation after it has gone to public notification.

Mr. STRICKLER. We would be happy to do that.

Mr. WITTMAN. Thank you.

With that, Mr. Chairman, I yield back.

Mr. BENTZ. Thank you, Mr. Wittman. The Chair recognizes Ms. Porter for 5 minutes.

Ms. PORTER. Thank you very much, Mr. Chairman. My bill includes permitting reform. Yes, I am a Democrat willing to talk about one of Republicans' favorite issues. That is because my bill identifies an area where we can cut through the partisan noise to solve a problem and deliver better government.

Mr. Strickler, we all fill out applications. When was the last time you applied for a job with a handwritten application or hired people with a handwritten application?

Mr. STRICKLER. Representative Porter, it has been quite some time.

Ms. PORTER. Quite some time. My son, Luke, has to fill out college applications coming up. Do you think he will do them on paper, or will he do them online?

Mr. STRICKLER. I would certainly hope he will do those online.

Ms. PORTER. Me too. The government needs to catch up to the rest of the world here. I fill out my kid's permission slips for fifth grade field trips online. We certainly ought to be able to marshal the resources of the Federal Government to do most types of permitting online.

Whether you are applying for a fishing license or a drilling permit, you should be able to fill that out pretty easily online, and then submit an electronic application and keep track of the status of your application. This is a common-sense reform for the Interior Department. And we know this because you all at the U.S. Fish and Wildlife Service are already creating the model to do it.

Mr. Strickler, can you describe in a little bit more detail the Fish and Wildlife Service's ePermitting system and the functions it offers? I know you mentioned it in your testimony that you have 50,000 users. I would love to hear more about what it is doing, what its scope is, and what its potential for expansion is.

Mr. STRICKLER. Yes, ma'am. Thank you for the question.

The Fish and Wildlife Service, I think, has a really good story to tell on ePermits. We have brought a lot of things online from ESA-related permits, the migratory birds, the Marine Mammal Protection Act-related permits, and it is working very well. We still have a long way to go. As you mentioned, we have 85 permits that are in that system already that we can handle electronically. There is certainly more where that came from that we need to continue working on.

But we started in 2020 with a request for a \$1 million appropriation. We got that, put it to good use, and have come back every year since with requests for additional funding to continue to take



things online. We are continuing to work on that, and hopefully we will get everything digital soon.

Ms. PORTER. And when people get a permit, if it comes with an associated fee, is that able to be processed online, as well?

Mr. STRICKLER. My understanding is that, yes, for the permits that we have available online, that we can do online fee processing, too.

Ms. PORTER. Yes, and that online fee process, by the way, saves tax dollars, it is cheaper and easier to pay, and it creates efficiencies and reduces waste.

You said that you would think the U.S. Fish and Wildlife Service has a positive story to tell here. What is holding back? What steps would other departments at Interior need to take to do what you have done at Fish and Wildlife Service?

Mr. STRICKLER. I think this is something that bureaus across the Department are looking at. Some are farther along than others, but it is something that all of our bureaus recognize. We can always do better, right? We can always be more efficient. And I think they are moving in the right direction there. I don't have details on the other bureaus, but certainly can get back to you with the answers.

Ms. PORTER. I mean, here is what my bill would do. It would basically direct each responsible bureau and agency to do an accounting of what all permitting it even does, and then to assess which of those permits, once it has the list of all of the stuff that it does, and it gets it all in one place, to look at which of those could be most easily transferred into an e-filing service, and to begin to prioritize those that are easier.

Speaker Kevin McCarthy has said, "We can streamline permitting and still protect the environment. That is a goal worthy of the No. 1." Has bringing permits online streamlined the permitting process at Fish and Wildlife?

Mr. STRICKLER. Yes, absolutely.

Ms. PORTER. And, again, the Speaker wants to streamline permitting while still protecting the environment. Would you say that, as you have brought permits online, you have still been able to protect the environment?

Mr. STRICKLER. Yes, ma'am.

Ms. PORTER. Last question. Does bringing permitting online undermine NEPA, the ESA, the Clean Water Act? Does it change the standard, the substantive standard of review for the permits?

Mr. STRICKLER. No, it does not.

Ms. PORTER. If it is truly our No. 1 priority in Congress to streamline permitting while still protecting the environment, it can start with my bill. Let's bring this legislation to a markup. Let's get it passed through the House, and let's build upon the successful work at Fish and Wildlife Service, and let's extend it to other agencies and other bureaus and departments within the Department of the Interior.

