

U.S. House of Representatives
Committee on Resources

Gentlemen,

Thank you very much for holding this hearing. We are most appreciative of your efforts to reform the Endangered Species Act. I believe the hearing today will give more insight into this contentious and important subject and the need for reform.

It is well to start with a quote from the Federal Register when the bull trout was listed as threatened. “The Jarbidge River population segment, composed of a single subpopulation with few individuals, is threatened by habitat degradation from past and ongoing land management activities such as road construction and maintenance, mining, and grazing; interactions with non-native fishes; and incidental angler harvest. We based this final

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determination on the best available scientific and commercial information

including current data and new information received during the comment period”.

My analysis of the situation at the time of the listing is that road construction and maintenance was minimal. There had been no mining or grazing in the area of South Canyon for many years with the same situation existing today. The only interaction the bull trout have with non-native fish, are when they swim by each other. Angler harvest has never been a problem. Who would want to catch a bull trout? According to people who were unlucky enough to catch them years ago, they were not a gourmet meal and give little or no resistance when caught.

Their assertion that the listing was based on best scientific and commercial information available is poppycock. The truth is they ignored all scientific information especially the scientific information provided by N.D.O.W.

I believe Congress has required that regulations be written in plain English. The final rule listing the bull trout as threatened is not written in plain English. It just as well be written in a foreign language. It is so complicated and disjointed.

Section 4 of the Act requires the Fish and Wildlife Service to make a

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determination to list solely on the best scientific and commercial data available. A reading of the listing indicates the listing was political and not scientific. The listing was for the self-gratification of the Fish and Wildlife Service, a pay off to the Greenies and the appeasement of a misinformed Federal Judge.

The bull trout is a prehistoric fish that needs very cold water. The fish is a remnant of the glacial period that ended several thousands years ago. Their population

will continue to decline naturally until they are eventually extinct. This extinction is a natural process and not caused by human threat.

The fish are a threat to themselves as they are very carnivorous and eat each other. Just as the Endangered Species Act would have not prevented the extinction of the dinosaur, the Endangered Species Act cannot save the bull

trout. The Endangered Species Act and the listing of the bull trout as threatened, only prevents humans from enjoying the South Canyon. It limits their camping and fishing experience as well as increasing the fire danger to the Canyon. Young families, the elderly, and handicapped are even more affected by the listing and restrictions that are in place.

The Fish and Wildlife Service is supposed to make a determination of the suitability of the listing based up five factors as stipulated in the Act. I

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submit to you that the narrative describing the listing criteria is misleading, filled with untruths and in many cases downright lies. The fish is not threatened, the Fish and Wildlife Service has perpetuated fraud upon the citizens of Jarbidge and Elko County. The evidence is over-whelming; the fish must be de-listed.

