

**TESTIMONY OF GREG SIEKANIEC, ACTING DEPUTY DIRECTOR
U.S. FISH AND WILDLIFE SERVICE,
U.S. DEPARTMENT OF THE INTERIOR,
BEFORE THE HOUSE COMMITTEE ON NATURAL RESOURCES SUBCOMMITTEE
ON FISHERIES, WILDLIFE, OCEANS AND INSULAR AFFAIRS
ON H.R. 306, THE COROLLA WILD HORSES PROTECTION ACT; AND H.R. 588
AND S. 266, BILLS TO RENAME NOXUBEE NATIONAL WILDLIFE REFUGE**

APRIL 7, 2011

INTRODUCTION

Chairman Fleming and Members of the Subcommittee, I am Greg Siekaniec, Acting Deputy Director of the U.S. Fish and Wildlife Service (Service), within the Department of the Interior (Department).

I appreciate the opportunity to appear before the Subcommittee today to testify on two bills of interest to the Service: H.R. 306 the Corolla Wild Horses Protection Act and H.R. 588, a bill to rename the Noxubee National Wildlife Refuge the Sam D. Hamilton Noxubee National Wildlife Refuge. We greatly appreciate the Subcommittee's continued leadership and support for the conservation of the nation's wildlife and our National Wildlife Refuge System.

As outlined below, the Department opposes passage of H.R. 306 and supports passage of H.R. 588.

H.R. 306, THE COROLLA WILD HORSES PROTECTION ACT

H.R. 306, the Corolla Wild Horses Protection Act, would require the Secretary of the Interior to provide for management of horses in and around the Currituck National Wildlife Refuge. As discussed below, the Administration opposes this legislation.

Currituck National Wildlife Refuge was established in 1984 and is located on the northern end of North Carolina's Outer Banks. The refuge was established to preserve and protect the coastal barrier island ecosystem, and refuge lands are managed to provide wintering habitat for waterfowl and to protect endangered species such as piping plover, sea turtles, and sea beach amaranth. Various types of wading birds, shorebirds, waterfowl, raptors, mammals, reptiles, and amphibians common to the eastern United States, are found on the refuge. The refuge consists of six separate units all located between Corolla, North Carolina, and the state boundary between North Carolina and Virginia.

H.R. 306, the "Corolla Wild Horses Protection Act," would require the Secretary of the Interior to enter into an agreement with the Corolla Wild Horse Fund, a local nonprofit corporation, the County of Currituck, and the State of North Carolina to provide for management of horses in and around the Currituck National Wildlife Refuge. This mandated agreement must allow a herd of not less than 110 horses in and around the refuge, provide for management of the horses, and

provide for the introduction of a small number of horses from Cape Lookout National Seashore, as necessary, to maintain genetic viability of the herd. Additionally, the bill provides no funding for management of horses on the refuge.

H.R. 306 precludes the Secretary from excluding horses from any portion of the refuge unless a finding is made that the presence of horses on a portion of the refuge threatens the survival of an endangered species for which such land is designated as critical habitat, the finding is based on a credible peer-reviewed scientific assessment, and the Secretary provides a period of public notice and comment on that finding.

The Department has significant concerns with H.R. 306, and opposes its passage. Currituck National Wildlife Refuge was established to manage for specific trust wildlife species including waterfowl, migratory birds, and endangered species. The Service views wild horses, as defined in 50 CFR 30.11(a), as feral domestic animals. On Currituck National Wildlife Refuge, horses compete with native wildlife for limited resources and horses negatively impact habitat. H.R. 306 would subrogate the refuge's purposes as the Service will no longer be able to place its highest priority on managing wildlife such as migratory birds and endangered species. The bill fails to consider the refuge's Comprehensive Conservation Plan, which was created with public involvement, and it overrides the requirements of the National Wildlife Refuge System Administration Act and the Endangered Species Act.

H.R. 306 would limit the Service's management discretion on the refuge by restricting our ability to close areas, remove horses, or provide grazing opportunities beneficial to wildlife within enclosed areas. For example, research is currently underway to assess the impacts of deer, pigs, and horses to refuge habitats. Such research requires excluding these species from areas to determine the extent of their impacts. H.R. 306 would compromise this study by precluding closure of these areas to horses, and eliminate future habitat impact research needed to meet the objectives for which the refuge was established. The requirement to show the presence of horses on a portion of the refuge threatens the survival of an endangered species – based on a peer-reviewed scientific assessment involving a public comment period – will require time and substantial resources that are currently not available at the refuge. The refuge has over 400 native wildlife species it is responsible for monitoring and sustaining with five staff stationed at Mackay Island National Wildlife Refuge. Requiring this level of intensive management for one feral species cuts into staff capacity for maintaining the native species for which the refuge was established.