I yield back.

Mr. BENTZ. Thank you, Ms. Porter. The Chair recognizes Mr. Carl for 5 minutes.

Mr. CARL. Thank you, Mr. Chairman.

Mr. Strickler, did I hear you say you were an old Coastie, Coast Guard?

Mr. STRICKLER. No, I didn't serve in the Coast Guard. No, sir.

Mr. CARL. OK, I am sorry. I heard Coast Guard a while ago. I was going to thank you for your service. Coasties are big in my community.

In your opening statement that I am reading here, you said the impact of lead ammunition and fishing tackle on fish and wildlife health is one such that threatens that we are closely tracking. You say you are closely tracking.

My question is today is May 10, 2023. How many condors have died from lead poisoning? Documented cases that have died from lead poisoning.

Mr. STRICKLER. Thank you for the question. I will have to get back to you with the answer to that for the record. I don't know the—

Mr. CARL. How many eagles have documented died from lead poison?

Mr. STRICKLER. I don't have a specific figure to give you.

Mr. CARL. You say you are closely tracking it here. You don't have the numbers? You have no idea?

Mr. STRICKLER. I don't have the specific numbers of deaths of those particular animals, no.

Mr. CARL. So, you came here to argue that we should not try to get in the way of lead being taken away from the American hunters and fishermen, but you don't know how it impacts the group that you are saying is impacted the most. That doesn't make much sense, Mr. Strickler, I am sorry. I realize I am a little slow sometimes, but how can you defend something when you don't know what you are defending?

Mr. STRICKLER. Well, Congressman, I beg to differ with that. I don't think I need to know those exact numbers off the top of my head in order to say that there are significant impacts on the wildlife—

Mr. CARL. Well, I disagree with you, and I think most of the people that are going to be impacted by this disagree with you, too. I think this is just another bite of big government. It is just another bite. All we want to do is we will start tighten down, tighten down.

I am from a part of the country that we raise our kids hunting and fishing, and we are very proud of that because during that time of hunting and fishing we are talking about life, we are talking about events that have happened in my life that you want to pass on to your kids. It is part of our American heritage. And to step out there and say lead is the problem—oh, just Federal property. Can you guarantee me it is going no further than just Federal property? Is there any way you can 100 percent guarantee me it will go no further than Federal property?

Mr. STRICKLER. Mr. Carl, thank you for the question. There are no plans that I am aware of that the Interior Department or any other Federal agency is looking to regulate lead anywhere.

Mr. CARL. Trust me, I am from the government. You can trust me.

[Laughter.]

Mr. CARL. I am just telling you, that is such BS. I am smart enough to know, if you are going to control guns—you cannot

control guns. You cannot mandate guns. But what you can mandate is the ammo. And that is what this lead bill is after. I am sorry. That is my personal feeling, and I will take it to my grave. But if you can control the lead that goes in those bullets, and you get it overpriced where the average person can't afford it, that will be the ultimate case right there. You price people out of it.

But let's go back to my feelings. I mean, our kids—I have a daughter that we have elk hunted on Federal property with lead bullets. And you are telling us we can't go back and elk hunt? I have sons that I have elk hunted with because there is not a lot of Federal property in Alabama. I have elk hunted in Colorado. We can't go back out hunting on those areas because you think lead is going to kill animals, and you can't tell me how many it has killed?

Come on, Mr. Strickler. You can do better than that.

Mr. STRICKLER. Congressman, that is not what we are telling you at all.

And I would say, I grew up fishing, and I don't hunt because I don't have time or money to do both. I think we would probably really like each other outside of this Committee room. We can maybe show each other a thing or two. I am going fishing this weekend. I am probably going to use lead. It is something that we all have to work through together. It can be an environmental concern, but it is something that is an important question in the sporting community that we need to have a serious conversation about.

Mr. CARL. Well, I am running out of time, and I think you need to have conversations with some of these groups. I think you are missing the true importance of what this banning the lead means. It is our heritage that you are fooling with, and I will fight it to the last breath I have. And I am sorry, but that is the way I feel, and I would love to get with you afterwards, and we will talk on it one on one.

Mr. STRICKLER. Thank you, sir.

Mr. CARL. Thank you, Mr. Chairman.

Mr. BENTZ. Thank you, Mr. Carl. The Chair recognizes Mrs. González-Colón for 5 minutes.

