

TESTIMONY OF CHARLES WOOLEY, DEPUTY REGIONAL DIRECTOR, U.S. FISH AND WILDLIFE SERVICE, DEPARTMENT OF THE INTERIOR, BEFORE THE HOUSE COMMITTEE ON RESOURCES SUBCOMMITTEE ON FISHERIES AND OCEANS REGARDING THE GREAT LAKES FISH AND WILDLIFE RESTORATION ACT AND THE ED FOUNTAIN PARK EXPANSION ACT

September 14, 2006

Mr. Chairman and Members of the Subcommittee, I am Charles Wooley, Deputy Regional Director of the U.S. Fish and Wildlife Service's (Service) Great Lakes – Big Rivers Region. I am pleased to appear before you today with my fellow witnesses to discuss the Great Lakes Fish and Wildlife Restoration Act of 2006 and S. 2041, the Ed Fountain Park Expansion Act.

Great Lakes Fish and Wildlife Restoration Act

The Great Lakes are the largest, single source of surface freshwater on earth, containing nearly 18 percent of the world supply. With 9,000 miles of shoreline, 5,000 tributaries and 30,000 islands, the Great Lakes are one of the most unique places in our country and a national treasure. The Great Lakes Basin is home to 35 million people who work and play in and around the Great Lakes. Service survey data show that fishing, hunting and wildlife watching generate nearly \$18 billion in annual revenue in the region. Eleven million people bought fishing licenses, accounting for 25 million angler days. One third of the boats in this country are registered in the Great Lakes. Fish and wildlife resources depend on the Great Lakes and so do the people who live there. Many Americans value the Great Lakes as a place to live and enjoy, and within this context, the Service works with others to conserve the fish and wildlife resources and associated habitats of the Great Lakes for current and future generations.

The Department of the Interior strongly supports the goals of both HR 4953 and [S. 2430](#), but prefers the language in S. 2430, as passed by the Senate. Both bills would reauthorize and amend the Great Lakes Fish and Wildlife Restoration Act (Act) to reflect an adaptive approach that secures partnerships and provides restoration programs aimed at addressing the Great Lakes' most pressing fish and wildlife resource needs.

To date, the Service and our many partners have made significant progress in restoring fish and wildlife resources throughout the Great Lakes Basin by working collaboratively to address new challenges as they arise and tackle long standing issues. Reauthorization of the Act would support the President's initiative on Cooperative Conservation by building upon partnerships and encouraging landowners, communities, conservation groups, industry, and governmental agencies to join together to focus on Great Lakes resource issues. The Act would also support the President's Executive Order 13340, which affirmed the federal government's commitment to address environmental and resource management issues in the Great Lakes basin. With reauthorization of the Act, the Service would continue making progress in fulfilling the goals outlined in the original Act, while maintaining and establishing new partnerships.

In order to emphasize the importance of reauthorization, I would like to outline the history of the Act:

Great Lakes Fish and Wildlife Restoration Act of 1990

There are many challenges to managing fish and wildlife resources in the Great Lakes Basin due to a number of factors, including the complexity of the ecosystem and the number of institutional frameworks in place. Management authority for fish and wildlife involves two countries, eight States, two provinces, and 28 Native American tribes and treaty authorities. Many other entities including municipalities, county boards, universities, research institutes, industry, and conservation and recreation organizations all have an interest in how fish and wildlife in the Great Lakes are managed. Recognizing the national significance of the Great Lakes, Congress passed the Great Lakes Fish and Wildlife Restoration Act in 1990 to begin addressing basin-wide challenges through cooperative efforts.

With passage of the Act, the Service undertook a comprehensive study of the fishery resources in the Great Lakes and the 1995 Report to Congress provided 32 recommendations on how fishery resources could be restored. At the same time, the Service also opened a dialogue with the states, organizations, agencies, and citizens interested in the management of fish and wildlife resources that continues today in the form of partnerships and collaborative efforts.

The Great Lakes Fish and Wildlife Restoration Act of 1998

In 1998, Congress reauthorized the Act and changed the Service's focus from study to action. The Service's recommendations in the 1995 Report to Congress and the Act's original goals for the Service became the basis for a focused effort to fund projects and activities critical to resource management in the Great Lakes. The 1998 Act authorized the Service's on-the-ground restoration activities, coordination, technical assistance and capability to fund state and tribal-sponsored

restoration projects.

The authority to fund projects in support of the 1998 Act gave the Service a new tool to tackle the challenges of managing fish and wildlife resources in the Great Lakes. This grant program has allowed the Service to develop partnerships with others and provided a process for achieving on-the-ground restoration activities to benefit fish and wildlife in the Great Lakes. From 1998 through 2006, more than 60 partners collaborated on species and habitat related projects under the authority of the Act by providing funds, in-kind contributions, and expertise. In total, 72 of the 157 projects proposed under the Act have been funded with more than \$3.9 million in federal dollars and \$2.7 million in non-federal matching funds. The non-federal match exceeds the 25 percent match required by the 1998 Act and provides an example of how the Service can leverage federal funds to achieve greater results. This year alone, the Service will provide \$563,000 to fund seven projects under the Act.