The bill mandates maintaining a herd of not less than 110 free-roaming wild horses in and around the refuge, with a target population of between 120 and 130 free-roaming wild horses. The current Currituck Outer Banks Wild Horse Management Plan provides for a maximum of 60 horses, with the population controlled through adoption, relocation, or contraceptive fertility methods. Sustaining a herd of 110 or more horses concerns us. We are also concerned that development of private land continues to erode the quantity of suitable habitat outside the refuge and this trend could cause future horse populations to be even more reliant on the refuge, thus further cutting into a habitat base intended for native wildlife.

Lastly, the Department views H.R. 306 as unnecessary because there is already a horse management plan in place. The current version of the Currituck Outer Banks Wild Horse Management Plan was reviewed and approved in partnership with the Corolla Wild Horse Fund, the County of Currituck, and the NC National Estuarine Research Reserve in 2007. The purpose of this plan is to provide guidelines and general management objectives for managing the Currituck Outer Banks horses. The management plan provides management flexibility to respond to changing circumstances in the area. This flexibility is now paramount as plans to construct a mid-Currituck bridge are moving forward. This bridge will significantly increase the rate of development and the amount of vehicular traffic, changing available habitats for both horses and native wildlife to some, currently unknown, extent. Refuge management plans have been updated to reflect the presence of horses on the refuge property and their use. Plans address the need to monitor horse impacts, make management decisions based upon sound wildlife management practices to protect critical resources, and to work with partners to protect these resources.

Accordingly, the Department opposes passage of H.R. 306, the “Corolla Wild Horses Protection Act.”

H.R. 588 AND S. 266, BILLS TO RENAME NOXUBEE NATIONAL WILDLIFE REFUGE

H.R. 588 would rename the Noxubee National Wildlife Refuge the Sam D. Hamilton Noxubee National Wildlife Refuge. We greatly appreciate Representative Harper’s efforts to honor our late Director with this bill, and appreciate the similar efforts of Senator Cochran. Although it is generally the policy of the Service not to name refuges after individuals, in recognition of Sam’s contributions, the Department supports H.R. 588 and the Senate’s unanimous passage of the Senate companion legislation, S. 266, earlier this year and urges the House of Representatives to take the same action.

Last year, the conservation community lost one of its most dynamic leaders with the passing of U.S. Fish and Wildlife Service Director Sam D. Hamilton, III. Sam’s vision and commitment to wildlife conservation were extraordinary. His passion for conservation and the Service’s mission, along with his deep appreciation for the work done by each employee of the Service, are his legacy.

Sam grew up in Starkville, Mississippi, and not long before his passing he recalled catching his first fish with his father at the age of five at nearby Noxubee National Wildlife Refuge. Sam began his career in conservation with the Youth Conservation Corps at Noxubee National Wildlife Refuge, and he had a special place in his heart for this refuge. Sam later joined the Service and worked in a number of field offices doing on the ground conservation in Alabama, Mississippi, Texas, Georgia and two stints in Washington. Prior to his confirmation in 2009, Sam served as the Southeast Regional Director. There he spearheaded a renewed commitment to the Region’s national wildlife refuges — public lands that provide a multitude of benefits to wildlife and people — and its national fish hatcheries, which play a key role in managing the Nation’s fisheries and aquatic resources.

After working for the Service for more than 30 years, Sam was nominated to lead the agency as its Director. Sam's tenure as Director, while brief, was guided by his strongly held belief that no single entity, whether Federal, State, or private, can ensure the sustainability of the nation's fish and wildlife resources working independently. He worked toward building collaborative partnerships to develop bold ideas and solutions to the challenges facing the nation's wildlife.

In general, Service policy establishes criteria for naming a refuge and states that first preference is given to a geographic or geologic feature that is tied to the identity of the refuge. If there is no such significant feature, then the refuge may be named after a wildlife, fish, or plant species. The policy specifically states that a refuge should not be named after any individual, although buildings, trails, and other facilities within the refuge may be named after an individual who played a significant role in the establishment or operation of the refuge.

The policy was adopted because the Service recognizes that most places have existing names that reflect the natural characteristics and history of the landscape. Many existing names have significant cultural meaning to local communities. The Service's stewardship of national wildlife refuges reflects a land ethic that recognizes local land forms and features. Our policy is meant to keep the natural places and wild creatures as the focus of our work.

CONCLUSION

The Service greatly appreciates your leadership, and the interest and efforts of the Subcommittee in supporting the conservation of the nation's fish and wildlife resources and wildlife-dependent recreation. We look forward to working with Subcommittee members as you consider these bills and other legislation. I appreciate the opportunity to testify today and would be happy to answer any questions.