Mrs. GONZÁLEZ-COLÓN. Thank you, Mr. Chairman, and thank you to all the witnesses for coming here today.

Deputy Assistant Secretary Strickler, the Coastal Barrier Resources Act requires the Secretary of the Interior to review the maps of the Coastal Barrier Resources System at least once every 5 years and make, in consultation with the state, local, and Federal officials, any minor and technical modifications to the boundaries of the units as necessary to reflect changes that have occurred due to natural forces.

However, a recent General Accounting Office report found out that the Department has failed to meet this requirement. For example, I believe that the last review and publication of the updated maps for all Coastal Barrier Resource Systems units in Puerto Rico occurred in 2016. So, I understand that, in response to that report and recommendations, the U.S. Fish and Wildlife Services developed and completed a strategy in January 2022 to guide its mapping review efforts through Fiscal Year 2025.

My question will be, what is the strategy and efforts the Service is pursuing to comply with these requirements to review and update the Coastal Barrier Resources System maps every 5 years?

Mr. STRICKLER. Representative González-Colón, thank you for the question.

You are correct that Fish and Wildlife Service last completed a 5-year review between 2014 and 2016 for about 90 percent of the CBRS that included maps for units in Puerto Rico, and then we rolled the remaining map review into the Hurricane Sandy mapping project that is currently pending before Congress.

You are correct that, in response to the 2021 GAO report, Fish and Wildlife Service developed a strategy that included updating every CBRS map every 5 years. We are working to update and continue working on that strategy annually with level funding and personnel in the office. We anticipate being able to complete that by the end of 2026.

Mrs. GONZÁLEZ-COLÓN. So, I understand that the Service completed the 5-year review of boundaries for units in eight states last November: Michigan, Minnesota, Mississippi, North Carolina, Ohio, Texas, Wisconsin, and 10 units in South Carolina, and that additional areas are planned for the 5-year review from 2023 to 2025.

My question will be, does the Service anticipate it will have conducted 5-year reviews for all areas under the system by the end of 2025?

Mr. STRICKLER. Thank you for the question. We are currently in the process of conducting the review for the second batch of states. That is Georgia, Maine, the Great Lakes States, New York, and some units in Louisiana and Florida this year; 2024 will be another batch, which will include Puerto Rico units. We are again hopeful that by the end of 2026 that we can get through all of these.

Mrs. GONZÁLEZ-COLÓN. I would really appreciate if you can share with the Committee a list of the plan areas that will be reviewed each year from 2023 to 2025 later on.

Mr. STRICKLER. We would be happy to get you that.

Mrs. GONZÁLEZ-COLÓN. Thank you. I yield the balance of my time to the Chairman.

Mr. BENTZ. Thank you for the yield. And since Mr. Rouzer has a bill in front of us, with your permission, I would like to yield your time to Mr. Rouzer.

Mr. ROUZER. Thank you very much.

Mr. Strickler, I don't know if you had a chance to read the bill, H.R. 524. I assume that you did, but I know we all have a lot on our plates and we can't remember everything. But sometimes it is helpful to go back and actually look at the verbiage in the bill.

So, I am going to start on line 8, subsection E, borrow site: "Section 5 shall not apply to expenditures or financial assistance relating to the use of funds to use a borrow site located within the system if such site has been in use as a borrow site by a coastal storm risk management project for a period of more than 15 years."

Does that sound like a broad-based exclusion?

Mr. STRICKLER. Representative Rouzer, thank you for the question. We are not 100 percent sure how many units this would apply to, but I understand the intent is for it to not be broad-based.

Mr. ROUZER. Well, that is exactly right, and we have done a little research on it. Now, our numbers may be slightly off, but best we can tell there would be three, perhaps maybe four, beaches total that this would apply to.

Let me ask you this. If I change the number from 15 years to 45 years, how do you feel about that? Will the Administration support that?

Mr. STRICKLER. Thank you for the question. We would have to go back and check to see what the implications of that change would be.

Mr. ROUZER. Let me ask you this.

Mr. BENTZ. Mr. Rouzer—

Mr. ROUZER. There are thousands and thousands and thousands of tires—

Mr. BENTZ. Mr. Rouzer, I am sorry, that time has expired, but we are going to come back to you, of course.

With that, the Chair recognizes Mr. LaMalfa for 5 minutes.

Mr. LAMALFA. Thank you, Mr. Chairman.