The 1998 Act also established an interagency Proposal Review Committee, under the Council of Lake Committees. The Proposal Review Committee is responsible for reviewing and recommending the highest priority projects to the Director of the Service for funding. This interagency review process has ensured that funds address the 32 recommendations of the 1995 Study, the priorities of the Lake Committees, and the goals for the Joint Strategic Plan for the Management of Great Lakes Fisheries. This process has also helped bring management authorities together to work as a unified force. The Service appreciates the Great Lakes Fishery Commission's leadership and assistance in requesting proposals and administering some of the grants awarded under the Act .

H.R. 4953 and S. 2430

Both H.R. 4953 and S. 2430 propose important changes to the Act and reflect an evolution in the needs of the Great Lakes and the partnerships within the Great Lakes Basin. Both bills increase the focus on implementing fish and wildlife project proposals and places greater emphasis on carrying out projects that address equally fisheries and wildlife restoration needs.

H.R. 4953 and S. 2430 also expand the grant proposal program to include "regional projects." These regional projects would address issues of regional importance which challenge the ability of any one entity to handle, such as invasive species control.

In order to address both fish and wildlife issues equally, it is our understanding that both bills would change representation on the Proposal Review Committee to include experts in both fish and wildlife, as well as require the Proposal Review Committee to operate under the guidance of the Service. If either H.R. 4953 or S. 2430 is enacted, the Service will work closely with the Council of Lake Committees to ensure a smooth transition, as the Council has provided exceptional work in coordinating the review process since 1998.

Despite their similarities, S. 2430, as passed by the Senate, differs in a few respects from H.R. 4953. For instance, S. 2430 would not require the Service to conduct a new comprehensive study of the Great Lakes, but would direct the Service to reassess and update, as necessary, the Great Lakes Fishery Resources Restoration Study of 1995. In addition, S. 2430 would require project information be annually available on a publicly-accessible website. We also note that any new spending required by the legislation must be consistent with the President's Budget.

In sum, Mr. Chairman, the Department of the Interior remains committed to working with its partners to achieve common goals for the Great Lakes. With reauthorization of the Great Lakes Fish and Wildlife Restoration Act, the Service will continue to build on past successes. The Great Lakes Fish and Wildlife Restoration Act has long served as a model for an integrated, collaborative, and comprehensive approach to Great Lakes restoration and management, and reauthorization of the Act will continue the tremendous progress made in restoring and protecting the Great Lakes. The remainder of my statement will focus on S. 2041, the Ed Fountain Park Expansion Act.

Ed Fountain Park Expansion Act

The Ed Fountain Park Expansion Act would direct the Secretary of the Interior, acting through the Director of the U.S. Fish and Wildlife Service, to convey a specified administrative site in Las Vegas, Nevada from the Service to the City of Las Vegas for use as a park or any other recreation or nonprofit-related purpose. Under the legislation, the city would bear all costs of the transfer. The Administration supports this legislation.

The property in question is a vacant, cleaned-up urban lot comprised of about 7.89 acres, with little to no wildlife value. The property formerly served as the site for the local administrative offices for the Bureau of Land Management and the Service, but was vacated by both agencies several years ago after they relocated to a larger multi-jurisdictional facility.

The property is technically classified as part of the Desert National Wildlife Refuge Complex, and under jurisdiction of the Service as part of the National Wildlife Refuge System.

Under the National Wildlife Refuge Administration Act of 1966 (16 U.S.C. 668dd), as amended, lands which are part of the National Wildlife Refuge System may only be transferred or otherwise disposed of by: (1) limited equal value exchange; (2) if the Secretary determines with the approval of the Migratory Bird Conservation Commission that such lands are no longer needed for the purposes for which the System was established; or (3) an act of Congress. Because the property in question is technically part of the National Wildlife Refuge System, the Service does not have the authority to administratively transfer the site to the City of Las Vegas. This legislation would provide the Congressional authorization to transfer the property to the City of Las Vegas for use as a public park.

Because the property is no longer used by the Department, we think it appropriate that it be treated, as this legislation would, as a public benefit transfer to the City of Las Vegas for use as public parkland. Like the transfer in this legislation, transfers of land, other than refuge land, for public benefit use are generally at no cost. We support the continued use of the property for the public's benefit, but we have a concern that some "nonprofit-related uses" may be outside the legislation's intent. We also recommend that the reverter provisions in section 3(c) of S. 2041 be made mandatory.

This concludes my testimony, I appreciate the opportunity to appear before the Subcommittee, and I would be pleased to answer any questions you have.