

Mr. Chairman, Trout Unlimited thanks you for the invitation to testify here today. Trout Unlimited is an organization of 130,000 members organized into more than 450 local chapters nationwide. Our mission is to conserve, restore, and protect America's trout and salmon fisheries and their watersheds. We have a long history of working with local communities, landowners, and state and federal agencies.

Trout Unlimited has invested an enormous amount of volunteer effort in the Jarbidge River. Our local volunteers raised \$10,000 to help build the bridge that replaced a culvert on Jack Creek that was preventing bull trout from moving upstream to spawning habitat. Trout Unlimited volunteers sponsored a fencing project on Jack Creek to protect the stream corridor. Countless hours have been spent working on stream habitat improvements and on participation in the management planning processes that effect the Jarbidge River's trout resource. We take great pride in these efforts. Our members come from a wide variety of backgrounds, but they share a common belief in the principle that healthy watersheds are at the heart of the great trout fishing opportunities that Americans enjoy. That principle is at the heart of our work in the Jarbidge watershed.

Trout Unlimited has not been directly involved in any of the listing processes or the litigation that resulted in the Jarbidge River bull trout's current listed status. Trout Unlimited has been involved, since 1995, in an effort to protect the bull trout from the harmful sediment loading that occurs as a part of the mindless cycle of flood damage and road repair that has been – at great expense to the taxpayer – the South Canyon Road's primary legacy. Let me emphasize that our involvement has consisted, from start to finish, in participating in the public processes that have been established to allow citizens to have a say in the management of America's public natural resources. We have been surprised by the extreme reaction that our position in this debate has provoked. Let us recall the basic facts: This is a mile and a half of dead-end road leading to an outhouse.

Trout Unlimited's attempts to highlight the precarious status of bull trout in the Jarbidge River certainly shed light on the potential need for a listing under the Endangered Species Act. They were not the reason that the species was listed, however. That decision had been made even before Elko County's commissioners decided to take the law into their hands and repair the road, regardless of the consequences. We are all familiar with what the first consequence of that action was: an emergency listing. It is worth noting that, biology aside, the county commissioners' actions and attitudes are ongoing proof of – in the words of the Endangered Species Act – the inadequacy of the existing regulatory mechanisms protecting bull trout. In other words, the Elko County commissioners didn't only put the bull trout listing on the fast track; they are also ensuring that the bull trout stays listed for a long, long time.

Should the Jarbidge bull trout be a listed species? Let me state for the record that I am not a biologist. I, and Trout Unlimited, draw conclusions from the consultation of as wide a variety of experts as possible. In this case, the experts – with the notable exception of the Nevada Division of Wildlife – say that the species should be listed. To cite a handful of examples: The Humboldt Toiyabe National Forest's 1998 Environmental Assessment of proposed South Canyon Road repairs stated that "it is premature to say that the population of bull trout in the Jarbidge River is stable." The Forest Service's Jason Dunham, a leading authority on bull trout, has reviewed the species' status and the NDOW position on a bull trout listing and twice, in 1998 and 1999, concluded that NDOW's reasoning is flawed and that Jarbidge bull trout are "at risk." In 2000, a review of NDOW's position by the Western Division of the American Fisheries Society concluded that a listing was warranted. Finally, the U.S. Fish and Wildlife Service decided as far back as 1997 – long before the South Canyon Road controversy erupted – that a listing was warranted. It is worth noting that the Service was motivated, in part, by the concerns expressed by the Nevada Division of Wildlife

that angling pressure was resulting in the harvest of significant numbers of Jarbidge River bull trout.

Science favors the listing. In Trout Unlimited's view, the purpose of today's hearing should not have been just another rehashing of an old topic. Is there sufficient empirical or modeling data to justify a listing? The experts answered that question a long time ago. Incidentally, anyone who believes that Jarbidge bull trout should not be listed can petition to delist the species. If there is sufficient information out there to convince a majority of the experts to support a delisting then so be it. We all know that that is not the case at the moment.

No, our focus today, and our focus in the future, should be on gathering whatever information we lack, and making whatever improvements to habitat and management strategies that we can to ensure that Jarbidge bull trout can be delisted, and stay delisted. Trout Unlimited's work in the Jarbidge watershed – from fundraising for the Jack Creek bridge to participating in the public processes through which management decisions are made – has had improved habitat and stable bull trout populations as its mission from the start. Our work might once have helped to provide a reason not to list bull trout. Our work can still set us on a path towards restoring the health and vitality of this unique population of game fish.