For Assistant Secretary Strickler, your testimony stated that H.R. 615 on the Hunters and Anglers Act would “prohibit the Department of the Interior and Agriculture from banning or regulating the use of lead ammunition or fishing tackle” this legislation, “unless the Secretary can demonstrate with field data that lead ammunition or tackle is driving a decline in the wildlife population at that unit of Federal land or water.”

So, it seems in the statement that you are framing the requirement for policy decisions to be based on data and science to be a bad thing. For example, in my district, where the Klamath River flows and other rivers, we are constantly dealing with politicized science that uses facts which haven't been peer reviewed as the basis for water policies and, in this case, on Klamath removal of four dams.

So, we have to be really careful on what science—what extent it is, how many people have even done it, and an evidence that the basis of these policies will have very real consequences for my constituents and others, like in this case.

So, why shouldn't the government in this case have to gain proof like are the lead levels actually affecting the wildlife we are talking about in these units?

Why shouldn't government have to show through data that there is an effect before it jumps in with a policy action?

Mr. STRICKLER. Representative LaMalfa, thank you for the question.

I think the best way that I can answer this is to just say that scientists are able to use their skills and the data that they have available to draw conclusions that are scientifically valid, even if they don't have data from a specific place.

For example, if a loon is eating lead shot that it gets off the bottom of a lake in Maine, we can expect that behavior from a loon in Michigan, as well. And if we have the data from Michigan, we can apply that data to Maine, and that is scientifically valid.

So, that is the kind of stuff that you are seeing used as best available science in these cases. It is not that we don't have data on the species or on the species behavior, we just might not have

it for a specific piece of ground. But if the species behavior is the same across the landscape, then we can use that science.

Mr. LAMALFA. So, by that measure, we would ban things that have not reached a level of action across the board if their potential—if they have done it somewhere else, if you had a fuel spill somewhere that greatly affected a body of water, if there is a potential of a fuel spill somewhere near a different body of water, then it is like we should ban all fuel. That is the same kind of logic.

Mr. STRICKLER. I would have to respectfully disagree that that is the same logic. We wouldn't be banning the use of fuel. We would be banning fuel spills, which you are not allowed to spill fuel, obviously.

Mr. LAMALFA. So, by this measure, even though you might not have nearly the level of lead shot or lead tackle in a particular area, you would go ahead and ban it if there has been shown no effect on the wildlife in a particular zone or unit.

Mr. STRICKLER. No, I don't think that is true.

Mr. LAMALFA. That is what we are dealing with. That is what the bill is trying to head off, is that a unilateral decision by an agency to just ban the use, it has been going on, when the first lead ban was going on in California, I was a State Legislator. "Oh, we are only going to do it in the area of the condor," which was one-fourth of the state of California.

And I talked to my colleague at the time. Mr. Nava was his name, and I said, "When is this going to turn into a ban on the whole state, because this is what always happens."

"Oh, no, no, we are always going to contain it to condor habitat." Soon it became a ban in the whole state. So, here we go. We are going to have a broad ban on something that hasn't been shown in a particular area where a ban would take effect, to just have that power in place. That is the effect. You don't agree with that?

Mr. STRICKLER. I can tell you that that is not—I am not sure I completely follow, but no, I mean, we are certainly not—

Mr. LAMALFA. So, you would just ban all lead. Just ban all lead shot, ban all lead tackle.

Mr. STRICKLER. That is certainly not the policy of the Department of the Interior to ban all lead shot.

Mr. LAMALFA. It is effectively doing so.

I yield back, Mr. Chairman.

Mr. BENTZ. Thank you, Mr. LaMalfa. The Chair recognizes Mr. Rouzer for 5 minutes.

Mr. ROUZER. Thank you, Mr. Chairman. And my apologies, I didn't realize that my colleague had lent me some time there. I thought I had a full 5 minutes, so my apologies there.

But to finish up where I was going, Mr. Strickler, obviously, I represent a lot of constituents that are very frustrated about this particular issue. Wrightsville Beach is incredibly important to our local community, our local economy. They are way behind on their beach renourishment cycle because of this snafu, which, in my opinion, is totally and completely unnecessary.

And the offshore site that has the sand that is for best use for the beach is immersed with thousands and thousands and thousands of tires, we are told. The Army Corps of Engineers has been out there. They know what is there. They didn't realize it was

there until they started looking at it. So, thousands and thousands of tires interlaced with old, rusted chain.

My question is, what is the Fish and Wildlife Service going to do to clean all that up? I really don't like the idea of these thousands and thousands and thousands of tires sitting out there interlinked with the rusted chain.

Again, this was supposed to be some type of fish estuary that the Fish and Wildlife Service was trying to create back in the early 1970s, mid-1970s, and yet it is making it very, very difficult if we were to use that offshore borrow site, tremendously more expensive to sort through all that, put sand on the beach without the worry and concern, obviously, that you are going to have tire bits all over the place. The Fish and Wildlife Service put it out there. I think there are a lot of folks like me that would like the Fish and Wildlife Service to clean it up.

Mr. STRICKLER. Representative Rouzer, thank you for the question. And with great trepidation, because I never want to disparage my friends at the State of North Carolina Division of Marine Fisheries, but I believe that was one of their artificial reef projects gone awry. So, we would love to see that cleaned up, too. I think that is unfortunate. We know a lot more about building artificial reefs than we did in the past. And, certainly, the Fish and Wildlife Service is not suggesting that those items get put on a beach.

Mr. ROUZER. Mr. Strickler, going back to Masonboro Inlet, does it make any sense to you that that inlet is going to continue to be dredged for navigational purposes, but yet you cannot take the sand and put it back on the beach?

And let me ask you this question. Let's assume we are using the offshore borrow site, and that sand goes on the beach, and then that migrates down into the inlet. What is that going to do to the ecosystem?

I mean, I think the whole purpose of CBRA is to protect the ecosystem, not disrupt it. Is new sand going into that inlet—isn't that going to disrupt the ecosystem?

Mr. STRICKLER. Congressman, thank you for the question.

I am sorry, would you mind just repeating the first part of that for me again? I am sorry. I am not stalling, I just want to make sure I got it right.

Mr. ROUZER. Well, the first part is it is being dredged for navigational purposes.

Mr. STRICKLER. OK, so I just want to be——

Mr. ROUZER. Does it not just make common sense to take that sand that is already being dredged and put it back at its original source from whence it came?

Mr. STRICKLER. Yes, sir, and that is what I wanted clarity on.

My understanding of the Coastal Barrier Resources Act is that there is already an exception in it for Federal navigation projects. So, if there is dredged sand for navigation being dredged out of a channel, even if it is in a CBRA zone, then it can be put on a beach that is outside of the system.

We would be happy to get back to you with more details on that with certainty, but my understanding is that material can be used.

Mr. ROUZER. Well, maybe your understanding is based on the exclusion that has been in place for all these years. It is the reason why it has been done for 50-plus years.

Mr. STRICKLER. No, sir. I believe those are different circumstances.

Mr. ROUZER. Well, if you come to Wrightsville Beach and you get in a boat and you go down there, you will see exactly what I am talking about, and you will understand why the residents are so upset about this action that is being taken, or not taken, in this case.

The fact of the matter is that sand that is being dredged is the sand that came from the beach and the sand that really needs to go back to the beach to preserve the ecosystem. That is the bottom line. That is why it has been done for 50-plus years.

With that, Mr. Chairman, I see my time is expiring, so I yield back.

Mr. BENTZ. Thank you, Mr. Rouzer. The Chair recognizes Mr. Graves for 5 minutes.

Mr. GRAVES. Thank you, Mr. Chairman. Mr. Chairman, first of all, I want to thank my friend from North Carolina. I have actually been down to his beaches, and I appreciate him bringing this up.

I appreciate all of you all being here today, but I will also tell you that in a previous life I have done more restoration work than every single one of you combined times 100. And what Mr. Rouzer is trying to do is he is trying to simply take a resource and prioritize it, trying to make sure that if you have—just like you want to prioritize your resources, whether it is money, fresh water, in this case it is sand resource, making sure that you are investing in a way that results in the best outcome.

And some of our arcane laws that require that we are not allowed to touch certain borrow resources, it doesn't make sense, and in many cases results in worse ecological productivity, worse outcomes, worse resiliency. This is just something to provide flexibility, and Mr. Rouzer has been a leader on this, and I appreciate it.

But I want to go to Secretary McClinton.

Thank you for being here, really good to see you again.

Mr. MCCLINTON. Yes, sir.

Mr. GRAVES. Mr. Secretary, in Louisiana, if I wanted to get a fishing license, state or Federal, if I wanted to get a turkey or deer tag, if I wanted to get an alligator tag, can I do that online?

Mr. MCCLINTON. Thank you, Congressman Graves. Yes, sir. All that can be purchased online.

Mr. GRAVES. OK. And right now I can purchase an electronic duck stamp, is that correct, online?

Mr. MCCLINTON. Yes, sir.

Mr. GRAVES. OK, but there is a problem or an imperfection in that my electronic approval has a shelf life, and then the physical stamp comes in and it is supposed to be the remainder of the season. Is that correct?

Mr. MCCLINTON. That is 100 percent correct.

Mr. GRAVES. OK. So, what happens in a scenario whereby my electronic stamp expires, and I don't have my physical stamp yet?



Mr. MCCLINTON. Well, then the system is broken down and not giving the hunter what the expectation is. The 45 days should be enough for the contractor to get that to you. I hope that is not happening, because that is sort of the system that we have here.

So, I guess that individual would go out to a post office and buy a secondary stamp, but I know that is not the intent of the law. The program is established to provide for those individuals to buy that, and then also support the wetland restoration and reclamation of wetlands across this country.

Mr. GRAVES. Which has provided over \$1 billion in wetlands restoration funds.

Back to my scenario. So, if I go on my phone and I buy an electronic stamp, and 45 days have passed and I do not get my physical stamp—which I have spoken to people this has happened to. So, I have two options. I can go out and I can go hunt non-compliant, and I can risk getting myself in trouble, or I can go pay a second time and get a physical stamp while I wait for my second physical stamp to come in the mail. Those are my two options, right?

Mr. MCCLINTON. Yes, sir. You could either order it online again or you could go to a post office.

Mr. GRAVES. Yes, I guess I could order it online again. Yes, you can do that, too. In either case, buying twice or hunting non-compliant.

Mr. MCCLINTON. Well, you couldn't buy it from our state, because our system is not going to let you sell it twice. So, yes, you would have to go to Mississippi or Arkansas to buy their online permit.

Mr. GRAVES. So, gosh, so I would potentially even be obstructed from complying.

Mr. MCCLINTON. Yes, sir.

Mr. GRAVES. Yes. So, our bill, what it does, H.R. 2872, bipartisan legislation, and it simply says that your electronic stamp gives you valid or hunting electronic permit through the season. And then your physical stamp, which I want to be clear, I want to protect the physical stamp, I love it, the artwork, the whole process I think is amazing, and we certainly want to protect that. I assume that is important to you as well, protecting the physical stamp?

Mr. MCCLINTON. Yes, sir. Like we said earlier today, the testimony, to me, it is the longest running conservation program I am aware of. So, protecting that and keeping the integrity for the artists that participate, and for that program is very important. Your bill does that, and it is very—

Mr. GRAVES. OK. So, our bill would simply allow for your electronic stamp to give you the permission to hunt through the entire season. Your physical stamp would be mailed after the season. Therefore, you don't have people having two validations at the same time, ensuring that you continue getting the revenue into the trust fund that goes for wetlands restoration purposes and ends up being a win-win because it is easier to comply.

And, again, still preserving the stamp, still getting the resources, sort of like world peace here, right?

Mr. MCCLINTON. Yes, sir.

Mr. GRAVES. All right. Good deal.

Mr. MCCLINTON. I didn't say in my testimony, but I wanted to say that this legislation is to me, it is a sincere thank you to those people that have supported us and supported these programs over the years. So, thank you for——

Mr. GRAVES. Well, look, I want to thank you for working with us on the legislation. And just like we talked about earlier, every year I get my electronic fishing license and anything else I want to go do, I do it online. It is easy, and I think this one just brings—because it is a Federal stamp, we have to change the Federal law to allow you to be able to offer it through the season online.

So, I appreciate again you all's help. I want to thank all the witnesses for being here. Again, I thank my friend, Mr. Rouzer, for helping to address coastal resilience issues.

Mr. Chairman, I yield back.

Mr. BENTZ. Thank you, Mr. Graves. I recognize myself for 5 minutes.

Mr. Mayor, you made reference to the value of some homes and other infrastructure that might be harmed by virtue of not having the sand back. Can you give us a rough estimate of what losses you are worried about incurring? Give us a number.

Mr. MILLS. Thank you, Chairman. What I was referring to is Wrightsville Beach has utilities, roads, telephone, cable, electric, all sorts of infrastructure, water, sewer, as well as the actual homes, commercial businesses. We are talking hundreds of millions of dollars worth of property.

Mr. BENTZ. And how soon do you have to act to avoid that loss?

Mr. MILLS. Well, as you could see, we have been on a 4-year cycle, and we are 2 years behind now. And we are looking into emergency funds because just beyond where you see the pile of sand behind, property is just beyond that.

Mr. BENTZ. You are looking into emergency funds because you have to come up with the amount in excess of that which is normal for what you have been spending.

In other words, it is going to cost you more, and you are going to have to get that money from whom?

Mr. MILLS. We are close. There are some streets, if you will, with homes, roads, utility infrastructure that there is literally, at high tide, no beach, no beach. You walk to the end, what we call our beach access——

Mr. BENTZ. Forgive me for interrupting, but I am going to have to go to another topic.

Mr. MILLS. OK.

Mr. BENTZ. I just wanted to get it on the record that you are looking at severe loss if something isn't done. That much is now clear.

Mr. MILLS. Correct. Thank you.

Mr. BENTZ. I am going to shift over now to Mr. Adkins.

Mr. Adkins, on page 3 of H.R. 615, there has been some discussion about the nature of the exception, and I just want to clarify a couple of things.

First, are you familiar with this language? Am I asking you the proper question?

Mr. ADKINS. Yes.

Mr. BENTZ. OK. It says the prohibition or regulations, as applicable, must be consistent with the law of the state, consistent with the policy of fish and wildlife department of the state, and approved by the fish and wildlife department of the state.

Now, the concept is obvious, isn't it, that we are trying to be consistent across the entire state when it comes to the type of ammunition you are going to buy, is that correct? So, you don't have to have two different types of ammunition, one for Federal and one for state, is that the idea?

Mr. ADKINS. I think that is part of the idea, more broadly speaking. And I won't speak for Fish and Wildlife Service, but this is a very traditional relationship in which the state fish and wildlife agencies have traditionally been kind of the first mover when it comes to fish and wildlife management. So, this part of the bill, the way I describe it to folks, is to make sure that that long-term, century-long tradition continues—

Mr. BENTZ. And this time we have to interrupt you and hop to Paragraph 1 of the bill. And it says "a decline in the wildlife population." Is that 1 loon? Is that 5 loons? Is that 150 loons? I am trying to get a concept of decline. What does that mean?

Mr. ADKINS. It is part of the problem with the scientific question here, and why H.R. 615 is so important. By restricting these questions to the unit in question and requiring science to apply to that unit in question, then we can protect that access for hunters and anglers instead of—

Mr. BENTZ. OK, let's go back to—and forgive me for rushing through this—but it says primarily caused by the decline, whatever it is, is primarily caused by—we lawyers look at those kinds of words different than most others. So, does that primary mean the major cause? Does it mean it has to be the reason for the decline, or it can be one of many reasons?

Mr. ADKINS. I think what is important here is that it is an identifiable cause, and not a theory.

Mr. BENTZ. My brief review of this suggests that lead, as a cause, is generally "negligible," whatever that means.

But what I am trying to get at here, this exception looks like it does work. And is that your opinion, that this was carefully crafted, not something just slapped together to try to create an argument?

Mr. ADKINS. I called it in my written testimony elegant simplicity. This was carefully crafted to address the principal problem with the approach taken by many of the agencies right now. Very straightforward, very simple to simply ask that the science we are going to utilize to kick hunters and anglers off the landscape is actually directly tied to the unit under consideration.

Mr. BENTZ. And thank you for your patience and my questioning. With that, I recognize Congresswoman Luna for 5 minutes.

Mrs. LUNA. Thank you, Chairman.

Beach renourishment plays an important role in coastal communities. My colleague in North Carolina's bill highlights the complex nature of these projects, and how important they are for communities and critical wildlife.

One example in my district is the Sand Key Beach Renourishment project that is up for renourishment next year in Pinellas County, Florida. The erosion of beaches like Sand Key can be

devastating because it leaves infrastructure prone to flood damages, which negatively impacts local economy, and it also demolishes many habitats that endangered species and threatened wildlife require.

As my colleague from North Carolina knows from the projects in his district like the Wrightsville Beach Renourishment Project, the Army Corps of Engineers plays an integral role in a lot of these projects. Unfortunately for my district, the Sand Key Beach Project is being stonewalled by the Army Corps of Engineers. And just last week, the Army Corps in DC denied a waiver from their local Army Corps office who actually performs the project to move forward with the project using temporary easements as they have been using for the past three decades.

In other words, the Army Corps is holding our beach renourishment hostage in exchange for full relinquishment of property rights from every single homeowner along the Sand Key Beach Renourishment Project. It is clear that they are not interested in protecting Pinellas County from storm damage, nor protecting the habitats of threatened and endangered species. Instead, these bureaucrats are more interested in strong-arming private citizens over their property rights and playing politics with projects like Sand Key that are integral for the safety and success of people in Florida, as well as other coastal communities.

My question is for you, Mr. Strickler. The erosion of shorelines affects natural resources, energy, defense, public infrastructure, and tourism. How has the Department of the Interior worked to address the erosion along our nation's coastlines, beaches, barrier islands, and wetlands?

Mr. STRICKLER. Representative Luna, thank you for the question. And while I am not familiar with the case that you raise in Pinellas County, I can say that the U.S. Fish and Wildlife Service has a very active role in coastal resources management.

The Coastal Barrier Resources Act is a really good example of that by keeping natural, intact coastal barriers there to help protect communities that are adjacent to or behind them. We save a lot of taxpayer money, and we are able to prevent additional development in harm's way.

We also have a coastal program that helps restore coastal habitats like mangroves, salt marsh, dune systems, et cetera. Certainly, there is plenty of work to be done there. NOAA also has a role to play, but we use the resources that Congress gives us to make progress on that front, as well.

Mrs. LUNA. How long, on average, does it take the Department of the Interior to provide all necessary permits, for example, like Sand Key, where sand placement is critical for restoration of endangered habitats?

Mr. STRICKLER. Again, I am not 100 percent familiar with that—

Mrs. LUNA. But just, like, in general for the permitting process.

Mr. STRICKLER. I hate to be flippant, but it depends on which permits, right? So, we have Migratory Bird Treaty Act permitting, we have Endangered Species Act permitting, we have Marine Mammal Protection Act permitting. And obviously we try to do

these as quickly as we can, including through the electronic permitting process that we talked about.

Mrs. LUNA. Can you address the one for endangered species, because that would be one that is more specific to my region?

Mr. STRICKLER. Yes. I will have to get back to you specifically on a number. It is not days, right? It usually takes several months to get these things turned around.

But depending on the circumstance, if you are using some of our flexible tools like habitat conservation plans, et cetera, under the Endangered Species Act, some of those permits are quicker. So, we try to figure out ways to do that efficiently.

Mrs. LUNA. OK. Honorable Darryl Mills, Army Corps has demonstrated a pattern of reinterpreting the law for erosion control projects across the country. From 1998 until 2021, the Corps interpretation of the Coastal Barrier Restoration Act allowed Federal money to be used to move sand from an inlet to the inlet beach until 2021. Their interpretation basically changed. This is similar to how the Corps interpretation changed for Sand Key Project. How has this bureaucratic policy change obstructed these erosion control beach projects?

Mr. MILLS. Thank you. How has it affected? We can't get any sand. And you can see from the photos that Congressman Rouzer supplied, we have severe erosion that is greatly and immediately endangering infrastructure, property, and, ultimately, life. It is an important barrier for, and with all due respect to Mr. Strickler, the protection that the barrier islands give us can't exist without some help.

Mrs. LUNA. I agree.

Mr. MILLS. And this reinterpretation is killing that for Wrightsville Beach. Thank you.

Mrs. LUNA. Yes, of course, thank you, and I completely agree.

The Sand Key Project, which is facing similar issues to the issues in Wrightsville Beach, relies on the Army Corps to provide constant maintenance to protect residents, species, property, tourism, and the local economy from natural disasters. So, I just wanted to say thank you very much for you guys being here and testifying to that.

I am over my time, Chairman. I yield my time.

Mr. BENTZ. Thank you, and I want to thank the witnesses for their important and valuable testimony, and the Members for their questions.

The members of the Committee may have some additional questions for the witnesses, and we will ask you to respond to any of those in writing. Under Committee Rule 3, members of the Committee must submit questions to the Subcommittee Clerk by 5 p.m. Eastern time on May 15. The hearing record will be held open for 10 business days for these responses.

If there is no further business, without objection, the Subcommittee stands adjourned.

[Whereupon, at 3:55 p.m., the Subcommittee was adjourned.]